

Peter Koumis
Vivendi Architects LTD
Unit E3U Ringway
Bounds Green Industrial Estate
London
N11 2UD

Application Ref: **2012/5288/P**
Please ask for: **Jason Traves**
Telephone: 020 7974 2123

5 December 2012

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
Daphne Restaurant
83 Bayham Street
London
NW1 0AG

Proposal:

Installation of 2 dormer windows in rear roofslope, creation of roof terrace at rear second floor level, alterations to doors and windows all in connection with change of use of first to third floor from restaurant (Class A3) to 1 x 1-bedroom and 1 x 2- bedroom self-contained flats (Class C3). (RECONSULTATION INFO: Revised ground-floor front-elevation window/doorway design; Noise report; details of internal acoustic treatment and internal mechanical equipment)

Drawing Nos: Drawing No(s) (Prefix 1345) E01-00P1; E02-00P1; E02-01P1; E02-02P1; E03-00P1; E03-01P1; E04-00P1; P02-00-P1; P02-01P1; P02-02P1; P03-00P2; P03-01P1; P04-00P1; Design and Access Statement and Conservation Area Assessment (dated 02.10.12); KP Acoustics Noise Impact Assessment (prepared 12.11.2012); Vivendi Additional Information and Supporting Statement for Acoustic Enhancement and Mechanical ventilation Requirements (dated 13.11.2012); updated Lifetime Homes Assessment - Revision A (dated 30.11.2012)



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 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 required to be submitted for approval in writing in accordance with condition 4 or 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans (Prefix 1345) E01-00P1; E02-00P1; E02-01P1; E02-02P1; E03-00P1; E03-01P1; E04-00P1; P02-00-P1; P02-01P1; P02-02P1; P03-00P2; P03-01P1; P04-00P1; as well as Design and Access Statement and Conservation Area Assessment (dated 02.10.12); KP Acoustics Noise Impact Assessment (prepared 12.11.2012); Vivendi Additional Information and Supporting Statement for Acoustic Enhancement and Mechanical ventilation Requirements (dated 13.11.2012); updated Lifetime Homes Assessment - Revision A (dated 30.11.2012)

Reason:

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

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details of materials as well as plan, elevation drawings at 1:10 scale of the opaque privacy screens for the rear-facing 2nd floor terrace;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the

immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies. Also, in the interest of occupier and neighbour amenity and preventing privacy and overlooking impacts of windows and outdoor amenity space in accordance with policies CS5 and DP26.

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 6 In respect of the extract system:

a) Only the plant cited in the acoustic report shall be installed, used and maintained as recommended by the manufacturers

b) The Acoustic Silencer as stipulated in the report shall be installed, as recommended in the acoustic report, to minimise noise output from the extract

c) The ducting shall be incorporated with 2 layers of sound bloc as a means providing further sound reduction for the C3 units, as cited within the report.

The extract system hereby approved shall be installed and operated prior to occupation and thereafter maintained to an acceptable working standard for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interest of neighbour and occupier amenity in accordance with Camden policies CS5, DP26 and DP28.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason:

In the interest of neighbour and occupier amenity in accordance with Camden policies CS5, DP26 and DP28.

- 8 Prior to the commencement of the plant being used, a noise survey shall be carried out to ascertain the above noise levels from the machinery are being met. A Noise Report shall be submitted for the approval of the Local Planning Authority. The Noise Report shall clearly contain map/plan showing all measurements locations, tabulated and graphically raw data, calculations /façade corrections /assumptions made, time, date, as well as confirmation of the detail of the qualified consultant used to undertake the survey.

Reason

In the interest of neighbour and occupier amenity in accordance with Camden policies CS5, DP26 and DP28.

- 9 The scheme of sound insulation to achieve the chosen SRI (sound reduction index) provided for glazed and non-glazed elements, as cited in tables 6.1 and 6.2 of acoustic report ref: 9556.NIA.01 shall be completed prior to occupation of the relevant part of the development and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason

To achieve an acceptable internal noise environment in accordance with Camden policies CS5, DP26 and DP28.

- 10 Prior to the commencement of the development, a full scale drawing of the extractor unit from the internal hood, showing all connections, dimensions, point of sound attenuation, points of filtration (carbon filters and ESP) to the point of termination 1 meter above the roof eaves shall be submitted for approval in writing by the Local Planning Authority. For purpose of sound attenuation, the drawing must also incorporate the inlet point for the unit and noise levels to satisfy the Camden policy DP28.

Reason

In the interest of neighbour and occupier amenity in accordance with Camden policies CS5, DP26 and DP28.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council->

contacts/environment/contact-the-environmental-health-team.en or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

3 Reasons for granting permission. [Delegated]

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 Distribution of growth, CS5 Managing the impact of growth and development, CS6 Providing quality homes, CS11 Promoting sustainable and efficient travel, CS13 Tackling climate change through promoting higher environmental standards, CS14 Promoting high quality places and conserving our heritage, CS17 Making Camden a safer place, CS18 Dealing with our waste and encouraging recycling, CS19 Delivering and monitoring the Core Strategy and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP1 Mixed use development, DP2 Making full use of Camden's capacity for housing, DP5 Homes of different sizes, DP6 Lifetime homes and wheelchair homes, DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses, DP16 The transport implications of development, DP17 Walking, cycling and public transport, DP18 Parking standards and limiting the availability of car parking, DP19 Managing the impact of parking, DP22 Promoting sustainable design and construction, DP24 Securing High Quality Design, DP25 Conserving Camden's heritage, DP26 Managing the impact of development on occupiers and neighbours, DP27 Basements and lightwells, DP28 Noise and vibration, DP30 Shopfronts. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer report.

- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction

costs index.

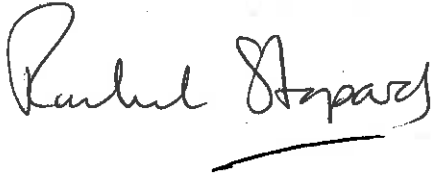
Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 5 You are recommended to consult with the Fire Authority to establish any requirements and approvals that may be necessary along with and/or additional to any requirements under the Building Regulations relating to fire protection/escape means particularly from the first floor flat. A copy of such approval should be submitted to the Local Planning Authority for information.

- 6 In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully



Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.