

Mr Andrew Fagan  
22 Cleveland Street  
LONDON  
W1T 4JB

Application Ref: **2017/1652/P**  
Please ask for: **Matthias Gentet**  
Telephone: 020 7974 **5961**

26 May 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Ground and Lower Ground Floor**  
**22 Cleveland Street**  
**LONDON**  
**W1T 4JB**

Proposal:

Relocation of an air-conditioning unit at basement level from open lightwell area to covered lightwell area

Drawing Nos: Design and Access Statement; Heritage Statement; Site Location Plan; Ground and Lower Ground Floor Elevations - Existing and Proposed Cleveland Street; Noise Assessment Report.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement; Heritage Statement; Site Location Plan; Ground and Lower Ground Floor Elevations - Existing and Proposed Cleveland Street; Noise Assessment Report.

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

- 3 Prior to use of the unit, all equipment and ducting shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration and 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.

- 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 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.

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 Reasons for granting permission.

The proposal is for the relocation of an air-conditioning (a/c) unit from the open lightwell (visible from street level) to under the covered area of the lightwell thereby being out of sight. The a/c unit as currently located has been installed without the relevant planning permission and is considered unacceptable in its current location due to its impact on the listed building and streetscene.

The a/c unit's new location under the lightwell cover is more appropriate as it will be out of view from the public realm. The relocated unit will have a limited impact on the appearance and historical fabric of the host listed building, only requiring the fixing of extended cabling.

The proposal is therefore considered acceptable in terms of scale and location, and will preserve the character and appearance of the host listed building, the conservation area and the streetscape.

The acoustic report shows that the unit is capable of meeting Council's noise standards and will not harm neighbouring amenity.

The site's planning and appeal history has been taken into account when coming to this decision. No comments were received following the statutory consultations.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.66 and s.72 of the 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; policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies; and policies A1, A4, D1 and D2 of the Camden Local Plan Submission Draft 2016. The proposed development also accords with policies of the London Plan 2016 and the National Planning Policy Framework.

4 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any

relevant recommended modifications in the Inspector's report.

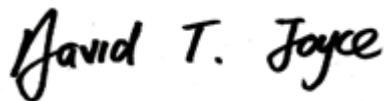
- 5 You are advised that the unauthorised a/c unit should be removed within 3 months time after the date of this decision, otherwise enforcement action will be taken to secure its removal.

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, slightly slanted style.

David Joyce  
Director of Regeneration and Planning