

Application ref: 2024/3185/P
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Date: 13 December 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

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

Layer 02 Design Ltd
Flat 31
187 Clapham Road
London
SW9 0QE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
69 Clerkenwell Road
London
EC1R 5BU

Proposal:

Change of use from Class E to Sui Generis (hot food takeaway). Shopfront alterations and new window to Saffron Hill elevation.

Drawing Nos: Location Plan 30-Jul-2024, Honi Poke Ventilation Works specification AOTQ120, AOTQ120-AON-V-F00-D-M-5701, MFU RANGE KITCHEN EXHAUST MULTI-FILTRATION UNIT by AES ENVIRONMENTAL, Electrostatic Precipitation (ESP) Filter Unit, t-line120 spec, PROPOSED AND EXISTING FAÇADE dated 03 DEC 2024, VERSO-S-1300-F-E/15-X-F7/X-C5-X TECHNICAL SPECIFICATION, Noise Impact Assessment by PEAK Acoustics dated 25/07/2024, Planning & Heritage Impact Statement by Layer 02 Design, EXISTING & PROPOSED 17 SEPTEMBER 2024 PROPOSED AND EXISTING FAÇADE 03 DEC 2024.

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 30-Jul-2024, Honi Poke Ventilation Works specification AOTQ120, AOTQ120-AON-V-F00-D-M-5701, MFU RANGE KITCHEN EXHAUST MULTI-FILTRATION UNIT by AES ENVIRONMENTAL, Electrostatic Precipitation (ESP) Filter Unit, t-line120 spec, PROPOSED AND EXISTING FAÇADE dated 03 DEC 2024, VERSO-S-1300-F-E/15-X-F7/X-C5-X TECHNICAL SPECIFICATION, Noise Impact Assessment by PEAK Acoustics dated 25/07/2024, Planning & Heritage Impact Statement by Layer 02 Design, EXISTING & PROPOSED 17 SEPTEMBER 2024 PROPOSED AND EXISTING FAÇADE 03 DEC 2024.

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 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 machinery operating 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 The installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and discharge outlet shall be in accordance with the 'EMAQ+Control of Odour and Noise from Commercial Kitchen Exhaust Systems. 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/ surrounding premises is not adversely affected by cooking odour.

Informative(s):

1 Reasons for granting permission.

The proposal is for a change of use from class E (commercial) to class Sui Gen (hot food takeaway use). The property has most recently operated as a takeaway when last in use but it is not considered to have been lawful or be accepted as lawful through the passage of time. The building lies within the Hatton Garden Conservation Area.

London Plan Policy E9 has been considered, which concerns issues of over-concentration/proliferation of fast-food provision in town centres and high streets near schools. The host building is not considered to be on a high street and is outside of the main frontages forming Hatton Garden Centre (specialist jewellery centre) and is located some distance from the Leather Lane Neighbourhood Centre. There is not considered to be a material issue of proliferation - the uses in the immediate area are very mixed, predominantly offices: there are no existing concentrations of takeaways, this is a single isolated unit. For these reasons, the London Plan Policy E9 is not considered to apply due to the particular circumstances of this case.

The new fascia signage is considered acceptable and would not obscure any of the building's architectural detailing. The new window to side elevation has been revised to relate to the rest of the windows on the building and would be timber with louvres in the upper section. The bottom part would be recessed slightly too akin to the original sash windows above.

Due to the minor nature of the proposal, there are no amenity concerns in terms of loss of privacy, light or outlook.

A noise assessment has been submitted by the applicant in relation to the proposed installation of a kitchen extract system. The system will be installed internally and vented via the ground floor façade. Appropriate noise guidelines have been followed and the plant noise criteria have been adequately predicted. The assessment indicates that the proposed installation along with suggested mitigation measures should be capable of achieving the Camden's environmental noise criteria at the nearest and potentially most affected noise sensitive receptors. Details of the odour abatement system and its maintenance have also been submitted. The noise and odours impacts of the assessment have been reviewed by the Council's Environmental Health Officer and are found acceptable.

No objections were received prior to the determination of this application. The planning history of the site and surrounding area were 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 Area) 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 Camden Local Plan 2017, 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 the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 'DP', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer