

Mr Chris Moseling  
Butler Associates  
24 Chipstead Station Parade  
Surrey  
CR5 3TE

Application Ref: **2015/3938/P**  
Please ask for: **Patrick Marfleet**  
Telephone: 020 7974 **1222**

4 January 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**255 West End Lane**  
**London**  
**NW6 1XN**

Proposal: Erection of an external extract duct to the rear and installation of 3 x condenser units at ground floor level.

Drawing Nos: 1568/10 Rev A, 1568/14 Rev C, 4822/001, 1568/01, 1568/D100, Design & Access Statement and Plant Noise Impact Assessment (ref: RF85517/PNIA) dated 28/08/2015.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1568/10 Rev A, 1568/14 Rev C, 4822/001, 1568/01, 1568/D100, Design & Access Statement and Plant Noise Impact Assessment (ref: RF85517/PNIA) dated 28/08/2015.

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 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.

Informative(s):

- 1 Reasons for granting permission.

The proposed extract duct would replace an existing duct on the rear elevation of the host building. While the replacement would extend higher than the existing duct, it would be painted black to match existing drainpipes which run parallel to the proposal and also terminate at parapet/eaves level. While the rear elevation is visible on this corner site, it is not considered that the proposal would significantly detract from the appearance of the host or surrounding buildings and it is considered that it would preserve the character and appearance of the conservation area.

The proposed condenser units would be located to the side of the site at street level. They are considered to have an acceptable impact on the appearance of the surrounding conservation area as they would be housed within a louvered enclosure surrounded by raised planters which provide screening.

In terms of amenity, the proposal is considered to be an improvement on the existing arrangement at the site as the extract duct would discharge fumes at eaves level rather than at 2nd floor level. Furthermore, the Council's Noise Officer is satisfied that the submitted acoustic report confirms that the proposed ducting and condenser units could be operated without causing undue disturbance to the residential properties surrounding the application site. A compliance condition has been added to this permission to ensure that the proposal is lower than the lowest existing background noise level by at least 5dBA or 10dBA where appropriate. Furthermore, the size and location of the proposal would not significantly harm residential amenity in terms of loss of light and outlook.

No objections and one letter of support were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies and paragraph F10 of the Fortune Green and West Hampstead Neighbourhood Plan. The proposed development also accords with policies 7.4 and 7.6 of the London Plan 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

- 2 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 Compliance and Enforcement team [Regulatory Services], 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.
- 3 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).

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

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson  
Director of Culture & Environment