

Mr Ben Muir
Avalon Built Environment Ltd
Parndon Mill Lane
Harlow
Essex
CM20 2HP

Application Ref: **2014/0562/P**
Please ask for: **Neil Quinn**
Telephone: 020 7974 **1908**

8 September 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
116A and 118 Fortess Road
London
NW5 2HL

Proposal:
Retrospective change of use of ground floor of No. 118 from estate agents (Class A2) to restaurant (Class A3), and change of use of ground floor of No. 116a from retail (Class A1) to form combined restaurant (Class A3) with ground floor of No. 118.

Drawing Nos: Site location plan; A0079-A-01 Rev A.

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: Site location plan; A0079-A-01 Rev A.

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

- 3 The restaurant use hereby approved at No. 116a and 118 shall operate as one combined unit, and not be separated into two different A3 uses at any time without the prior approval of the Local Planning Authority.

Reason: To protect the retail character and function of the Fortess Road Neighbourhood centre, in accordance with the requirements of policy CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The use hereby permitted shall not be carried out outside the following times 0800 - 2300 daily.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No servicing of the restaurant unit can take place between the hours of 2200 and 0800 daily.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No fixed ventilation plant and /or machinery shall come into operation until full details of the plant and machinery serving the Class A3 use hereby permitted, and any mitigation measures to prevent odour nuisances, has been submitted to and approved in writing by the Council. The plant/machinery shall thereafter be maintained in effective order to the reasonable satisfaction of the Council. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

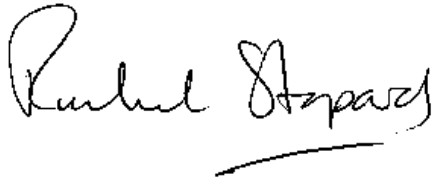
- 1 You are advised that the installation of any plant or extract equipment required in connection with the restaurant use would require a further planning application. Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 2 You are advised that condition 4 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment