



Town Planning & Development Consultants

TOWN & COUNTRY PLANNING ACT 1990

Application by Benito's Hat

Proposal: Removal of plant equipment from roof of single storey rear extension, provision of new equipment, and erection of high level flue to rear of property

Site at: Benito's Hat, 56 Goodge Street, London, W1T 4NB

STATEMENT IN SUPPORT OF LISTED BUILDING CONSENT & PLANNING APPLICATION INCORPORATING LISTED BUILDING IMPACT ASSESSMENT & DESIGN & ACCESS STATEMENT

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1.0 INTRODUCTION

1.1 This Statement has been prepared to support applications for listed building consent and planning permission for the removal of plant equipment from the roof of a rear extension at Benito's Hat Restaurant, 56 Goodge Street, London, W1T 4NB and the provision of new equipment and erection of a high level flue on the rear of the building.

1.2 It has been set out as follows:

- 1.0 Introduction
- 2.0 Site & Surrounding Area
- 3.0 Application Proposals
- 4.0 Design & Access Statement
- 5.0 Listed Building Impact Assessment
- 6.0 Summary & Conclusions

2.0 SITE & SURROUNDING AREA

- 2.1 Benito's Hat occupies the ground floor and basement of 56 Goodge Street, a four storey brick building, set in a terrace of similar height buildings that line the north side of the road between Goodge Place and Cleveland Street.
- 2.2 Brick built, with a mansard roof behind a parapet, it has a two-bay plan with sash windows to Goodge Street above the ground floor restaurant unit, which is built out at the back at ground floor level. The upper floors are in residential use.
- 2.3 It is adjoined by a public house (The One Tun) to the west and a restaurant (Salt Yard) to the east at ground floor level. Each of these units has ground floor elements built out at the rear. Adjoining Salt Yard is a modern five storey building with flats above a ground floor retail unit.
- 2.4 The rear ground floor of 56 Goodge Street abuts the end terrace of Goodge Place, a Georgian residential street comprising four storey town houses with basements.
- 2.5 Goodge Street is within the Charlotte Street Conservation Area, which was designated in March 1974 and subsequently extended on three occasions.
- 2.6 This Conservation Area (and the property itself) is situated in an area of the Borough known as Fitzrovia, initially developed speculatively as primarily a residential area but later becoming more of a mixed area with shops, restaurants and public houses into buildings to create the present day character of the area.

3.0 APPLICATION PROPOSALS

- 3.1 The current extract system in place at the rear ground floor roof of the building has evolved from that given planning permission and listed building consent in March 2008 and was a replacement of an original high level extract flue.
- 3.2 The approved plans showed an electrostatic precipitator inserted into existing ducting, breaking through the roof above the restaurant, together with a new carbon filter. An existing fan fitted with a silencer was to be retained at low level, discharging into the area between the rear of the building and the flank wall to 26 Goodge Place.
- 3.3 Since the granting of planning permission in 2008 the siting of the roof-mounted plant has been modified and upgraded and now incorporates carbon filters, fan attenuator, discharge fan, air conditioning units and freestanding condensers.
- 3.4 The current system and its operation has led to complaints to the Council by occupiers of nearby residential properties about both the noise generated by the equipment, primarily from the fan, and also the amount of fumes and cooking smells emanating from the equipment. There has been subsequent liaison with the Council over these matters and a request by both Environmental Health and Planning Enforcement Officers to swiftly resolve matters or face a Noise Abatement Notice and enforcement action.
- 3.5 A noise survey undertaken in June 2012 showed that the primary source of noise from the kitchen extract system was the discharge fan/duct opening and it was recommended that a high performance rectangular attenuator replace the existing circular attenuator.
- 3.6 Protracted discussions with the providers of the existing ventilation equipment and the best way to resolve matters have taken place since the operator was first alerted to the noise, odour and fumes issues, in May 2012. Given that the building is listed Grade 2, the advice of the Council's Conservation Section has also been sought to arrive at a solution that seeks to minimise the visual impact of any necessary plant and equipment on the occupiers of the residential units

above the restaurant and the listed building itself, but deals with the underlying noise and odour/fumes issues.

- 3.7 The initial advice from the business's ventilation consultants in seeking any solution to the issue of odour and fumes was to increase the maintenance regime for the filters. These are now replaced with clean filters every fortnight, but it is understood that there is still an issue with odour and fumes.
- 3.8 With kitchens and related extract equipment on rear roofs to units on either side of Benito's Hat and the well/canyon-like effect created by the flank wall to 26 Goodge Place and the rear of 56 Goodge Street, there is a convincing argument that any odours from either or all of these three kitchens can collect and be contained within this area, leading to complaints when released by changes in wind direction or air flow around the back/sides of these buildings. It is also considered that the noise from the existing roof-mounted circular attenuator is amplified by the canyon-like location the plant occupies and there were concerns that the recommended attenuator would still not resolve the noise issues.
- 3.9 It is known that the adjoining Salt Yard Restaurant has been seeking to replace its own kitchen extract system, following complaints from neighbours and the Council about noise and smell. It has now submitted a planning application (ref: 2012/5843/P) for the installation of an extract duct on the rear elevation of 54 Goodge Street to roof level, with a low level fan and single attenuator.
- 3.10 It is considered that this approach is appropriate for Benito's Hat as it will ensure all cooking odours and smells would be omitted at high level and not become entombed at the rear of 56 Goodge Street. This approach has been discussed with the Conservation team and the advice was (for a listed building) that any high level flue would normally be expected to be run internally up through the building.
- 3.11 This option has been investigated but there is not sufficient existing space within the fabric of the building's chimneys etc to accommodate the ductwork necessary. To create and box in space within rooms would result in the loss of living accommodation and potentially impact on internal features mentioned in the

listing details. More fundamentally, the landlord would not give consent for such work.

- 3.12 The advice given by the Conservation team was that if there was no opportunity for its provision internally, then serious consideration would need to be given to minimising the visual impact of any externally-mounted ductwork and for it to be located as sensitively as possible.
- 3.13 The submitted proposals therefore show a high level duct that is mounted so as to avoid existing windows at first, second and third floor level. It will not be seen 'face on' from any public vantage point, but only viewed obliquely from pavement level by pedestrians walking southwards down Goodge Place. In the proposed location the ductwork will be part concealed by the protruding party wall between it and 54 Goodge Street and the chimney stack of that property.
- 3.14 It will be part visible from the rear bay window to the first floor flat, whose overall aspect and outlook will, however, be improved by the relocation of the existing extract fan, removal of the filters and associated ductwork/plant from eye level views when looking directly out onto the flank wall of 26 Goodge Place.
- 3.15 Due to the difficulty of accessing the roof of the rear extension from the public highway, the servicing and maintenance of the existing equipment has to be undertaken through a laddered access from a landing window to the staircase between the building's first and second floors. This restricted access precludes the use of a manufacturer's pre-made attenuators and therefore it is proposed to have two bespoke attenuators prefabricated, taken apart to fit through the staircase window and then reassembled and fitted in line with the relocated extract fan to address the noise issue, before discharging into the exhaust duct.
- 3.16 This existing and new plant cannot be seen from street level and the relocated new extract fan and two new attenuators leading to the rear-mounted ductwork will continue to be hidden by the parapet wall to this property and that of 56 Goodge Street.

4.0 DESIGN & ACCESS STATEMENT

Design

- 4.1 **Amount:** The proposal is for the retention of some existing plant equipment and installation of new on the ground floor roof of a single storey rear extension to 56 Goodge Street and the erection of an extract flue on the rear of the property.
- 4.2 **Layout:** The extract equipment and its associated ductwork all sit on the single storey, flat roof, rear extension to the building with a high level flue fixed to the rear wall of the property.
- 4.3 **Scale:** The extract equipment and associated ductwork and high level flue are proportionate to the needs of the restaurant to successfully reduce the emission of smells, odours and noise levels from its unit.
- 4.4 **Landscaping:** There are no soft or hard landscaping proposals associated with the applications.
- 4.5 **Appearance:** The flat roof-mounted plant and ductwork will not be visible from street level, being concealed from public view behind a parapet wall around the property and that of the rear ground floor extension to 54 Goodge Street and by the flank wall to 26 Goodge Place. The high level flue will be visible in oblique views from street level, but part concealed by a protruding party wall and chimney to 54 Goodge Street.
- 4.6 **Use:** The ventilation equipment is required in connection with the use of the kitchens of Benito's Hat, the restaurant that occupies the ground floor and basement of the building.

Access

- 4.7 There is no public access to the roof of the rear extension. Access for installation, maintenance and repair of any plant and associated ductwork is taken from the landing window between the first and second floors of the building.

5.0 LISTED BUILDING IMPACT ASSESSMENT

- 5.1 56 Goodge Street was listed Grade II in February 1999. Its listing details refer to both external and internal features and is the only property in the terrace between Goodge Place and Cleveland Street to be listed, although the Charlotte Street Conservation Area Appraisal and Management Plan lists Nos. 54 and 58-66 as being positive contributors to the area's Built Heritage Audit.
- 5.2 The proposed vertical ductwork would be fixed to the rear brick wall of the property by brackets held in place by screws and run up from the roof level of the existing ground floor rear extension to near the top of the mansard roof to the property.
- 5.3 The alignment ductwork has been chosen to avoid passing in front of existing windows to the first and second floor flats, those on the mansard roof and a landing window between first and second floor.
- 5.4 Its locations, as close as possible to the protruding party wall and rear chimney stack to 54 Goodge Street seeks to reduce its visual impact when viewed from street level.
- 5.5 The associated plant, which sits on the felted roof of the ground floor extension, does not impact on the character or appearance of the listed building as it is visually contained behind the parapet wall to the rear ground floor extension to 54 Goodge Street and the high blank wall to 26 Goodge Place.

6.0 SUMMARY & CONCLUSIONS

- 6.1 The existing kitchen extract equipment for Benito's Hat, mounted on the flat roof of the ground floor rear extension of 56 Goodge Street is, like that to Salt Yard Restaurant in the adjoining building, causing noise, fume and odour problems to occupiers of residential units in the immediate surrounding area and is the subject of investigation by the Council's Environmental Health and Planning Enforcement officers.
- 6.2 Various options to address these problems have been investigated but it is considered that the current issues are part caused and exacerbated by the location of the extract equipment in an area between the rear three storeys of the property and the adjoining three storey-high flank wall of 26 Goodge Place, which magnifies the noise and entraps cooking smells from the restaurant's kitchen and those of the adjoining public house and restaurant. The increased servicing of Benito's Hat electrostatic precipitators to a fortnightly regime has not noticeably improved the situation, an indication that the location of the plant on the ground floor roof and the physical form, immediate surroundings, are a material consideration.
- 6.3 Whilst it was suggested, following a recent noise survey, that a high performance rectangular attenuator replace the existing circular attenuator, this would still lead to an air discharge at first floor level.
- 6.4 It is, therefore, proposed to install two bespoke attenuators to the extract fan, remove the existing ESP units and reconfigure the ductwork and run a flue up the rear of the property to discharge at roof level. The flue would be sited to avoid existing windows and would be part concealed in oblique views from Goodge Place by the building's protruding fire wall and a chimney to 54 Goodge Street.
- 6.5 Whilst a listed building, there is not sufficient space, or the agreement of the landlord, to run the flue within the building and the submitted scheme is considered the only option that is capable of satisfactorily addressing the noise and odour issues that currently exist and minimising the visual impact to the rear of the building.