

Application ref: 2023/1497/P
Contact: Obote Hope
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Date: 31 August 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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www.camden.gov.uk/planning

Design306
306 Milnrow Road
MILNROW ROAD
Rochdale
OL16 5BQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

53-54

Tottenham Court Road

London

W1T 2EJ

Proposal: Installation of new extraction duct to rear of building and reinstatement of former windows to the flank elevation.

Drawing Nos: PL.2330.001; PL.2330.002; 2330AAL; OS Map By Street Wise and Block Plan by Street Wise.

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 2330AAL

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 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' document. The development hereby approved shall be implemented in accordance with the above stated guidelines prior to the commencement of the use and shall thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour in accordance with Policies G1, A1, A4, D1, D2, CC1, TC1, TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the installation of an extract flue duct for the restaurant (under class E) and reinstatement of former windows to the flank elevation.

The proposed kitchen extractor duct would run vertically on the rear elevation of the building and discharge at roof level. The proposed duct would not be visible in the public realm given it would be located below the existing parapet wall and whilst it may be visible from the oblique private views from Kirkman House and possibly 6 to 10 Whitfield Street the visual impact would be limited in this location given the proposed extractor unit would be constructed with Gyproc metal stud frame and consist of 2 layers of 15mm Gyproc Sound bloc plasterboard skimmed and decorated to existing colour of walls to minimise any potential visual impact.

The proposed windows would match the existing following the removal of the brick infilling and no objection is raised given the window opening is established and the proposed windows would replicate the design of the existing windows. The proposed work would constitute minor alterations to the flank ground floor elevation of this part of the building and the changes are therefore considered acceptable as they would not alter the character or appearance of the building in context of the surrounding streetscene and wider Charlotte Street Conservation Area. Moreover, as the proposal is for the reinstatement of two existing windows the design is considered to be an appropriate and sympathetic change which preserves the character and

appearance of the host building and the wider Conservation Area.

The Council's Environmental Health Officer was consulted who confirmed that the cooking would be expected to occur at a low volume and therefore no objection is raised.

The proposed extraction duct would be close to neighbouring windows. However, it would be modest in scale and would also be subject to a condition requiring the vertical discharge to be installed in accordance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

Given the above, there are no amenity concerns as the proposed windows would be a reinstatement of the existing windows and the proposed extractor duct would not have an impact that is considered to have a detrimental to the amenity of neighbouring occupiers in terms of pollution, daylight, sunlight, overlooking, sense of enclosure or noise and disturbance.

No objections have been received prior to making this decision. The site's planning history was considered in the determination of 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. Act (ERR) 2013.

As such, the proposed development is in general accordance with policies G1, A1, A4, D1, D2, CC1, TC1, TC4 of the London Borough of Camden Local Plan 2017. 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer