

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**

9 November 2015

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

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



Ed Watson
Director of Culture & Environment