

Application ref: 2023/3102/P
Contact: Blythe Smith
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Date: 30 July 2024

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

**NORFOLK PLANNING& PROPERTY CONSULTANTS
LTD**
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
238 West End Lane
London
Camden
NW6 1LG

Proposal:

Replacement of existing rear flue with modern alternative
Drawing Nos: Planning/Design Access Statement dated April 2023; Commercial
Kitchens dated April 2023; Noise Impact Assessment dated May 2024; Block/site plan;
Site Location Plan; Proposed Section A-A, Proposed Section B-B; Proposed Ground
Floor; Flue Specification; Appliance Details; PizzaFan Inline;

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

Planning/Design Access Statement dated April 2023; Commercial Kitchens dated April 2023; Noise Impact Assessment dated May 2024; Block/site plan; Site Location Plan; Proposed Section A-A, Proposed Section B-B; Proposed Ground Floor; Flue Specification; Appliance Details; PizzaFan Inline;

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 external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or 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.

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 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.

Informative(s):

- 1 Reasons for granting permission.

The proposal is for a replacement flue to the rear of the property in the same position as the existing flue to be removed. The development is not visible from West End Lane or within the public realm. The replacement flue is smaller than the existing flue to be replaced and would be constructed of stainless steel. It would not be harmful to the character and appearance of the building or conservation area.

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.

Due to the location, size and design of the flue it is not considered likely to cause harm to the amenity of neighbouring residents in terms of a loss of daylight or privacy.

With regard to noise effects, the applicant's submitted noise assessment report indicates that the proposed flue should be capable of achieving the proposed environmental noise criteria with specified noise mitigation at the nearest and potentially most affected noise sensitive receivers. The Council's Environmental Health Officer has reviewed the information and is satisfied that the submitted acoustic submission should meet Camden Local Plan 2017 guidelines. Therefore, the proposed replacement flue is acceptable in environmental health terms.

No comments were received from neighbours or the Conservation Area Advisory Committee prior to this decision.

The planning history of the site has been taken into account when coming to this decision.

The proposed development is in general accordance with policies A1, A4, D1 and D2 of the 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 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 above the typed name of the Chief Planning Officer.

Daniel Pope
Chief Planning Officer