

Application ref: 2023/3757/P
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Date: 24 May 2024

Development Management
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SEBOUH Architects
55 Salisbury Walk
London
N19 5DS
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**82 Camden High Street
London
NW1 0LT**

Proposal:

Installation of air intake to serve extraction system (Retrospective).

Drawing Nos: Site Location Plan (10)-101, Existing Floor Plans 060130 (dated 07.09.2023), Existing Elevations 060130 (dated 07.09.2023), Proposed Floor Plans 060130 (dated 07.09.2023), Proposed Elevations Rev1 060130 (dated 07.09.2023). Fixing Details 100E17-006, Cover Letter (Sebouh Architects 10/09/2023). Noise Survey Report V2 (Compliance 4 Buildings Ltd 19/05/2023 202321058M1058C/1/2). Ventilation Statement (Neon Architects 21/08/2023 G0070).

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 shall be carried out in accordance with the following approved plans: Site Location Plan (10)-101, Existing Floor Plans 060130 (dated 07.09.2023), Existing Elevations 060130 (dated 07.09.2023), Proposed Floor Plans 060130 (dated 07.09.2023), Proposed Elevations Rev1 060130 (dated 07.09.2023). Fixing Details 100E17-006, Cover Letter (Sebouh Architects 10/09/2023). Noise Survey Report V2 (Compliance 4 Buildings Ltd

19/05/2023 202321058M1058C/1/2). Ventilation Statement (Neon Architects 21/08/2023 G0070).

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

- 2 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.

- 3 Prior to use of the development the noise mitigation and attenuation measures shall be installed to ensure that the external noise level emitted from plant, machinery/ equipment will be lower than either the existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to "Methods for rating and assessing industrial and commercial sound" at the nearest and/or most affected noise sensitive premises with all machinery operating together at maximum capacity and thereafter be permanently retained. A post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary.

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.

- 4 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.

- 5 The operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, must be at all times in accordance with the 'Noise Survey Report V2 (Compliance 4 Buildings Ltd 19/05/2023 202321058M1058C/1/2)' and 'Ventilation Statement (Neon Architects 21/08/2023 G0070)'. Approved details shall be implemented prior to the commencement of the use of the equipment and 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.

- 6 Within two months of the date of the installation of the extraction system, a post-completion report shall be submitted demonstrating compliance with the

above conditions, namely:

- a) that the air intake has been installed in accordance with the approved details and plans, and on what date; and
- b) that the mitigation measures have been installed in accordance with the approved details and plans; and
- c) that the noise from the plant complies with conditions of this permission.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, vibration and odour 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:

Retrospective consent is sought for the installation of an air intake to serve an extraction system to the rear of a commercial premises in use as a café restaurant (Class E). The application follows an extant consent, ref: 2021/3936/P, which required a post installation noise assessment to be carried out and submitted to the Council. The submitted noise assessment showed that the as built extraction system exceeded noise limits as secured by condition, and additional measures to ensure noise limits would not be exceeded were recommended. The additional measures are subject to a separate application ref: 2023/3646/P to vary the extant permission via minor amendment.

The proposed development here is for the installation of an air intake as required for the extraction system to operate in accordance with the noise limits. All works would be to the rear elevation and would not be noticeable from the public realm.

The proposed development in this instance is considered acceptable in terms of scale, design and materials and would not appear as an incongruous addition to the host premises, street scene or wider conservation area.

The Council's Environmental Health Officer has been consulted on the scheme and confirmed the details are acceptable, subject to conditions which have been added to this decision.

One objection was received during the assessment of the application which has been given due consideration. No other objections have been received. The site planning and enforcement history has been taken into account when determining this decision.

Special attention has been paid to the desirability of preserving the special interest of the listed building and 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 and D2 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 2023.

- 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 positioned in the upper left corner of the page.

Daniel Pope
Chief Planning Officer