

Application ref: 2020/1306/P
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Date: 26 January 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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rpa:vision
51-53 Church Road
Ashford
TW15 2TY
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

T K Maxx
128-138 Camden High Street
London
NW1 0LU

Proposal:

Installation of new plant equipment consisting of 3 x Condenser units together with associated duct/pipework, two louvres at ground floor level and the erection of a 2m high plant enclosure to rear of retail (Class A1) unit.

Drawing Nos: Site Location Plan; TKM_CMD_C50_PLANT Rev 1; 00-M101 Rev 7;
Noise Impact Assessment Revision 01 - 30th July 2020; Revised Plant Proposals -
Updated Noise Assessment Letter dated 10th December 2020;

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; TKM_CMD_C50_PLANT Rev 1; 00-M101 Rev 7; Noise Impact Assessment Revision 01 - 30th July 2020; Revised Plant Proposals - Updated Noise Assessment Letter dated 10th December 2020;

Reason:

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

- 3 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 Prior to first use of the equipment, the air-conditioning plant shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with the scheme approved in writing by the local planning authority. 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, A4 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed TK Maxx Store is the former Waterstones and Poundland store located at 128-138 Camden High Street in the London Borough of Camden. The site is bound by Camden High Street to the west, Greenland Street to the north and Bayham Street to the east. The installation of two louvres and three condenser units with a palisade fence are to be located at the rear of the shop within the rear elevation and an existing yard, accessed off Bayham Street which is used for servicing. All works are proposed to be located at ground floor level.

Whilst utilitarian in their form, within the yard there is a number of other air handling units and the yard is not visible from the public realm nor wider conservation area. The proposal in design terms, are considered to be acceptable as the proposals would have a neutral impact on the character and appearance of the host building and surrounding conservation area in accordance with policies D1 and D2 of the Camden Local Plan 2017.

It is understood that the store opening hours are 0900 to 1900 Monday to

Saturday and 1200 to 1800 on Sundays, and that the proposed building services plant will operate for a maximum of an hour before the store opens and after the store closes (0800 to 2000 Monday to Saturday and 1100 to 1900 on Sunday).

The nearest noise sensitive receptors have been identified in the submitted acoustic assessment as an existing residential dwelling within 14 Greenland Street to the north of the proposed store. The Council's Environmental Health Officer has assessed the application and considers that it is evident that the combined noise emissions achieve the defined noise emission limits and therefore the proposed mitigation measures suggested are suitable. The assessment provided within submission is considered worst case as it correctly assumes that all plant is operating at maximum duty and therefore acceptable in environmental health terms. Due to the location at the end of the service yard at ground floor level, they are not considered to result in harm to the amenity of neighbouring occupants in terms of noise, sense of enclosure, overlooking, loss of privacy or loss of daylight/sunlight. As such, the proposal is in accordance with policies A1 and A4 of the Camden Local Plan 2017.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 CA's of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

No objections were received prior to the determination of this application. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the Publication London Plan 2020 and the 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 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 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.

- 5 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



Daniel Pope
Chief Planning Officer