

Application ref: 2017/6630/P
Contact: Matthias Gentet
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Date: 14 November 2018

Development Management
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Planning Potential Ltd.
Magdalen House
148 Tooley Street
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SE1 2TU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**204 Kentish Town Road
LONDON
NW5 2AD**

Proposal:

Installation of new flue from rear ground floor window with extract point above roof level, a WC extract flue atop existing flat rear roof, addition of a fresh air intake vent and installation of 2no air condenser units at basement level within rear lightwell to retail unit (Class A1).

Drawing Nos: Cover Letter (29/11/2017); Planning, Design and Access Statement (29/11/2017); Appendix 1 - Planning Policy Context (29/11/2017); DEFRA Report and Specs - Odour (revised 09/02/2018); Ground Floor AC Condensing Unit Fujitsu JIIL Specs; Basement AC Condensing Unit Fujitsu Split system AOYG18; Noise Report rev1(07/11/2018); 0010; 0100; 0101; 0300; 0301; 1100; 1101; 1300; 1301.

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 D1 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: Cover Letter (29/11/2017); Planning, Design and Access Statement (29/11/2017); Appendix 1 - Planning Policy Context (29/11/2017); DEFRA Report and Specs - Odour (revised 09/02/2018); Ground Floor AC Condensing Unit Fujitsu JILL Specs; Basement AC Condensing Unit Fujitsu Split system AOYG18; Noise Report (22/11/2017); 0010; 0100; 0101; 0300; 0301; 1100; 1101; 1300; 1301.

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

- 4 Noise emitted by all building services plant, including from atmospheric and vents shall not exceed a level 10dBA below the existing lowest LA90 background noise level at any time when the plant is operating, and where the source is tonal it shall not exceed a level 15dBA below. The proposed plant shall be installed and constructed to ensure compliance with the mitigation measures identified in Section 5.6 of the acoustic report.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 5 The development shall be carried out in accordance with the odour requirements identified in the 'Specification & Defra Report'.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A1 of the Camden Local Plan 2017.

- 6 Prior to the commencement of the use of the plant equipment, automatic time clocks shall be fitted to the equipment hereby approved, to ensure that the equipment does not operate between 20:00 and 07:00. 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 G1, CC1, D1, A1, A4, TC1, TC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposed condensers are to be located within a basement-level lightwell to the rear of the property along with a toilet extract and the fresh air intake also ducted to this location (at basement level). The proposed extract ductwork is to replace an existing and unsuitable duct. It would exit the building at ground floor level and would discharge above roof level. An additional toilet extract is to be located to the roof of the rear flat roof extension. The equipment is in connection with the change of use application (reference: 2018/1746/P) seeking permission for a mix A/1/A3 use.

The site is located on the corner of Kentish Town Road with Gaisford Street, adjacent residential units can be found to its north only, being bordered to the east by a low level commercial buildings. No204 provides residential accommodation at 1st and 2nd floor level and their windows are the closest to the overall plant and would mostly be affected by the extract duct up the rear elevation. In view of its discharging level, above roof level by 1m and allowing approximately 2.5m from the nearest window to the extract end.

The application is accompanied by an Acoustic Report and an Odour Report that demonstrate that the proposed equipment comply with Camden's noise and odour standards and that the installation will operate within the daytime/evening time hours of between 07:00hrs and 20:00hrs. This will be secured via condition. Conditions will also be used to ensure that the plant/installation would operate 10dB or below the lower background noise.

At the exception of the extract duct to upper level and the small toilet extract on the rear flat roof, the condensers and other alterations would be contained within the rear lightwell and thus not visible from the public realm. The proposal would therefore have a limited impact on the character and appearance of the host and surrounding buildings, the rear streetscape and adjacent conservation area.

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, 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 and Policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the Draft London Plan 2017 (as applicable) and the National Planning Policy Framework 2018.

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).

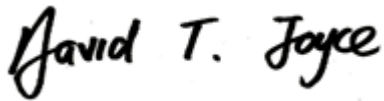
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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