

Application ref: 2017/4450/P
Contact: Robert Lester
Tel: 020 7974 2188
Date: 8 June 2018

Development Management
Regeneration and Planning
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6a architects
40 Rapier House
Lambs Conduit Street
London
WC1 3LJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
35 Emerald Street
London
WC1N 3QW

Proposal:

Variation of condition 3 (approved drawings) of planning permission ref 2017/2151/P dated 20/07/2017 (for the demolition of the existing building and the erection of a part 3-storey, part single-storey building including roof terrace at front; and installation of 5 rooflights plus access ramp in connection with community centre), to include acoustically enclosed roof plant and screen planters to rear 1st and 2nd floor roof levels of Bedford House.

Drawing Nos: Location plan; 255_0150; 255_0151; 255_0200; 255_0201; 255_0300; 255_S1100 _REV.C; 255_S1101 _REV.C; 255_S1102 _REV.D; 255_S1103 _REV.D; 255_S1104 _REV.C; 255_1202; 255_1203; 255_1301 REV.C; 255_1302 REV. A; 255_1303 REV A; 255_S1600 _REV.E; 255_S1601 _REV.E; 255_S1700_REV.C; 255_S1800 REV.A; Design and Access Statement, Part 1 and 2; Planning Statement, Minor Material Amendment Statement dated July 2017, Planning Noise Report 16297-R01-C dated April 2018

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 the original planning permission ref 2017/2151/P dated 20/07/2017

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

- 2 For the purposes of this decision, condition no.3 of planning permission 2017/2151/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans-

Location plan; 255_0150; 255_0151; 255_0200; 255_0201; 255_0300; 255_S1100 _REV.C; 255_S1101 _REV.C; 255_S1102 _REV.D; 255_S1103 _REV.D; 255_S1104 _REV.C; 255_1202; 255_1203; 255_1301 REV.C; 255_1302 REV. A; 255_1303 REV A; 255_S1600 _REV.E; 255_S1601 _REV.E; 255_S1700 _REV.C; 255_S1800 REV.A; Design and Access Statement, Part 1 and 2; Planning Statement, Minor Material Amendment Statement dated July 2017, Planning Noise Report 16297-R01-C dated April 2018

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

- 3 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 policies D1 and D2 of the Camden Local Plan 2017.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
 - a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
 - b) Details of the colour, pattern and design of the proposed façade tiling.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies A1, D1 and D2 of the Camden Local Plan 2017.

- 5 Notwithstanding the information shown on the submitted drawings hereby approved, the main flat roof area at the 1st floor level rear shall not be used as a roof terrace and shall be for maintenance and or emergency use only and for no other purpose.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 6 Details of the proposed acoustic enclosures, trellis screens and planters shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun. The screening for the proposed units shall be implemented in accordance with the approved plans prior to the first use of the equipment.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to ensure that the amenity of occupiers of the surrounding premises is not adversely affected in accordance with the requirements of policies A1, A4, D1 and D2 of the Camden Local Plan 2017.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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 policies A1 and A4 of the Camden Local Plan 2017.

- 8 Prior to the commencement of the use of the plant equipment, automatic time clocks shall be fitted to the equipment/machinery hereby approved, to ensure that the plant/equipment does not operate between 23.00 hrs and 07.00 hrs. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Before the use commences, the roof plant shall be provided with acoustic isolation, sound attenuation and suitable anti-vibration measures in accordance with the recommendations of the Noise Report hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission-

The application proposes an air-handling unit measuring 2m width, 6.6m length and 2m height and a condensing unit measuring 2m width, 1.9m length and 1.8m height located on the roof of the rear part of the building at first floor level. These units would be screened on the southern boundary with a 2m high timber trellis planted with climbing plants. A kitchen extract fan would also be located on the rear part of the roof at second floor level measuring 1.2m width, 1.2m length and 1.2m height. This unit would be screened by 1.2m high planters.

The proposed units would be sited at rear roof level and would be adequately screened. The size, design and layout of the plant and equipment are considered appropriate; although the 1st floor level a/c unit is large, it is not overly bulky in the context of its surroundings and location. They would not harm the appearance of the development nor the character of the conservation area.

The siting and height of the plant, together with the additional perimeter screening provided, would not harm the amenities of neighbouring properties by reason of loss of light or outlook, including the residential properties to the south on Lambs Conduit Street and the adjacent offices. A condition would be added requiring more details of the screens, planters and acoustic enclosures and requiring them to be installed and retained.

A noise survey has been submitted which demonstrates that the plant would comply with the Council's noise standards and not harm adjoining residential amenities, subject to planning conditions ensuring installation of recommended acoustic attenuation measures and controlling the maximum noise levels and hours of operation for the plant.

The development would otherwise remain the same as previously approved by planning permission ref 2017/2151/P.

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.

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.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with The London Plan 2016 and the National Planning Policy Framework 2012.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

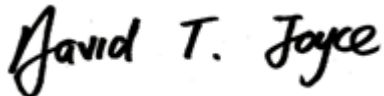
- 4 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email highwayengineering@camden.gov.uk.

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