

Application ref: 2018/3469/P
Contact: Tony Young
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Date: 3 October 2018

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HK Interiors
Fao. Mr Andrew Hurst
Unit D2
Centenary Works
150 Little London Road
Sheffield
S80UJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
259 Kentish Town Road
London
NW5 2JT

Proposal:
Installation of air conditioning condenser unit and acoustic housing in rear courtyard, including air ventilation points at front and side, and installation of 2 awnings on front elevation.

Drawing Nos: Drawing Nos: (HK3213-)P1, P2, P3 rev A, P4, P5 rev F, P6, P7 rev A, P8 rev A, P9, P10 rev B, P11 rev A; Environmental Noise Survey and Noise Impact Assessment Report from HK Interiors Ltd. (ref. 1109.02) dated 30/06/2018; Condenser unit specification (model RXYSQ-TY1); Technical specification condenser unit data (ref. D9-T3-2000) dated 17/11/2016; Design & Access Statement dated 09/07/2018.

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 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (HK3213-)P1, P2, P3 rev A, P4, P5 rev F, P6, P7 rev A, P8 rev A, P9, P10 rev B, P11 rev A; Environmental Noise Survey and Noise Impact Assessment Report from HK Interiors Ltd. (ref. 1109.02) dated 30/06/2018; Condenser unit specification (model RXYSQ-TY1); Technical specification condenser unit data (ref. D9-T3-2000) dated 17/11/2016.

Reason:

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

- 4 Prior to use of the development, all details shall be implemented as shown on the approved drawings and as set out in the accompanying noise assessment (Environmental Noise Survey and Noise Impact Assessment Report from HK Interiors Ltd. (ref. 1109.02) dated 30/06/2018), including any additional steps identified to mitigate noise, and shall thereafter be permanently retained. The measures shall ensure that the cumulative sound level from the proposed external building services and fixed plant shall be 10dB below (15dB if tonal) the typical background sound level assessed at 1m outside the windows of the nearest affected dwelling at any time, with all machinery operating together at maximum capacity.

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

- 5 Prior to commencement of the development, measures shall be implemented to ensure that all new mechanical plant should be installed on suitable vibration isolators to minimise structureborne noise and vibration transfer to adjoining properties, 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 A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting planning permission:

The proposal towards the front of the premises involves the installation of 2 small air intake/outlet vents and 2 retractable awnings. The shopfront itself would otherwise remain unaltered (apart from works of redecoration and separate signage proposals). The site is recorded on a local list entry as being

a mid-19th century former Public house with projecting single storey shopfront. The site does not sit within a conservation area.

The 2 small air intake/outlet vents (one at front fascia level, the other on the side elevation in Crown Place) would both be painted in colours to match the surfaces in which they would sit, and as such, would appear hardly noticeable. The 2 proposed retractable awnings (both approximately 1.5m long by 2.9m wide) with plain canvas finishes would be concealed within standard awning boxes. The awnings would be fixed appropriately at fascia level and positioned within the vertical columns so as to respect the building lines and not to obscure any architectural features of the locally listed building. They would be approximately 2.8m in height above pavement level and approximately 5m from the edge of the pavement when fully extended. As such, they would not impact on the public highway or be harmful to public safety, and would not have any adverse impact on the neighbouring amenity in accordance with the Camden Planning Guidance.

The proposals at the rear of the premises involve the installation of a single air conditioning condenser unit within bespoke acoustic housing in an existing ground floor courtyard. The housing would be painted to match the existing wall colour in the rear yard and be screened from view by a new slatted timber fence and the existing high courtyard walls. Given that the location of the proposed condenser unit and housing would be entirely hidden from view, the proposed siting of the plant and equipment is considered to be the most suitable location from a visibility perspective, and would not harm the character and appearance of the building or wider locality at the rear in accordance with Council policies and guidelines, and as such, would be acceptable.

The nearest windows in the host property and adjoining properties would be protected from any adverse noise impacts by the unit's proposed position within the rear courtyard and by the acoustic housing provided. The existing high walls of the courtyard would also assist in providing further noise screening to any neighbouring building at the rear, with the nearest windows considered to be a sufficient distance away not to be unduly affected. The front and side vents face the busy Kentish Town High Street and narrow access road in Crown Place respectively. Therefore due to the scale, siting and design, the development is considered not to cause harm to the amenity of the neighbouring properties in terms of adverse noise impacts, loss of light, privacy or overlooking.

Furthermore, the application is accompanied by an Environmental Noise Survey and Noise Impact Assessment Report from HK Interiors Ltd. (ref. 1109.02) dated 30/06/2018 and associated documents which demonstrate that the proposals would comply with Camden's noise standards. The Council's Environmental Health team have reviewed the information and raise no objection to the development proposals. As a safeguarding measure, any approval would include a condition to ensure that these noise standards are met. Permission would also be granted subject to the condition that anti-vibration measures are implemented prior to the commencement of the development and use, so as to safeguard the amenities of the surrounding premises and the area generally, such that neighbouring occupiers would not be significantly harmed by the proposals.

- 2 Overall therefore, the proposed alterations, in terms of design, scale and materials to be used, are considered to be in keeping with the commercial identity of the high street and in accordance with Council policies and guidelines, and as such, would not significantly alter the character or appearance of the building or wider area, and would be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. Kentish Town Neighbourhood Forum responded and raised no objections to the proposals. No objections have been received following statutory consultation.

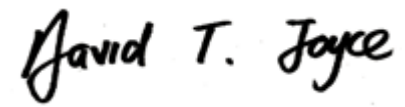
As such, the proposed development is in general accordance with policies A1, A4, D1, D3, G1 and CC1 of the Camden Local Plan 2017, policies D3 and D4 of the Kentish Town Neighbourhood Plan 2016, the London Plan 2016, and the National Planning Policy Framework 2018.

- 3 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).
- 4 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.
- 5 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:

Yours faithfully

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

David Joyce
Director of Regeneration and Planning