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14 April 2025

Camden Council, Planning - Development Control,
Camden Council,
Camden Town Hall,
London,
WC1H 8ND

Dear Camden Council Planning,

APPLICATION FOR EXTERNAL PLANT GROUND AND BASEMENT AT 110-113 TOTTENHAM COURT ROAD, LONDON, W1T 5AF

We write on behalf of our client, PLK Chicken UK Ltd (Trading as 'Popeyes'), to apply for planning permission at Ground and Basement At 110-113 Tottenham Court Road, London, W1T 5AF. Permission is sought for the following:

“installation of external plant, including intake and extract riser and condenser units”

This application is supported by the following:

- Completed Application Form
- CIL Form 1
- Site Location Plan
- Existing Floor Plan and Elevations prepared by Draughting Solutions
- Proposed Floor Plan and Elevations prepared by Synecore
- Plant Noise Impact Assessment by AEC
- Odour Assessment by Purified Air
- London Plan Cooling Hierarchy by Synecore
- Sustainability Statement (included within this letter)

The requisite fee of £588 has been paid online, together with the £85 admin fee.

APPLICATION SITE DESCRIPTION

The application relates to a ground and basement commercial unit at 110-113 Tottenham Court Road. The unit is on the western side of Tottenham Court Road. The unit has been vacant since 2024 and was previously occupied by Halifax Bank, which has been at the site since the early 1990's.

The unit shopfront faces onto Tottenham Court Road, with the upper floors being in office use. Surrounding units have a similar arrangement with commercial use at ground level with residential or offices above. However, the immediate neighbours of the site are Subway and the main entrance to the office units situated above the site.

The site is located within the London Borough of Camden and sits within the Fitzrovia Action Plan. Whilst the site is not a national or locally listed building, it is located near to the Bloomsbury and Fitzroy Square conservation areas.

The site was constructed in the early 1990s.

The site and its immediate context are demonstrated in Figure 1.

Figure 1. Existing Site



The site has a planning history dating back to 1988 where permission was given for the redevelopment of the site. There is a wide range of applications relating to bank use, including signage works and works relating to the installation of ATM's. Most notably, permission for bank use was granted in 1990 as follows:

“8900673: Change of use of basement and ground floor retail unit to Class A2 use within the Town and Country Planning (Use Classes) Order 1987. Granted 26/04/1990”

This included no land use restrictions, and accordingly, the lawful use of the unit is within Class E.

Figure 2. Existing Photographs

1. Rear Servicing Area (Camera facing South)



2. Rear Servicing Area with South facing Façade where vent is proposed (Camera facing North)



3. South facing Façade where vent is proposed



Photographs of the existing building are provided in Figure 2. Photographs 1 and 2 show the rear servicing area where the replacement plant and AC units are proposed. Photograph 3 is taken from below the rear servicing area but provides an accurate reflection of the height of the building and where the vent will terminate.

APPLICATION PROPOSALS

The application proposals seek the provision of new plant and mechanical ventilation to allow for the occupation of the currently vacant Class E unit by the incoming tenant, Popeyes.

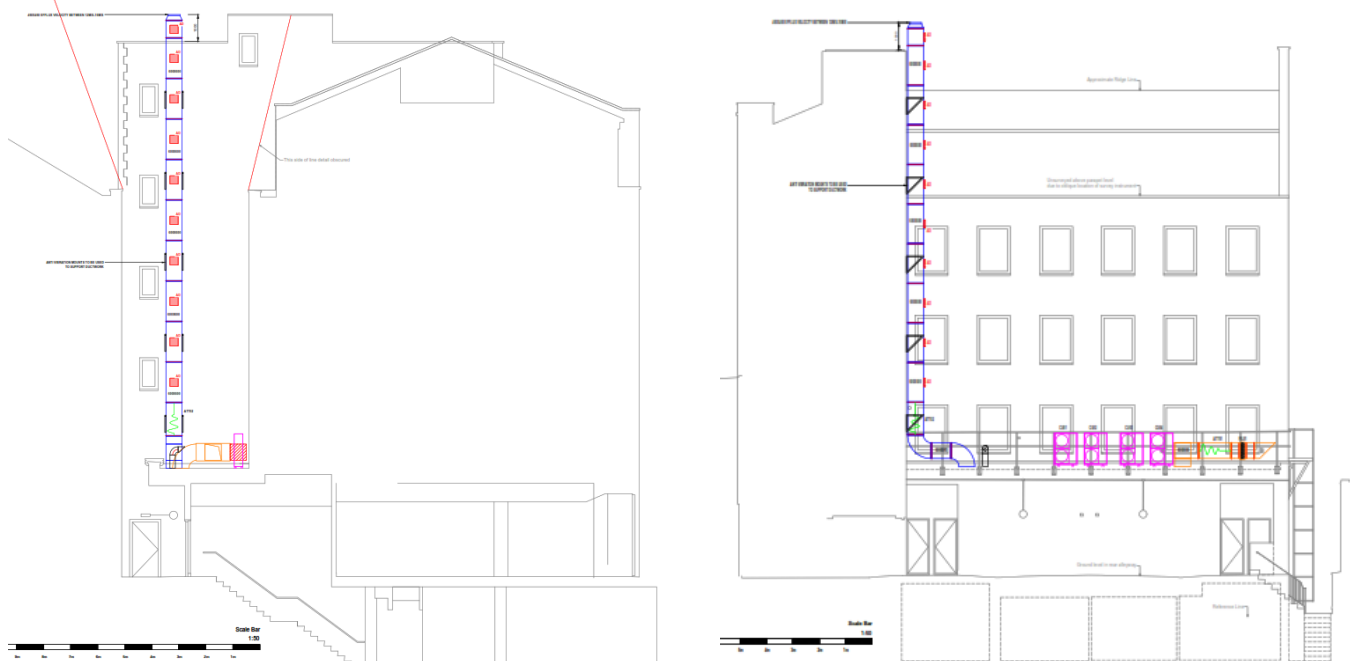
The proposed plant system has been developed by the plant engineers (Synecore) and careful consideration has been given to the demands of the internal operation, the nature of the cooking and the location of the site.

The majority of the system is located and routed internally within the building. The external elements are located at the rear and side of the building. In the rear service area, the existing four condenser units are to be replaced with the following:

- 1 no. cold room condenser units
- 1 no. freezer room condenser units
- 2 no. AC condenser units
- 1 no. extract louvre 600 x 600mm
- 1 no. supply duct louvre 600 x 600mm

In addition, an extract louvre (600 x 600mm) is proposed for the south facing side elevation. It is confirmed that this would be painted in situ to match the brickwork colour to ensure it is visually discreet. Extracts of the proposed elevations are provided in Figure 3.

Figure 3. Extract of the Proposed Elevations



Full details of the proposed plant installation, including its noise and odour performance, are also demonstrated in the submitted documentation:

- Plant Noise Impact Assessment prepared by AEC; and

- Risk Assessment of Odour prepared by Purified Air.

The hours of operation that are sought on the unit are proposed from 8:00am – 11:00pm, as set out in the Noise Impact Assessment. Equipment specification details are also submitted.

PLANNING POLICY SUMMARY

The Development Plan for the site includes the London Plan (2021) and the Camden Local Plan (2017). The National Planning Policy Framework (NPPF) (2024) and National Planning Practice Guidance (Online, 2024) and Camden's Supplementary Planning Guidance are also material considerations.

Camden Local Plan (2017)

The following policies are considered to be relevant.

- Policy E1 – Economic Development
- Policy E2 – Employment premises and sites
- Policy A1 – Managing the impact of development
- Policy A4 – Noise and vibration
- Policy CC4 – Air Quality
- Policy D1 – Design
- Policy D2 – Heritage
- Policy D3 – Shopfronts
- Policy TC1 – Quantity and location of retail development
- Policy TC4 – Town centre uses

Supplementary Planning Guidance

Consideration has been given to Camden Planning Guidance in particular the following:

- Air Quality
- Design
- Amenity
- Employment sites and business premises
- Town centres and retail

PLANNING, HERITAGE AND SUSTAINABILITY ASSESSMENT

This section of the Statement demonstrates the acceptability of the application proposals in the context of the relevant planning policy outlined above.

In terms of principle, the proposed replacement plant will facilitate the re-occupation of the site, which will benefit the visual appearance and vitality of Tottenham Court Road, providing a new food and drink use, which adds positively to the mixture of uses found within Camden. Furthermore, the proposals will generate additional local job opportunities at this site, which has been vacant since Halifax ceased trading here in 2024.

The application proposals are consistent with the presumption in favour of sustainable development and economic growth set out in Policy E1, together with Policies TC1 and TC4, which support the vitality and viability of centres and support the evening economy.

The principle of the development should be supported.

Impact on Residential Amenity

The key policy is Policy A1 and A4, which sets out that the Council will seek to protect the quality of life of occupiers and neighbours in terms of:

- Visual amenity
- Privacy
- Outlook
- Daylight and sunlight levels
- Noise and vibration
- Odour

It further requires that:

“Where uses sensitive to noise are proposed close to an existing source of noise or when development that is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application.”

“We will require all development likely to generate nuisance odours to install appropriate extraction equipment and other mitigation measures. These should be incorporated within the building where possible. External extraction equipment and ducting should be sited sensitively, particularly on listed buildings and within conservation areas.”

The primary considerations include noise/vibration and odour impacts, which are addressed below. However, outlook to the existing office facilities has also been considered. The other amenity aspects set out in Policy A1 will not be impacted by the proposals, including visual privacy, sunlight, daylight and overshadowing.

The proposed duct, louvres and condensers will not obscure access to daylight or sunlight, or harmfully impact the outlook of the office units that are positioned adjacent to the proposed extract vent. The duct is positioned some 2 meters from the window of the office unit. The remaining plant has been integrated into the fabric of the building and within the existing plant yard area.

In terms of noise, the application is supported by a Plant Noise Impact Assessment (NIA) by AEC, which has been prepared in accordance with Policy A4 and Camden guidance. An environmental sound survey has been undertaken to establish the prevailing background sound pressure levels at a location representative of the sound levels outside the nearest noise-sensitive receptors to the site. Cumulative plant noise emission levels for the proposed plant have been predicted at the most affected noise-sensitive receptors and assessed following the London Borough of Camden Council's usual requirements.

The NIA assesses the impact of the condenser units and the extract duct during its proposed operating hours, which are 8am to 11pm, apart from catering condensers, which will run permanently. The nearest receptor is identified as being the residential properties located along Whitfield Street.

The survey was undertaken whilst the existing equipment was not operational and therefore provides a robust assessment.

The NIA provides the following conclusion:

“A worst-case BS4142 assessment has been carried out to assess the noise impact of operation of the proposed plant. Provided an atmosphere side attenuator is included to the extract fan, the resulting rating level at the residential receptors would at least -10dB below

the background sound level. In accordance with BS4142, this would equate to a ‘low impact, depending on the context’ at the nearest noise sensitive receptors. The assessment demonstrates that the proposed noise level criteria would be achieved, and provided the scheme is developed in line with this noise assessment report, noise should not be a limiting factor when determining planning permission.”.

It further confirms that all plant and connected ducts/pipes will be resiliently isolated to reduce the risk of vibration entering the building structure.

The application is, therefore, in accordance with Policy A4 in terms of noise and vibration.

In terms of odour, specialist odour mitigation is proposed to tackle any odours at the source and to ensure the amenity of neighbours is protected. This has included an odour assessment, which recommends a very high level of odour control. The proposed installation meets this requirement and includes:

- Canopy baffle filters used as primary filters within canopy
- UVO – ducted UV odour filtration located internally
- Double pass ESP filtration for removal of smoke and grease
- Additional media grease filtration consisting of M5 pre filters + F9 bag filters
- Carbon filters with a dwell time of 0.2 seconds

The full specification of the above is outlined within the submitted Odour Assessment. The equipment would be installed and maintained in line with the manufacturer's recommendations, as set out within the Maintenance regime submitted.

Whilst the application relates to plant only, the proposals are further considered to be in accordance with Policy E1, TC1 and TC4, which supports evening food and drink uses where they do not cause unacceptable harm to community safety or the amenity of neighbouring residential areas and sensitive uses. The proposals will not cause unacceptable harm with regard to noise, litter, anti-social behaviour, or visual intrusion from mechanical plant, due to the size/scale of the use, operating hours, impact from deliveries, or through road safety. The use is entirely compatible with the location.

Overall, the proposals would preserve the amenity of immediate neighbours and the proposals are therefore in accordance with Policy A1 and E1. The application should be considered acceptable in this regard.

Design and Heritage

The application building is not situated within a Conservation Area, however, it is located adjacent to the Fitzroy Square and Bloomsbury conservation areas, both of which are a designated heritage asset. The application building is not listed or locally listed. The site is also near to a number of listed buildings, including 2 Maple Street. 1-5 Midford Place and the Court pub are locally listed.

Policy D1 and D2 set out that proposals affecting conservation areas will be permitted where they preserve or enhance the character or appearance of conservation areas.

In light of the above, the majority of the proposed external equipment is located within the rear service yard and comprises replacement equipment. This area is utilitarian and functional in appearance; however, it is largely screened from any conservation area views due to its location and the tight-knit nature of surrounding buildings. The quantity of condenser units remains as existing and in broadly similar locations, as evidenced by the photographs in Figure 2 and plan extracts in Figure 3. The extract louvres and duct can also be accommodated with no impact on conservation area views or the setting of nearby listed and locally listed buildings.

To fully integrate/screen the duct, it is proposed that this be painted in situ to resemble the surrounding brickwork in terms of colour, which will ensure that it is visually discreet and not prominent or dominant within any views of the conservation area or views of the nearby heritage buildings.

As a result, the application proposals would preserve the character and appearance of the host building and as such the plant would be integrated into the appearance of the building and in inconspicuous locations within effective and robust screened enclosures.

The application should be considered acceptable in this regard.

Sustainability

The site is not located within Flood Risk Zones 2 or 3. Notwithstanding this, there would be no harmful impacts with regard to flooding or surface water flooding.

There will be no impact on archaeology at the site. There is no landscaping or biodiversity at the site that would be affected by the proposals. Indeed, the site falls within the BNG 'de minimis' exemption threshold.

In respect to overheating, the proposed plant has clear operational requirements and is linked to the proposed use as a restaurant. The cooling equipment is necessary to provide refrigeration equipment for food produce and comfort cooling for kitchen staff and customers, given the high heat gains from the cooking process. The cooling and ventilation equipment proposed is therefore essential for the operation of the proposed use and is justified. This is outlined in the cooling hierarchy statement by Synecore.

DESIGN AND ACCESS STATEMENT

This Design and Access Statement is prepared in accordance with the guidance set out within the National Policy (2024) and is proportionate to the complexity and nature of the application which is very minor.

Land Use

The proposals seek the installation of new plant and extract equipment to meet the operational requirements of the new incoming tenant, Popeyes.

The proposals will assist in facilitating the occupation of the site by Popeyes as a restaurant under its lawful Class E use, under Class E(b) of Schedule 2, Part A of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ("2020 Amendment").

As such, the proposed use of the building as a restaurant does not amount to 'development' under Section 55 of the Town and Country Planning Act 1990 and should not require planning permission.

Scale and Amount

The proposals relate to the installation of replacement plant and erection of louvres and a duct only.

The proposals are entirely in keeping with the scale of the building and in the context of the wider surrounding area. There will be no increase in the scale of the building or the quantum of development at the site.

Layout

Limited changes are proposed to the internal layout of the building. The proposed layout is demonstrated on the submitted ground floor plan.

Appearance

The bulk of the proposed plant is limited to the rear of the building only within the service yard. This area is functional in appearance and already contains similar equipment, which is being replaced. The duct on the side elevation is limited in extent and would be painted to resemble the colour of the brickwork to ensure it is visually discreet.

Additionally, the reoccupation of the vacant building by a new tenant will result in a visual improvement to the street scene and general locality.

Further proposals will be coming forward for improvements to the shopfront and new signage.

Access

No changes are proposed in regard to access.

CONCLUSION

This Planning, Heritage, Sustainability and Design and Access Statement letter has been prepared by Firstplan on behalf of Popeyes, for a planning application at Ground and Basement At 110-113 Tottenham Court Road, London, W1T 5AF. Permission is sought for the following:

***“installation of external plant, including intake and extract riser and condenser units.*”**

This letter has demonstrated the support for the new plant and ventilation at the site, which will facilitate the reoccupation of this vacant building and will positively contribute to the area and deliver a number of clear planning benefits including local job creation and enhanced vibrancy and vitality.

Furthermore, it is considered that noise and odour can be sufficiently mitigated to ensure the plant will have no detrimental impacts on the amenity of adjoining occupiers or surrounding uses, whilst also facilitating the operation of Popeyes within the unit.

In addition, the works would have no harmful impact on the appearance and character of the application building or the surrounding conservation areas and heritage buildings.

It has been demonstrated that the application proposals have been prepared in accordance with the Development Plan and National Policy, and there is no detrimental visual impact or impact on amenities, and we therefore respectfully request that planning permission be granted.

We trust that the information enclosed is sufficient to enable the Council to process and determine the application. However, should you require anything further or clarification on any point, please do not hesitate to contact me.

Yours faithfully



CHRIS PIRIS-JONES
Director