

Application ref: 2022/0342/P
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Date: 12 October 2022

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Spring Planning Ltd
The Stanley Building
7 Pancras Square
London
N1C 4AG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**22-26 Vine Hill,
7 Warner Yard
and 14 Rosebery Avenue
London
EC1R 5DZ**

Proposal:

Variation to condition 3 (approved plans) of planning permission ref 2021/1150/P dated 05/10/2021 (for external alterations to the existing building including new rooflights and 4 air conditioning units with lowering of the roof of no. 7 Warner Yard, 4 air conditioning units with associated timber enclosure within the courtyard, replacement windows, creation of new entrance on Vine Hill and Warner Yard, enlargement of existing lower ground and upper ground floor openings on the Vine Hill, Warner Yard and courtyard elevations, infilling of lightwell and installation of pavement lights fronting Rosebery Avenue, creation of bin store area to main entrances, new cycle parking, landscaping of the courtyard and other minor works), namely involving the following amendments- changes to the fenestration configuration to include louvres, replacement of existing roller shutter with doors. increase in number and size of proposed condensers from 4 to 6 on the roof of the single storey extension at no. 7 Warner Yard, installation of acoustic enclosure to approved free standing air conditioning units within the courtyard area, and replacement of single width gate opening to double width gates on Rosebury Avenue.

Drawing Nos: 1134_PL-S-00 rev P1; 1134_PL-EX-RF rev P1; 1134_PL-EX00 rev P1;
1134_PL- EE-01 rev P1; 1134_PL- EE-02 rev P1; 1134_PL-EE-03 rev P1; 1134_PL-
GA-RF rev P4; 1134_PL-GA-00 rev P2; 1134_PL-GE-01 Rev P3; 1134_PL-GE-02 Rev

P2; 1134_PL-GE-03 Rev P2; 1134_PL-GA-10 Rev P2; Environmental Noise Survey and Plant Noise Assessment Report prepared by Hann Tucker Associates dated 16/12/2021; Design and Access Statement prepared by Buckley Gray Yeoman dated 10/03/2021 and Design and Access Statement Addendum prepared by Buckley Gray Yeoman dated 06/07/2021; Covering letter produced by Spring Planning dated 27/01/2022.

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 2021/1150/P dated 05/10/2021.

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- 1134_PL-S-00 rev P1; 1134_PL-EX-RF rev P1; 1134_PL-EX00 rev P1; 1134_PL-EE-01 rev P1; 1134_PL-EE-02 rev P1; 1134_PL-EE-03 rev P1; 1134_PL-GA-RF rev P4; 1134_PL-GA-00 rev P2; 1134_PL-GE-01 Rev P3; 1134_PL-GE-02 Rev P2; 1134_PL-GE-03 Rev P2; 1134_PL-GA-10 Rev P2; Environmental Noise Survey and Plant Noise Assessment Report prepared by Hann Tucker Associates dated 16/12/2021; Design and Access Statement prepared by Buckley Gray Yeoman dated 10/03/2021 and Design and Access Statement Addendum prepared by Buckley Gray Yeoman dated 06/07/2021; Covering letter produced by Spring Planning dated 27/01/2022.

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

- 4 Before the relevant part of the work is begun, 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:

- a) Details including elevations, and sections at 1:10 of pavement lights within the hard standing area fronting Rosebery Avenue including details of materials;
- b) Details including elevations and sections of all timber acoustic enclosures on the roof of no. 7 Warner Yard and within the courtyard area;
- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be submitted).

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

- 5 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 London Borough of Camden Local Plan 2017.

- 6 Before the use commences, the air-conditioning plant shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such. 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.

- 7 Prior to the commencement of the relevant part of the works, details including sections and elevations at scale 1:10 and manufacturers specifications of the metal gates hereby approved (as shown on approved drawing no 1134_PL-GE-02 rev P2) shall be submitted to and approved in writing by the local planning authority.

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.

Informative(s):

- 1 Reasons for granting permission:

The proposal includes changes to the fenestration at lower ground and upper ground floor levels on the eastern courtyard elevation, and the northern and southern side elevations of the commercial part of the building that fronts onto Vine Hill. They include integrated louvres within the top sections of the approved enlarged windows. This would not significantly alter the character or appearance of the industrial style of the building or of the surrounding

streetscene. They would be grey in colour and would not appear out of character with the replacement metal crittal style windows that are part of the approved scheme and would be considered acceptable.

Other external alterations include the adjusted door position to the entrance door on southern side elevation of the building fronting Vine Hill and the replacement of the existing roller shutter on Warner Yard with a glazed door to match the others along this part of the street. These would be minor in nature and would be considered acceptable. The original plans included a timber gate into the site from Vine Hill and a condition was attached to require the gates to be metal to reflect the industrial character of the area. This has now been revised to include metal gates. A condition would be attached requiring the details (including manufacturers specifications) to be submitted for approval.

The approved scheme included the installation of 4 air-conditioning units on the roof of the 2 storey building (lower ground and upper ground floor) of 7 Warner Yard that forms part of the application building. The proposal would include the installation of two additional air-conditioning units on the same roof for the use of future tenants. The units would match the size and design of the approved units and in this location, are not considered to result in any further harm to the character or appearance of the building or the surrounding conservation area.

The approved scheme also included 4 double height air-conditioning units with an associated timber enclosure measuring 4m in height within the northern part of the courtyard. The number of units would remain unchanged; however the height of the attenuating enclosure would be increased by 0.6m to 4.6m. Although this is higher than the approved scheme, its location within the courtyard would ensure that views of the enclosure would be mainly screened from the street.

The roof of the 2 storey part of the building is partially overlooked by the residential flats above in Rosebery Square East that front onto Rosebery Avenue. The proposed amendments are not considered to introduce any new amenity impacts by way of loss of outlook, daylight or privacy or noise intrusion and would be considered acceptable.

An updated noise assessment has been submitted to support the application. The Council's Environmental Health officer has reviewed the information and confirmed that, when appropriately attenuated as proposed, the units should comply with the Council's noise standards and should not have an adverse impact on the nearest sensitive-receivers. Two standard noise conditions were attached to the original planning permission which will also be required to be attached to this permission.

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

As such, the proposed development is in general accordance with policies TC1, TC2, TC4, A1, A4, D1, D2, T1, T2 and T4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework

2021.

- 2 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, 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.
- 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2021.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully



Daniel Pope

Chief Planning Officer