

Decision Notice

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File Number

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

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15 MAY 2003

My Ref: PP/03/00658/MNW/

Please ask for: North Area Team

Your Ref:

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

**TOWN AND COUNTRY PLANNING GENERAL PERMITTED DEVELOPMENT
ORDER 1995**

Permission for Development (Conditional) (DP1)

The Borough Council hereby permit the development referred to in the under-mentioned schedule subject to the conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by those plans or by the said conditions. Your attention is drawn to the enclosed information sheet.

SCHEDULE

<u>DEVELOPMENT:</u>	Installation of two external air conditioning condenser units at rear ground floor level.
<u>SITE ADDRESS:</u>	Notting Hill Arts Club, 21, Notting Hill Gate, London, W11 3JQ
<u>RBK&C Drawing Nos:</u>	PP/03/00658 and PP/03/00658/A
<u>Applicant's Drawing Nos:</u>	D.01, D.02 and three photographs received on 06/02/2003.
<u>Application Dated:</u>	04/02/03
<u>Application Completed:</u>	20/03/03
<u>Application Revised:</u>	14/05/03

**FULL CONDITION(S), REASON(S) FOR THEIR IMPOSITION AND INFORMATIVE(S)
ATTACHED OVERLEAF**



CONDITION(S) AND REASON(S) FOR THEIR IMPOSITION

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
3. **No process shall be carried out, or machinery installed, pursuant to this permission so as to cause detriment to the amenity of adjacent property, or of the immediate area, by reason of noise, vibration, smell, smoke, soot, ash, grit, or electrical interference. (C047)**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)
4. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
5. **Noise emitted by the external building services plant hereby permitted shall not increase the existing lowest LA90(10min) background noise level at any time when the plant is operating. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises. The plant shall be serviced regularly in accordance with the manufacturers instructions and as necessary to ensure that the requirements of the condition are maintained.**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)
6. **The use of the units / plant shall not commence or be installed until a noise survey, report and details of any acoustic enclosure has been submitted to and agreed in writing by the Executive Director of Planning and Conservation, in consultation with the Director of Environmental Health.**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)
7. **The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)
8. **The units shall not operate between the hours of 02.00 and 08.00 and automatic time clocks shall be installed to ensure compliance, and shall be so maintained.**

Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)

9. Full particulars of the following shall be submitted to and approved in writing by the Executive Director, Planning and Conservation before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:

- (a) the design and external appearance of any acoustic enclosure.
- (b) the exact positioning of the external plant any acoustic enclosure from the rear facade of the parent building.

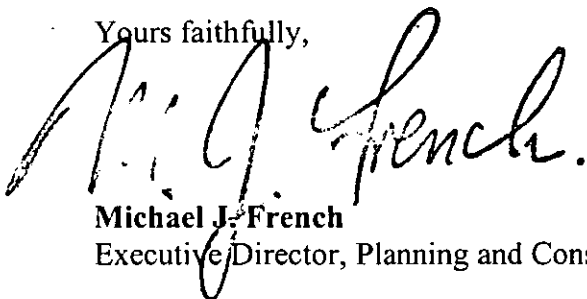
(C011)

Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)

INFORMATIVE(S)

1. Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. (I10)
2. Any plant or equipment installed in or on the building must be designed so as not to cause a nuisance through noise, vibration, or fumes. The grant of planning permission does not obviate the need to comply with relevant environmental protection legislation, nor imply that these other approvals will be given. The Directorate of Environmental Services should be contacted on the detail of any such plant or equipment. Any changes to plant or equipment required to comply with other legislation may require further planning permission. (I38)
3. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD27, CD40, CD50, CD51 and CD52. (I51)

Yours faithfully,



Michael J. French
Executive Director, Planning and Conservation