

Application ref: 2022/4437/P
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Capital Architectural Design
189 Cat Hill
Barnet
EN48HS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**56-58 Fortune Green Road
Camden
London
NW6 1DT**

Proposal: Installation of new kitchen extract ductwork to rear elevation.

Drawing Nos: Drawings: Site Location and Block Plan 2022-959/100; 2022-959/200;
FRG_FER_PLN_100001_A.

Supporting documents: Noise Impact Assessment (dated 02/03/2023)

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 and Block Plan 2022-959/100; 2022-959/200; FRG_FER_PLN_100001_A.

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 policy D1 of the London Borough of Camden Local Plan 2017.

- 4 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing 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 and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to commencement of the use, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems. This should be in the form of a suitable odour risk assessment. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by cooking odour in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The proposal is for the erection of external ductwork and extraction equipment to the rear of the site that would be intended to serve the property in its operation as a café.

The proposed extraction equipment is proposed to be installed to the rear elevation, which faces the side elevation of 1a Burrard Road. The ductwork would rise from the just above ground floor level to above the roof level, meaning the outlet would be over 1m away from the nearest residential window. The equipment would be installed in the corner between the rear elevation of the main building and the side elevation of the building's return, meaning it is shielded from views from the public realm. It is therefore considered that the proposal would not harm the character and appearance of the host building or wider area.

A noise impact assessment was submitted in order to demonstrate that, with the provision of mitigation measures such as the installation of an attenuator and appropriate vibration dampeners, the noise emitted from the extract system would not have an adverse impact on the nearest residential receivers. The noise impact assessment has been reviewed by the Council's Environmental Health Officer, who has deemed the proposal to be acceptable in environmental health terms, provided conditions are attached to any decision to grant that would ensure the noise does not exceed required levels, that anti-vibration isolators would be installed and maintained, and that details pertaining to the odour emissions would be submitted and approved in writing prior to commencement of use.

The proposals are not considered to cause any adverse impacts on the amenity of neighbouring occupiers, provided the aforementioned conditions are abided by.

No objections have been received prior to making this decision, however two comments were received. These raised potential issues that should be acknowledged, including noise, odour, and hours of use. Given the noise impact assessment demonstrates that there would be no negative impact on amenity provided the noise control strategies are followed, a condition controlling hours of use was not deemed necessary. Conditions relating to noise control strategies have been attached to the decision. 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 A1, A4, and D1 of the London Borough of Camden Local Plan 2017 and policy 2 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) 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>.

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



Daniel Pope
Chief Planning Officer