

Mrs Kathryn Levitt
Kathryn Levitt Design Ltd
Goodwin House
5 Union Court
Richmond
TW9 1AA

Application Ref: **2016/6750/P**
Please ask for: **Nora-Andreea
Constantinescu**
Telephone: 020 7974 **5758**

30 March 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Flat D
Mount Tyndal
Spaniards Road
London
NW3 7JH**

Proposal:

Installation of plant with acoustic housing at rear first floor level associated to flat D (Class C3).

Drawing Nos: 027 Revision A; 029 Revision A; 030 Revision A; 035 Revision A; 037 Revision A; 038 Revision A; Environlite - acoustic enclosures 31 May 2016; Noise Survey and Plant Noise Assessment Report 3 October 2016; Photos as existing and proposed aircon rev A; Site location plan.

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:

027 Revision A; 029 Revision A; 030 Revision A; 035 Revision A; 037 Revision A; 038 Revision A; Environlite - acoustic enclosures 31 May 2016; Noise Survey and Plant Noise Assessment Report 3 October 2016; Photos as existing and proposed aircon rev A; Site location plan.

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

- 4 The external noise level emitted from plant equipment along with the mitigation measures as specified in report ref: 23697/PNA1, dated 3rd October 2016 shall ensure that the external noise level emitted from plant equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with the unit operating at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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 plant would be located on the terrace at the 1st floor, on the north-east corner of the building.

The proposed plant would operate within the noise level limits as stated in the

Noise Assessment Report and reviewed by environmental health officers which confirmed that the measures given will accord with policy DP28. The plant would be surrounded by an acoustic enclosure and exterior timber screening, which is considered to fit in with the character of the building. Furthermore, due to the design and sitting of the existing building, the proposed unit would not be visible from any public highway.

Overall, it is therefore considered that the proposed plant and screening would not significantly alter the appearance of the building, streetscene or wider conservation area, nor would it result in any further impacts to the amenity of adjoining occupiers. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 and CS14, and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24, DP25, DP26 and DP28. The proposed development also accords with G1, A1, D1, D2, A4 of Camden Local Plan Submission Draft, London Plan 2016 and National Planning Policy Framework 2012.

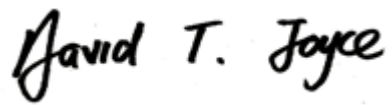
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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.

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 that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce
Director of Regeneration and Planning