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LONDON  
SW6 6LR

Application Ref: **2014/7978/P**  
Please ask for: **Nanayaa Ampoma**  
Telephone: 020 7974 **2188**

8 April 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**1-8 New College Parade**  
**Finchley Road**  
**London**  
**NW3 5ES**

Proposal:  
Removal of condition 4 (noise report) and variation of condition 5 (sound insulation detail) in relation to 2011/1054/P, 01/12/2011 for the change of use of part of first floor from offices to residential and associated alterations.

Drawing Nos: Site Location plan; Existing plans - 99084-01; 99084-02a; Proposed plans - 99084-01A; NCP/1540/1A; 1 x photo; Lifetime Homes statement received 11/04/2011 & Acoustic Assessment by Red Johnson and Sound Insulation details by Sonic Elements (8/3/2013).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.4 of planning permission 2011/1054/P granted on 01/12/2014 is removed.



Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 For the purposes of this decision, condition no.5 of planning permission 2011/1054/P granted 01/12/2014 shall be replaced with the following condition:

Prior to occupation of the development hereby approved secondary glazing shall be provided to all windows.

Reason: To safeguard the amenity of future occupants of the building in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Application 2011/1054/P dated 01/12/2011 stipulated conditions 4 [Before the development commences, a scheme shall be submitted to and approved by the Local Planning Authority providing for the insulation of the proposed dwelling units so that externally generated road traffic noise levels do not cause internal noise levels to exceed an indoor ambient noise levels in unoccupied rooms of 30 dB(A) LA eq (1hour) and individual noise event shall not exceed 45 dB L<sub>Amax</sub>. A report shall be submitted Local Planning Authority for its approval containing all raw data and showing how calculations have been made including all corrections and assumptions made and the scheme shall include details on noise mitigation measures including window glazing and room ventilation provisions. The development shall only be carried out in accordance with any such details approved pursuant to compliance with this condition.] and 5 [Before the development commences, full details regarding sound insulation works at separating floor for both airborne and impact sound generated by the activities on the ground floor shall be submitted to the Local Planning Authority for its approval. The proposed sound insulation works to the floors shall be such that the noise generated by the noise from the activities and/or plant machinery installed and operated on the ground floor shall not increase 30 dB(A) LA eq (1hour) inside the unoccupied rooms of the residential accommodation. Measurements shall be pursuant BS 4142 i.e. when the plant/machinery/activity is and is not in operation. The development shall only be carried out in accordance with any such details approved pursuant to compliance with this condition.)

The variation/removal of conditions are considered acceptable in this instance as the more recent approval under application 2014/2693/P for a different part of the same building, only stipulated that secondary glazing be implemented to the property in order to meet residential noise standards on sound insulation. Evidence has been submitted to show that secondary glazing has also been implemented in relation to application 2011/1054/P and the report undertaken by Sonic Elements Ltd shows that the required standards have been met. As such, officers have taken the view that replacing conditions 4 and 5 with one clear condition to implement secondary glazing only would bring the development in line with the most recent

submission (2014/2693/P) and would still respect the objectives of the originally attached conditions.

The noise officer has been consulted and has agreed that the proposed variation is acceptable. Therefore conditions 4 and 5 should be replaced with one condition: Prior to occupation of the development hereby approved secondary glazing shall be provided to all windows. Reason: To safeguard the amenity of future occupants of the building in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Neighbouring occupiers were consulted on the application. No objections have been received and no objections were received during the assessment of the original application (2011/1054/P). The site's planning history has also been taken into account in coming to this decision.

As such, the proposed details are in general accordance with policies CS5 and CS6 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policy 7.15 of the London Plan 2011; and paragraphs 109 and 123 of the National Planning Policy Framework (2012).

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 (providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision and not this variation), but excludes conditions 4 and 5 which this permission effectively varies.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL

payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson  
Director of Culture & Environment