
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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24 AUG 2004

My Ref: PP/04/01630/MNW /
Your Ref:

Please ask for: North Area Team

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 permits 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

DEVELOPMENT: Erection of two air conditioning condenser units to the external wall within the first floor lightwell.

SITE ADDRESS: CINEMA, 87 Notting Hill Gate, London, W11 3JZ

RBK&C Drawing Nos: PP/04/01630

Applicant's Drawing Nos: 4691/U/401, image of condenser unit and one photograph of the lightwell received on 16/07/2004.

Application Dated: 14/07/2004

Application Completed: 16/07/2004

**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 Executive Director, Planning and Conservation. (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. Noise emitted by the air-conditioning condenser units, all operating together, 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 façade of the nearest residential window or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with 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)
- 4. 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 dwellings, and these shall be so maintained thereafter.**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)
- 5. The air conditioning units hereby approved shall not be in operation between 0100 hours and 0800 hours. (C045)**
Reason - To safeguard the amenity of neighbouring property. (R042)

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. This property is within a Conservation Area. Building works should, therefore, be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out, you should consult the Directorate of Planning Services. (Tel. No. 020-7361-2465) (I11)
3. 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)

Erection of two air conditioning condenser units to the external wall within the first floor lightwell.

SUMMARY OF REASONS FOR DECISION

You are advised that this application was determined by the Local Planning Authority with regard to the policies in the Council's Unitary Development Plan, and was considered to comply with these policies. In particular, the following policy/policies were considered:

- CD27 (high standards of design)
- CD40 (noise)
- CD40 (noise)
- CD52 (to resist the installation of plant and equipment)
- CD61 (to preserve and enhance the character and appearance of Conservation Areas)
- CD62 (standards of design in Conservation Areas)
- CD66 (alterations to Listed Buildings)

Weight was also given to relevant local Supplementary Planning Guidance and Statements, including the Kensington Conservation Area Proposals Statement.

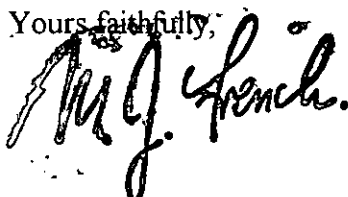
The material circumstances of the case, including site history, location, and impact on amenities were considered.

In addition, consideration was given to the results of public consultation.

It was concluded that there was no material impact upon the amenities of adjoining occupiers, or upon the character or appearance of the area, that would justify a refusal in this case.

The full report is available for public inspection at the Planning Information Office, Room 325, Town Hall, Hornton Street, London, W8 7NX.

Yours faithfully,



Michael J. French
Executive Director, Planning and Conservation