

Application ref: 2019/3714/P  
Contact: Thomas Sild  
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Date: 16 September 2019

**Development Management**  
Regeneration and Planning  
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CJ Associates  
26 Upper Brook Street  
London  
W1K 7QE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Cubitt Court**  
**100 Park Village East**  
**London**  
**NW1 3DL**

Proposal:

Installation of external ventilation grilles associated with internal ventilating units

Drawing Nos: Site Location Plan, EW-NI-CUBITT-EX-EL-01 Rev 2.0, EW-NI-CUBITT-EX-EL-02 Rev 2.0, EW-NI-CUBITT-EX-EL-03 Rev 2.0, EW-NI-CUBITT-EX-EL-04 Rev 2.0, EW-NI-CUBITT-EX-EL-05 Rev 2.0, EW-NI-CUBITT-EX-EL-06 Rev 2.0, EW-NI-CUBITT-PR-EL-01 Rev 2.0, EW-NI-CUBITT-PR-EL-02 Rev 2.0, EW-NI-CUBITT-PR-EL-03 Rev 2.0, EW-NI-CUBITT-PR-EL-04 Rev 2.0, EW-NI-CUBITT-PR-EL-05 Rev 2.0, EW-NI-CUBITT-PR-EL-06 Rev 2.0, EW-NI-SonairDetail-PR-EL-01 Rev 1.0, EW-NI-SonairDetail-PR-EL-2 Rev 1.0, EW-NI-SonairDetail-PR-EL-03 Rev 1.0, EW-NI-SonairDetail-PR-EL-0 Rev 1.0, Sonair installations - Assessment of Fire Safety Mitigation Measures - Guy Shattock Associates Ltd (Rev A April 2019)

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 [and D2 if in CA] 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: Site Location Plan, EW-NI-CUBITT-EX-EL-01 Rev 2.0, EW-NI-CUBITT-EX-EL-02 Rev 2.0, EW-NI-CUBITT-EX-EL-03 Rev 2.0, EW-NI-CUBITT-EX-EL-04 Rev 2.0, EW-NI-CUBITT-EX-EL-05 Rev 2.0, EW-NI-CUBITT-EX-EL-06 Rev 2.0, EW-NI-CUBITT-PR-EL-01 Rev 2.0, EW-NI-CUBITT-PR-EL-02 Rev 2.0, EW-NI-CUBITT-PR-EL-03 Rev 2.0, EW-NI-CUBITT-PR-EL-04 Rev 2.0, EW-NI-CUBITT-PR-EL-05 Rev 2.0, EW-NI-CUBITT-PR-EL-06 Rev 2.0, EW-NI-SonairDetail-PR-EL-01 Rev 1.0, EW-NI-SonairDetail-PR-EL-2 Rev 1.0, EW-NI-SonairDetail-PR-EL-03 Rev 1.0, EW-NI-SonairDetail-PR-EL-0 Rev 1.0

Reason:

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

- 4 Prior to first use, the Sonair ventilation units hereby approved shall be installed in full accordance with the manufacturers specification and fitted with fire resisting intumescent sleeves through all cored holes for the full depth of wall construction. The ventilation units shall thereafter be maintained in full accordance with the manufacturers specifications and the sleeves permanently retained thereafter.

Reason: To safeguard fire safety and mitigate exposure to poor air quality of occupants in accordance with the requirements of policies C1 and CC4 of the London Borough of Camden Local Plan 2017.

- 5 The total noise from fixed plant associated with the application site, when at a point 1m external to sensitive facades shall be at least 10 dB(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 is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level.

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

- 6 When operational, noise levels from the Sonair Ventilation system in habitable

rooms of the nearest noise sensitive residential receptors should comply with internal noise levels in BS8233:2014.

Reason: To prevent noise nuisance within adjoining premises in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

#### Informative(s):

##### 1 Reasons for granting permission

The application seeks permission for the addition of white external ventilation grilles across the building associated with the installation of Sonair ventilation units. These units are intended to allow acoustically attenuated ventilation to residential properties in order to limit intrusive noise from the exterior during the nearby HS2 construction works.

Details of the grilles were changed during the course of the application from a 20mm projecting design to one projecting 85mm, and this change is considered minor and to have no significant visual impact.

The grilles would be fixed to all elevations of the building but are small in scale measuring 110mm across. The addition of the grilles would not result in the removal of any architectural features of note and would not be unduly harmful to the character or appearance of the building.

The ventilation units are considered to be emission free and would not directly impact on air quality.

An assessment of fire safety measures for the ventilation units' installation has been provided and identifies the principal risk to fire safety as being the potential to connect any voids within the depth of the wall, or to facilitate fire spread through the exposure of combustible materials. To mitigate this risk, fire resisting intumescent sleeves would be inserted through all cored holes. The installation of these would be secured by planning condition. Specific oversight of fire safety is undertaken through building regulations, and the building control function.

The anticipated noise impact of the installations has been assessed by the Council's Environmental Health Officer and considered acceptable to occupants and neighbouring amenity subject to compliance with planning conditions. These would ensure installation in accordance with manufacturer's noise attenuation specifications, compliance with acceptable British Standards internal noise levels and restricting the total noise output externally to be at least 10 dB(A) less than the existing background measurement.

One objection was received prior to making this decision and the reasons for objection duly considered. The planning history of the site and surrounding area were taken into account.

The proposal is in general accordance with policies A1, A4, C1, CC4 and D1 of

the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 2 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.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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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 2019.

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, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope  
Chief Planning Officer