

Application ref: 2022/4225/P  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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London  
WC1H 9JE

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Tplanninglive  
217 Wood Green  
London  
N17 6AA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**329 West End Lane  
London  
NW6 1RS**

Proposal:

Erection of awning and decking with balustrade over front forecourt seating area, and installation of kitchen flue, extraction equipment and air-conditioning unit on rear elevation. Drawing Nos: Location Plan; Block Plan; Design and Access Statement, Noise Assessment Report; Odour Assessment; 3200-A-GA-EL-01\_D; 3200-A-GA-PL-01\_D; 3200-A-GA-PL-02\_D; 3200-A-GA-PL-11\_G; 3200-A-GA-PL-12\_G; 3200-A-GA-EL-11\_G; 3200-A-GA-SC-01\_G; Decking Details - Proposed.

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: Location Plan; Block Plan; Design and Access Statement, Noise Assessment Report; Odour Assessment; 3200-A-GA-EL-01\_D; 3200-A-GA-PL-01\_D; 3200-A-GA-PL-02\_D; 3200-A-GA-PL-11\_G; 3200-A-GA-PL-12\_G; 3200-A-GA-EL-11\_G; 3200-A-GA-SC-01\_G; Decking Details - Proposed.

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

- 3 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.

- 4 The installation, operation and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, must be in accordance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

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.

- 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 Prior to use, machinery, plant or equipment at the development 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.

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 Before the use commences, the extract ventilating system and air-conditioning plant shall be provided with sound attenuation measures in accordance with the recommendations of the noise assessment report hereby approved. They 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.

Informative(s):

1 Reasons for granting permission:

The proposals involve the erection of awning and decking with associated balustrades and access ramp to the forecourt at the front of the existing shopfront, as well as the installation of a flue, extraction equipment and air-conditioning unit to the rear of the site. These would be intended to serve the property in its operation as a restaurant.

The proposed awning would be installed at ground floor level and would cover part of the forecourt that is in use as a seating area in connection with the restaurant use of the premises. The lowest point of the awning would be approximately 2.5m above the proposed decking, which is acceptable. The decking itself is only proposed to be installed within the forecourt of the property, and it is noted that neighbouring properties (such as those at no.327 and no.341) have installed similar awnings and decking that were approved by the Council. The proposed changes to the front of the property are considered acceptable in terms of their design, size, materials and location, and would be in keeping with the character and appearance of the building, neighbouring properties, streetscene and wider conservation area.

The proposed flue, extraction equipment and air-conditioning unit are all proposed to be installed to the rear of the property, which faces onto West Heath Yard. The air-conditioning unit and kitchen fan are both located at ground floor level and would have limited visibility from the public realm, and the extraction system itself is well set back from the public realm and similar to other extraction equipment to neighbouring properties. It is therefore considered that the proposals would not harm the character and appearance of the host building and the conservation area.

A noise impact assessment and odour assessment were both submitted to demonstrate that, with the provision of mitigation measures such as silencers and acoustic jackets, the noise emitted from the kitchen plant and ducting would meet the Council's noise level requirements of policy A4. The proposals have been reviewed by the Council's Environmental Health team, who deem them to be acceptable subject to conditions to ensure the noise and fumes from the plant do not exceed the required levels.

The proposals are not considered to cause any adverse impacts on the amenity of neighbouring occupiers.

No objections have been received prior to making this decision. The planning history of the site have been taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing

the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A4, D1, D2 and D3 of the Camden Local Plan 2017 and policy D2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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).
- 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, 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 (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://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)

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer