

2015/3833/P – 40 Goodge Street



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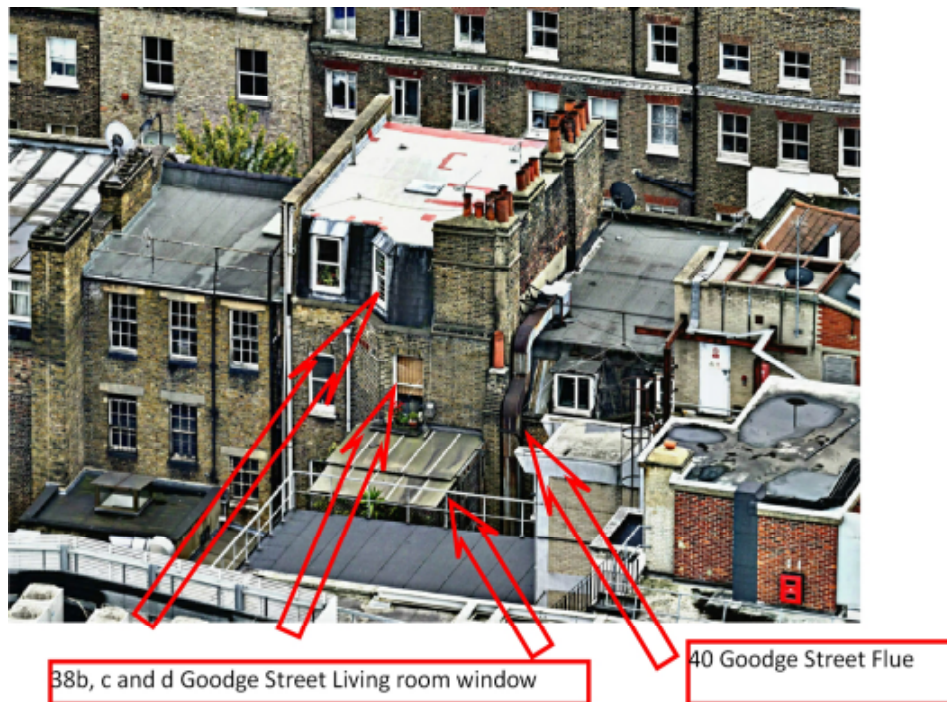
1. Rear elevation - previous (replaced) extract flue (left photo) / unauthorised flue (right photo)



2. Rear elevation & flat roof - previous (replaced) extract flue (left photo) / unauthorised flue & condenser (right photo)



3. Rear elevation - previous (replaced) extract flue & neighbouring windows



4. Rear flat roof - previous (replaced) air handling units and cold water tank systems



5. Rear flat roof – x1 wall-mounted unauthorised condenser (left photo) / x2 unauthorised condensers at front with other plant behind at no. 42 Goodge St (right photo)



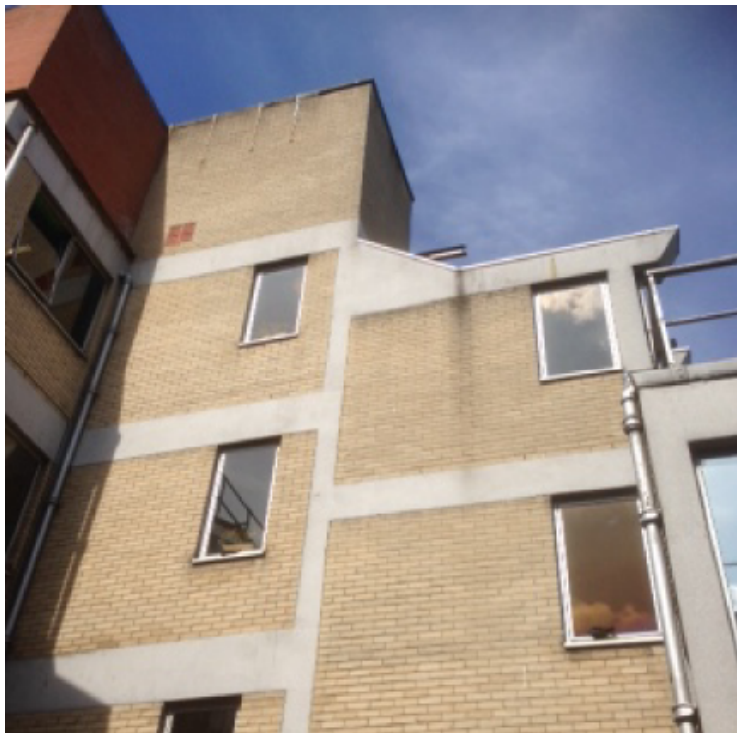
6. View to side – existing plant at 42 Goodge St / 44-46 Charlotte St



7. Side facing properties - corner of Goodge Street & Charlotte Street



8. Rear facing properties - Scala Street



| | | | | | |
|---|---------------------|---|--------------------------------|---------------------------|------------|
| Delegated Report (Members' Briefing) | | Analysis sheet | | Expiry Date: | 09/11/2015 |
| | | N/A | | Consultation Expiry Date: | 13/08/2015 |
| Officer | | | Application Number(s) | | |
| Tony Young | | | 2015/3833/P | | |
| Application Address | | | Drawing Numbers | | |
| 40 Goodge Street London W1T 2QP | | | Refer to draft decision notice | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | |
| | | | | | |
| Proposal(s) Replacement of external rear extract flue and installation of 2 air conditioning condensers and 2 refrigeration condensers on rear ground floor flat roof and wall (all retrospective), and proposed alterations to extend flue stack in connection with existing restaurant use. | | | | | |
| Recommendation(s): | | Grant conditional planning permission and warning of enforcement action | | | |
| Application Type: | | Full Planning Permission Application | | | |

| | | | | | | |
|------------------------------------|---|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 49 | No. of responses | 02 | No. of objections | 02 |
| | | | No. Electronic | 00 | No. of supports | 00 |
| Summary of consultation responses: | Press notice published from 23/07/2015 to 13/08/2015 | | | | | |
| | Site notice displayed from 22/07/2015 to 12/08/2015 | | | | | |
| | 2 objections received by the occupiers of Flats B and C (no. 38 Goodge Street) and are summarized as follows: | | | | | |
| | 1. Drawings do not include context of our properties and the proximity of windows to the installed flue have not been shown. Inconsistent measurements of flue height and distances from windows on drawings. <u>Officer response:</u> <i>Revised drawings have since been submitted that address these points.</i> | | | | | |
| | 2. Smells and fumes in properties at day and evenings throughout the week and were noticeable from the first day of new restaurant opening. Flue is too short. No problems experienced with previous 'L bend' type flue and would prefer this type with flue taken right over the roof as per previous installation. <u>Officer response:</u> <i>Proposals have been revised to extend the flue with an 'L-bend' that will have a discharge point away from the neighbouring windows (see paragraphs 6-11)</i> | | | | | |
| | 3. Installed equipment is excessive in terms of noise as shown in acoustic report and tests were carried out mid-week and not at weekends. <u>Officer response:</u> <i>See paragraphs 12-18)</i> | | | | | |
| | 4. Hours of operation of equipment always exceeds 10.30 pm (to 11.00 or 11.30pm). The only restaurant equipment operating on Sunday. Equipment clearly audible above other restaurant air conditioning units with fan system like an engine sound for duration of day and evening, seven days a week. <u>Officer response:</u> <i>A condition will be attached to any permission to ensure that an automatic time clock is installed that limits the use of mechanical equipment to between agreed hours (see also paragraph 17)</i> | | | | | |

**CAAC/Local groups*
comments:**
*Please Specify

Charlotte Street CAAC: No response

Charlotte Street Association: objected to the application and raised concerns summarised as follows:

1. Drawings are confusing, disorientating and provide no context with the most affected properties.

Officer response: *Revised drawings have since been submitted that address these points.*

2. Whole proposal should be re-assessed, rationalised and re-designed, instead of tinkering with the current unauthorised installation. The noise needs to be greatly reduced acceptable to the residential flats on both sides of no. 40, in Goodge Street terrace, and rear facing properties in Scala Street as well.

Officer response: *It is considered that the revised design of the flue and additional mitigation measures, along with the conditions attached to any permission, would provide an acceptable alternative scheme to that originally submitted.*

3. Installed flue is too short and even a flue increased in height but discharging vertically is unlikely to solve the problem of cooking smells wafting into the next door flats. Crucial that the extract duct goes up and over main roof at no. 40 as the previous duct did.

Officer response: *Proposals have been revised to extend the flue with an 'L-bend' that will have a discharge point away from the neighbouring windows (see paragraphs 6-11)*

4. New duct is very large and visually very intrusive/prominent both in size and material (shiny metal) and contrary to planning guidance - plant & machinery should either be accommodated within the building or screened to minimise its impact.

Officer response: *A condition will be attached to any permission to ensure that the entire flue is be coated in a colour to match the adjacent brickwork to reduce visual prominence (see also paragraphs 19-24)*

5. Needs limit on hours of operation of all mechanical equipment and extract duct to same as operating hours of the restaurant, so that the all the mechanical equipment and the extract duct do not operate outside the following hours: Monday to Friday: 8.00am to 10.30pm; Saturday: 10.00am to 10.30pm; Sundays and Bank/Public Holiday days: midday to 10.30pm.

Officer response: *A condition will be attached to any permission to ensure that an automatic time clock is installed that limits the use of mechanical equipment to between agreed hours (see also paragraph*

Site Description

The application site is a 4 storey building located within a terrace of properties on the northern side of Goodge Street, and sits between Charlotte Street to the west and Whitfield Street to the east. The ground floors within this part of Goodge Street are mostly occupied by restaurant/café and retail uses with mainly residential units above. The ground floor is currently used as an A3 café/restaurant.

The application site sits within Charlotte Street Conservation Area. The building is not listed, but is identified as making a positive contribution to the special character and appearance of the area (Charlotte Street conservation area appraisal and management strategy, adopted July 2008). The site also falls within Fitzrovia Central London Area.

Relevant History

2015/3117/P – (no. 58) Erection of kitchen extract flue to rear of building. Granted 28/10/2015

2014/2886/P - Installation of replacement shopfront, awning and external seating area. Granted 15/07/2014

2014/2888/A - Display of replacement externally illuminated fascia and projecting signs and a non-illuminated menu board sign. Granted 15/07/2014

2013/4064/P – (no. 56) Installation of flue and replacement plant equipment to rear in connection with existing restaurant. Granted and warning of enforcement action 17/01/2014

2013/4100/L – (no. 56) Installation of flue and replacement plant equipment to rear in connection with existing restaurant. Granted and warning of enforcement action 17/01/2014

9480144 - The display of the following signs: (1) An internally illuminated projecting box sign at first floor level measuring 92cm by 55cm; (2) An internally illuminated hanging sign positioned below the canopy at ground floor level. Part approved/part refused 09/02/1995

9201385 - Change of use and works of conversion to provide a one bedroom flat on the first floor and a three bedroomed maisonette on the second and third floors. Granted 29/04/1993

CTP32062 - Change of use of part of the basement from stores to use as an extension to the restaurant on ground floor and the remainder of the basement. Granted 05/05/1981

CTP28387 - Alterations to shopfront. Granted 21/06/1979

CTP6307 - The use of the first floor of No. 40 Goodge Street, Camden as an extension to the existing restaurant on the ground floor. Granted 02/01/1969

TP2293 - To remove the existing and to install a new shop front at No. 40, Goodge Street, St. Pancras, and to carry out internal alterations in connection with the use of the ground floor for the purposes of a restaurant and the basement for associated storage and to erect a metal ventilating duct on the rear elevation to terminate 3'0" above the roof line. Granted 20/02/1964

Relevant policies

National Planning Policy Framework 2012

Paragraphs 14, 17, 56 -67, 126 -141

London Plan March 2015, consolidated with alterations since 2011

Policies 7.4, 7.6 and 7.8

LDF Core Strategy and Development Policies 2010

CS5 (Managing the impact of growth and development)

CS7 (Promoting Camden's centres and shops)

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)

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 2013

CPG1 (Design) July 2015

CPG6 (Amenity) 2011

Charlotte Street conservation area appraisal and management strategy, adopted July 2008

Fitzrovia Area Action Plan, adopted March 2014

Assessment

Proposal

1. This application has being submitted in response to an existing enforcement case open (EN14/1040) in relation to the installation of an unauthorised extract flue and condenser units at the rear of the host property,
2. The application has also being submitted in response to Environmental Health requesting a solution to reported noise impacts and odours associated with the unauthorised installation of equipment which is adversely affecting the amenities of neighbouring occupiers.
3. The application proposal form two parts:
 - planning permission is retrospectively being sought for the replacement of an external rear extract flue, the installation of 2 air conditioning condensers mounted on the rear wall of the building, and 2 refrigeration condensers positioned at rear flat roof; and
 - planning permission is also being sought to extend the height and discharge point of the

existing unauthorised flue stack.

Revisions

4. The proposals have been revised following receipt of consultation responses from neighbours, the Charlotte Street Association, and on the advice of Environmental Health:
 - the original drawings have been revised to improve their accuracy, show the flue and equipment more clearly in context with affected neighbouring windows, and to alter the design of the uppermost part of the flue from one with a vertical discharge to an 'L-bend' shape (now with a discharge point facing inwards towards the host property and over the existing flat roof).
 - additional acoustic measures have been submitted to mitigate against noise/sound emanating from the extract flue and condensers.

Main planning considerations

5. The main planning considerations are considered to be:-
 - the impact of the proposal on the amenity of neighbouring properties; and
 - the impact of the proposal on the character of the building and the conservation area.

Amenity

Odours and smells

6. The extract flue that has been replaced was an approximately 400mm square unit externally located in the rear left-hand corner of the premises. It extended vertically upwards to a height of 6-7m until it reached roof level before bending inwards and over the roofslope in an 'L-bend' shape, arriving at a discharge point at a height of 8-9m in a central part of the existing flat roof. There is no evidence of any noise or odour issues resulting from this previous flue, and in fact, an existing adjoining neighbour of 16 years has confirmed this to be the case.
7. The existing unauthorised extract flue is a 600mm square unit that extends vertically upwards in the same location as the previous flue but which discharges vertically at a height of approximately 8m and at a point much lower (at 3rd floor level) than the flue it replaced. Neighbours at no. 38 have reported that smells and odours have been noticeable from this flue from its first day of operation until the present day.
8. Following complaints to the Council's Planning Enforcement and Environmental Health Teams concerning the unacceptable noise levels and odours associated with the unauthorised extract flue (and condenser units) and the need for planning permission, a planning application was submitted in an attempt to address these concerns. This initially proposed two options with respect to the flue – an extended 'L-bend' shaped flue (Option 1) and an extended vertical flue to approximately 11m in height (Option 2). Given that only one set of proposals can be considered as part of a planning application, the applicant confirmed Option 2 as their proposed scheme. Consultation responses from neighbours, the Charlotte Street Association, and Environmental Health were received on that basis (summarised above).
9. Development Policy DP26 (Managing the impact of development on occupiers and neighbours) seeks to ensure that the amenities of occupiers and neighbouring occupiers are not unduly affected by odours and cooking smells, and as such, requires that all development likely to generate odours must be to prevented from being a nuisance by installing appropriate extraction equipment and other mitigation measures. Furthermore, Principle 9 of the Fitzrovia

Area Action Plan also states that the Council “*will not grant permission for plant, ventilation equipment or other activities that exceed the noise and vibration thresholds set out in Camden’s development plan policies*”.

10. With this in mind, and given the consultation responses received and Environmental Health advice, the applicant was advised to reconsider their proposals under Option 2 as it was not considered to provide a solution to the problems of odours or smells entering neighbouring windows. This is because the neighbouring windows (no. 38) identified as most adversely affected by cooking smells are higher than the host building (no. 40) and so even a vertically extended flue would not clear the height of all affected windows nor be likely to prevent the wind moving smells in the direction of these windows.
11. The applicant therefore revised their proposals to extend the existing unauthorised flue inwards towards the host building from a point approximately 800mm lower than the current vertical discharge point, over the roofslope in an ‘L-shape’ bend, so following the existing roofline in a similar fashion to Option 1 except crucially extending further inwards over the flat roof to a more acceptable discharge point. This arrangement predominantly mirrors the original, replaced flue which discharged at a similar point in the central part of the flat roof and with which there were no previous reported problems or issues.

Noise and vibration

12. In addition to the installation of an unauthorised extract flue, previous air handling units and cold water tank systems have been replaced with 2 air conditioning condensers mounted on the rear wall of the building, and 2 refrigeration condensers positioned at rear flat roof.
13. Neighbours at no. 38 have reported that the noise emanating from both the extract flue system and the condenser units are causing considerable disturbance and intrusion upon their amenity. The Charlotte Street Association also objected to the equipment as installed and wanted noise levels from both extract flue and equipment to be greatly reduced.
14. An acoustic assessment produced by ACA Acoustics Limited (dated July 2015) and which was submitted at part of the initial application acknowledged that “*existing equipment sound levels are dominated by breakout from the casing and flexible connections of the two main supply and extract fans, along with some contribution from the refrigeration condensers*”. Furthermore, a sound level survey forming part of the acoustic assessment confirmed that equipment exceeds Camden’s noise level requirements by 17dBA when considering the noise levels outside the nearest noise sensitive windows. The report concludes that suitable controls could be put in place to control noise from the dominant equipment to achieve Camden’s noise levels.
15. Development Policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) seek to ensure that the amenities of occupiers and neighbouring occupiers are not unduly affected by noise and vibration and states that the Council will only grant permission for plant or machinery if it can be operated without causing harm to amenity and if it does not exceed Camden noise thresholds.
16. In consultation with Environmental Health, officers required further details of noise control mitigation measures as referred to in the acoustic assessment to be submitted in order to demonstrate that these could be implemented such that the duct would not cause undue harm to the amenities of neighbours. Further details of attenuation measures were produced by ACA Acoustics Limited (dated 10th September 2015) and summarised as follows:
 - installation of acoustic screen / panels (50mm thick) to refrigeration condenser units (so provide approximately 15dBA sound attenuation to adjacent neighbouring windows)

- additional of high mass resilient material to supplement connections between supply and extract fans in order to provide attenuation measures (so reduce noise associated with plant by approximately 20dBA)
 - high performance sound attenuators to replace existing low performance attenuators for supply fan and extract fan motors to further reduce noise levels
17. While recognising the unacceptable existing noise levels within the report, Environmental Health also acknowledged the additional noise mitigation measure details submitted, and advised that a condition be added to any permission requiring a post-installation assessment to be carried out within an agreed time period to ensure that the measures achieve compliance with Camden's noise criteria. Further conditions would also be added to any permission to ensure that vibration is adequately isolated in respect to both the extract flue system, fan motors and condensers such that the amenity of neighbours is not adversely affected by noise or vibrations; and limit the operational use of the equipment to within a specific daily time period by means of an automatic time clock.
18. Given that the additional mitigation measures and assessment cited within the report demonstrates theoretically that Camden's noise criteria and requirements of policy DP28 will be achieved, and given the specific conditions that would be included on any permission to ensure that this is achieved, it is considered that the amenity of neighbouring occupiers would not significantly be harmed by the proposals with regard to noise or vibrations.

Design and appearance

19. Development policy DP25 (Conserving Camden's heritage) states that within conservation areas, the Council will only grant permission for development that preserves and enhances the character and appearance of the conservation area.
20. The proposed extract flue is a 600mm square galvanised steel unit that extends inwards (in an 'L-shape' type bend) from the existing unauthorised flue towards the host building from a point approximately 800mm lower than the current vertical discharge point, and follows the existing roofslope to a discharge point in a central part of the existing flat roof.
21. The location and position of the proposed extract flue predominantly mirrors the original, replaced flue which rose up in a similar 'L-bend' fashion and discharged at a similar point in the central part of the flat roof. Nevertheless, with paragraph 24.18 of policy DP24 in mind which states that "*air cooling, heating, ventilation and extraction systems... ancillary plant and ducting should be contained within the envelope of a building or be located in a visually inconspicuous position*", clarification was sought with regard to the possibility of internal siting of the flue and/or condensers. The applicant confirmed that no internal chimney stack leads from the restaurant unit at no. 40 and there is insufficient internal space. It is therefore considered that following the external route of the previous flue is an acceptable location considered to cause least harm to the rear elevation of the building and wider conservation area, especially as there were no previously reported problems or issues with an extract flue previously sited there.
22. The revised design of the flue from a straight-up vertical flue to an 'L-bend' shaped flue and the associated overall reduction in height are also preferable as they help to reduce the visual prominence of the flue. Although the proposed extract flue and condensers are visible at the rear, they are not visible at the front of the property in either short or long views from Goodge Street itself or within the wider conservation area as the uppermost part of the flue is only 800mm above flat roof level and is set back substantially from the edge of the roof, thus minimising any possible visual impact. The condenser units are also positioned in similar

locations to the previous air handling units and cold water tank systems that they replaced, and as such, are also considered to be suitable positioned.

23. The dimensions of the extract flue itself (600mm square unit) and shiny metal appearance do give cause for concern especially as it replaces a much smaller flue (approximately 400mm square unit). However, in order to minimise its visual impact and reduce its prominence at the rear, the flue will be colour coated to match the adjacent brickwork as closely as possible, or another appropriate colour, and this would be secured by condition on any permission granted. It is also noted that a similar proportioned 600mm square unit was granted planning permission and listed building consent at no. 56 Goodge Street (2013/4064/P & 2013/4100/L) dated 17/01/2014.
24. The NPPF (paragraph 134) states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”* While in strictly conservation terms, the flue is not ideal by virtue of its dimensions and as such does cause some visual harm to the appearance of the building and the character of the conservation area, this needs to be weighed against the possibility of achieving a satisfactory resolution for neighbouring properties to the adverse impacts of noise and odours that are being experienced on a daily basis and which the revised proposals can resolve.

Conclusion

25. Therefore in this instance, and with the public benefits relating noise and odours particularly in mind, the proposals are considered on balance to be an acceptable compromise between conservation and amenity concerns, and as such, would not unduly harm the character and appearance of the building or wider conservation area in accordance with the NPPF and policies CS14, DP24 and DP25. It is also considered that the proposals would improve the existing situation for neighbouring residents in terms of both noise and odour issues and would not cause harm to residential amenity in accordance with policies CS5, DP26 and DP28.
26. If planning permission is granted for these proposals, the applicant would have 3 months from the date of this decision to implement and complete this permission in full. Failure to do so will trigger enforcement action to remove the existing extraction flue and associated equipment, as well as, 4 condenser units that form part of these proposals and which are currently on site. An informative would be attached accordingly.

Recommendation

27. Grant planning permission with warning of Enforcement Action

DISCLAIMER

Decision route to be decided by nominated members on Monday 9th November 2015.
For further information please click [here](#)

Mr Wai-kit Cheung
CS Planning & Associates
74 Makepeace Road
Northolt
Middlesex
UB5 5UG

Application Ref: **2015/3833/P**
Please ask for: **Tony Young**
Telephone: 020 7974 **2687**

5 November 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted and Warning of Enforcement Action

Address:
40 Goodge Street
London
W1T 2QP

DECISION

Proposal:

Replacement of external rear extract flue and installation of 2 air conditioning condensers and 2 refrigeration condensers on rear ground floor flat roof and wall (all retrospective), and proposed alterations to extend flue stack in connection with existing restaurant use.

Drawing Nos: Site location plan; block plan; 60756-02 rev A1, N116-M01 rev B; Planning Statement by CP Planning & Associates dated 06/07/2015 (revision B); Acoustic Assessment by ACA Acoustics Ltd dated July 2015 (ref. 150417-002C); External Plant Attenuation System details by ACA Acoustics Ltd dated 10/09/2015 (ref. 14357).

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 one year 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 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 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) 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: Site location plan; block plan; 60756-02 rev A1, N116-M01 rev B; Planning Statement by CP Planning & Associates dated 06/07/2015 (revision B); Acoustic Assessment by ACA Acoustics Ltd dated July 2015 (ref. 150417-002C); External Plant Attenuation System details by ACA Acoustics Ltd dated 10/09/2015 (ref. 14357).

Reason:

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

- 4 Automatic time clock(s) shall be fitted to the kitchen extract flue and condenser units that form part of these proposals, within 3 months of the date of this planning permission being granted, to ensure that the equipment does not operate between 22:00 and 08:00 hours. The timer equipment shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses), 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.

- 5 Unless within 1 month of the date of this decision a scheme for mounting the extract ventilating system and ducting on anti-vibration isolators and for vibration isolating the fan motors from the casing, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 3 months of the local planning authority's approval, the use of the site shall cease until such time as a scheme is approved and implemented.

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.

- 6 Within 3 months of the date of this planning permission being granted, details shall be submitted of the external noise level emitted from all plant equipment and mitigation measures implemented (as stated in reports ref: 150417-002C dated July 2015 and ref: 14357 10/09/2015). The measures shall ensure that the external noise level emitted from plant equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post-installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken as necessary. Details shall be approved in writing by the Council and approved details shall be implemented prior to further use of the installation and thereafter be permanently retained.

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.

- 7 The exterior of the approved extract flue shall be coated in a colour that matches the surrounding brickwork as closely as possible.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

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 ENFORCEMENT ACTION TO BE TAKEN

The Director of Culture and Environment will instruct the Director of Law and Environment to issue an Enforcement Notice alleging a breach of planning control in relation to the existing unauthorised extract flue and 4 condensers should the proposals not be implemented in accordance with this approval within 3 months of the date of this planning permission being granted.

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

Director of Culture & Environment

DECISION