

Delegated Report		Analysis sheet		Expiry Date:		25/11/2014	
		N/A		Consultation Expiry Date:		06/11/2014	
Officer				Application Number(s)			
Alex McDougall				2014/4969/P			
Application Address				Drawing Numbers			
Ship Tavern 12 Gate Street London WC2A 3HP				Refer to draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of extraction flue from first floor side elevation to roof level of Public House.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	14	No. of responses No. electronic	00 00	No. of objections	00
Summary of consultation responses:		Site Notice: 10/09/14 – 01/10/14. Press Notice: 16/10/14 – 06/11/14. No responses received from adjoining occupiers.					
Bloomsbury CAAC comments:		No response received.					
Covent Garden Community Association comments:		<p>Object on the following grounds:</p> <ul style="list-style-type: none"> <i>Design</i> – The proposal would have an unacceptable impact on the appearance of the building and the character of the conservation area (Officer Comment: Agreed, see Design section below for more information). <i>Noise</i> – If approved the proposed extract fan should not operate between closing time and 10am (Officer Comment: The extract system is only likely to be used during the operating hours of the pub. A condition requiring the noise not be audible at 					

sensitive receptors is considered to be sufficient to protect adjoining properties).

Site Description

The site is occupied by a 3 storey corner-terrace building on the north-western corner of the intersection of Gate Street and Little Turnstile street. The building is occupied by a pub at ground floor level, ancillary restaurant and associated kitchen at first floor level, and a residential flat above at second floor level. The first floor side windows have been replaced with glass louvers, presumably to aid in ventilation of the kitchen. No approval exists on Council records for such a change. However, the vents appear to have been in-situ for some time and as such are likely immune from enforcement action.

The area is characterised by various commercial uses at ground floor level with residential above. The site is located in the Bloomsbury Conservation Area and, while not listed, the building on the site is identified in the Conservation Area Statement as making a positive contribution to the character and appearance of the Conservation Area.

Relevant History

10 Gate Street (adjacent property)

N15/29/A/26395: The erection of an external duct. Refused 10/07/1978. Reason for refusal: *"The proposed extract duct would have an adverse effect on the appearance of the building and the visual amenity of Little Turnstile and the approached to Lincoln's Inn Fields and the Conservation Area"*.

Note. It appears that the ducting was erected irrespective of the refusal. No enforcement action was taken and as such the duct is likely immune from enforcement action.

Relevant policies

National Planning Policy Framework 2012

National Planning Practice Guidance

London Plan 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS7 Promoting Camden's centres and shops

CS9 Achieving a successful Central London

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place

Camden Development Policies 2010

DP10 Helping and promoting small and independent shops

DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

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

DP28 Noise and vibration

DP32 Air quality and Camden's Clear Zone

Camden Planning Guidance (updated 2013)

CPG1 Design
CPG3 Sustainability
CPG5 Town Centres, Retail and Employment
CPG6 Amenity

Bloomsbury Conservation Area Appraisal and Management Strategy 2011

Assessment

Detailed Description of Proposed Development

The proposal consists of the erection of a flue from the first floor side elevation to roof level. The flue would originate at an existing first floor vent, which outlets directly out onto the side of the building. The intention of the proposed flue is to solve an existing issue whereby grease and particulate matter from the existing vent sprays onto the side elevation of the building, resulting in an unsightly appearance. The flue would have the dimensions 4.4m (H) x 0.3m (W) x 0.3m (D), start 5.8m above ground level and project up to 0.5m from the side of the building.

Design and residential amenity are considered to be the primary considerations in the assessment of this application.

Design

The proposed flue is considered to have an unacceptable impact on the appearance of the building and the character of the conservation area for the following reasons:

- Camden LDF policy DP24 states that "*Building services equipment, such as air ... extraction systems ... and ducting should be contained within the envelope of a building or be located in a visually inconspicuous position*". The proposed flue would be outside the envelope of the building in a conspicuous position. While the proposed flue would be located on a 'side' elevation, this elevation fronts Little Turnstile street, a busy pedestrian walkway and as such is highly visible from the public domain. The proposed flue, along with the flue on the adjacent building, would block off the opening to the narrow laneway when viewed from the north in Little Turnstile street.
- Camden Planning Guidance 1 states that, "*Special consideration should be given to the installation of plant, machinery and ducting on listed buildings and in conservation areas. Fewer external solutions are likely to be appropriate in these locations. Installations must be in keeping with the design and materials of the building*". In this case the building is a positive contributor to a consideration area and the proposed flue is not in keeping with the style of building.
- The Bloomsbury Conservation Area Appraisal and Management Strategy notes that the addition of plant, both individually and cumulatively, is having a negative impact on the appearance of buildings and the conservation area.
- The much longer flue existing on the building opposite is not considered to provide precedent for the proposal as it was originally refused by Council in the 1970s and subsequently erected without permission (see history section above).

For the reasons listed above the proposed development is considered to be inconsistent with policies CS14, DP24 and DP25 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

Residential Amenity

Noise

The applicant has provided a noise report from a suitably qualified consultant which concludes that the proposed equipment would operate at least 10 dB below background noise level when measured 1m externally to the façade of sensitive receptors. Notwithstanding this information, it is not considered that the equipment meeting the Council's noise criteria, overcomes the perceived harm on design terms as discussed above.

Outlook

The proposed flue would be 0.9m from the nearest adjoining residential window and as such is not considered to result in unacceptable loss of light or outlook.

Air Quality

The existing vent on the first floor side elevation sprays grease and particulate matter across the eastern façade of the building. However, at the site visit it appeared that grease and particulate matter was also emanating from the louvered window nearest the cooker. As such it appears that the proposal would not fully resolve the problem and as such reduces the benefit of allowing the flue.

The proposed flue would terminate 1.3m above the top of the second floor residential windows, and 0.4m above roof level, and as such would, in its own right, not impact on the air quality of the second floor flat or adjoining residential uses.

Conclusion

It is considered that on balance, the benefit of reducing some of the grease spray from the commercial kitchen does not outweigh the harm to the appearance of the building and the character of the area. It is noted that use of the kitchen, and the associated window openings installed without permission, have already compromised the appearance of this positive contributor. The proposal is considered to be unacceptable as it would further compromise the character of the building without fully solving the grease problem. Furthermore, the applicant has not demonstrated that the proposed flue could not be located inside the building, terminating on the roof, out of sight.

Recommendation

Refuse planning permission