

Mr Christopher Bean
arcplanning
34B York Way
Kings Cross
London
N19AB

Application Ref: **2017/2868/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

7 August 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Blue Inc Merlin House
122-126 Kilburn High Road
London
NW6 4HY

Proposal:

Variation of condition 3 (approved plans) of planning permission 2016/6163/P dated 17 January 2017 (for Change of use from retail (Class A1) to dental surgery (Class D1) including alterations to shopfront and installation of louvered roof and doors in rear elevation) namely to add acoustic attenuation to the approved plant at the rear of the site and amend the location of the door on Quex Road.

Drawing Nos: 095 DEN KIL GA 101 Rev G, 095 DEN KIL GA 103 Rev C, 095 DEN KIL GA 102 Rev F, 095 DEN KIL GA 301 Rev C and 095 DEN KIL GA 201 Rev F.

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 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:

OS 01, EX 02, EX 100 A, 095 DEN KIL GA 101 Rev G, 095 DEN KIL GA 103 Rev C, 095 DEN KIL GA 102 Rev F, 095 DEN KIL GA 301 Rev C and 095 DEN KIL GA 201 Rev F, Environmental Noise Survey Report 661052-1, Planning/Design and Access Statement and Transport Statement ST17450 Issue 002.

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

- 4 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used for any purposes other than as a health centre / dental surgery.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure, in accordance with policies CS5 (Managing the impact of growth and development), CS10 (Supporting community facilities and services) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP15 (Community and leisure uses), DP19 (Managing the impact of parking) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

A door on the Quex Road elevation shall be relocated slightly to the north to allow a lift to be installed internally. The change is considered minor and not harmful to the appearance of the building or the streetscene.

The previously approved air conditioning unit requires acoustic attenuation box above the unit (1.25m high, 1.47m wide and 1.165m deep) in grey aluminium. The

unit shall be 7.3m from the nearest window. Given the box shall be located in the rear elevation where it is not visible; this is considered an acceptable solution to achieve noise standards.

The revised location of the door is not considered harmful in terms of amenity given no loss of light or privacy would occur. The noise attenuation unit is modestly sized and would not cause loss of light, outlook or privacy due to its siting. This measure would improve noise conditions for neighbours.

One objection was received in relation to this proposal and taken into account in assessing the change of use. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies C6, A1, A4 and D1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

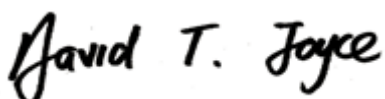
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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



David Joyce
Director of Regeneration and Planning