



Map Information

Scale 1:1250 @ A4
 Date: 25/02/16
 Reference BAO 31 Windmill Street
 Order No: 1638787

**Site Location Plan - 31
 Windmill Street**



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Figure 1 Corner of Windmill street and Whitfield street



Figure 2 Whitfield Street



Figure 3 street view image

Delegated Report		Analysis sheet		Expiry Date:	04/05/2016
(Members Briefing)		N/A / attached		Consultation Expiry Date:	17/05/2016
Officer			Application Number(s)		
Jagdish Akhaja			2016/1324/P and 2016/1568/A		
Application Address			Drawing Numbers		
31 Windmill Street London W1T 2JN			Refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>Planning Permission – Replacement of shopfront. Advertisement consent- Display of 2x non-illuminated fascia signs.</p>					
Recommendation(s):		Grant Planning Permission and Advertisement Consent			
Application Type:		1) Full Planning Permission 2) Advertisement Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	16	No. of responses	01	No. of objections	03
			No. Electronic	02		
Summary of consultation responses:	<p>A press notice for the planning permission was published 31/03/2016 A site notice for the planning permission was published 30/03/2016</p> <p>Objection</p> <ul style="list-style-type: none"> - Noise emission from ventilation would impact on residents and surrounding area. - Design is inappropriate for a building of this size and scale with the Conservation Area 					
CAAC/Local groups* comments: *Please Specify	<p>Comments from Bloomsbury and Charlotte Street CAAC. Charlotte Street represented by Bloomsbury Advisory committee.</p> <p>Comment received on 28/06/2016</p> <p>a) The ventilation grill and mechanical exhaust at street level (as we have previously advised) is likely to be a nuisance (noise and draft) and is visually unacceptable.</p> <p>b) The style of the proposed shopfront. The building is a neo-classical probably late Victorian or Edwardian brick structure with stucco quoins and window embellishments. the mechanistic style of the proposed shopfront with predominantly horizontal mullions and curved corners is completely alien to the host building and to the character of the Conservation Area. The existing shopfront, though plain, is considerably more appropriate.</p> <p><i>Officer Response to comments – plant operation time will be restricted, for more details see design section 3.0</i></p> <p>Separate comments on behalf of Bloomsbury CAAC.</p> <p>The proposed design is inappropriate for a building of this size and scale within the conservation area. The design will look out of place in relation to the existing window openings in the facade of the building above. The application justifies the new shop front by referring to "the more modern style" of buildings to the southern side of Windmill Street. This building is of a completely different size and scale to that in which the application shopfront is situated, so the example used is irrelevant and misleading. The shop front of no 31 relates more obviously to that of the building immediately opposite and the proposed application shop front design would not be in keeping with this building either.</p> <p><i>Officer response to comments - see section 2.0 design</i></p> <p>Charlotte Street Association.</p>					

- 1) Comments received on 19/04/2016- No comments to design, the existing outlet in this similar location is very noisy, and thus a noise nuisance to the residential opposite. And request for an acoustic report.

Officer response- the applicant has submitted noise assessment report to address the concerns.

- 2) Comments received on 15/06/2015 (after noise report submission)

(a). In the Noise Assessment Report (para 4.5), it says that 32 Windmill Street opposite is the nearest residential. This is not so. The nearest residential is at No. 2-4 Whitfield Street, which is next to the premises, with flats at 1st Floor and above. The 1st Floor flat is immediately next to and above the enlarged air outlets/inlet grills, next to this party wall. We would ask that an assessment is carried out relating to these next door, nearer residential flats.

(b). Under Section 3, the noise measurements were taken for one hour only on one occasion between 11pm and midnight (when people are leaving pubs and restaurants), although we do appreciate that this is mid-week. The background noise level of 50dB seems unusually high for this relatively quiet street of Whitfield Street, especially in the evenings.

(c). we would ask that there is a Condition that the mechanical plant is switched off not later than midnight

Officer response to comments- plant operation time will be restricted with condition. subsequent noise report submitted to address concerned raised in comment no2, no further comments received.

Site Description

The site is located on the north side of Windmill Street, at the corner with Whitfield Street to the west. The site is an end of terrace 5 storey plus basement building that has an existing shopfront which extends along the elevations fronting Windmill Street and Whitfield Street. The restaurant (Class A3) is located at ground floor with external staircase that leads to the lower ground floor which is also part of the restaurant (Class A3) use. The entrance to the 1st and upper floors of the building, that are occupied by office uses, is adjacent to the restaurant entrance via a separate door located on Windmill Street. The property is bounded by 29-30 Windmill Street to the west and 4-2 Percy Street to the north-east.

The building is not listed but is identified as making a positive contribution to the character and appearance of the Charlotte Street conservation area of which it forms a part. The shopfront is not listed as a shopfront of merit in the Charlotte Street Appraisal and Management Plan (CAAM).

Relevant History

8602390 -Granted 04/06/1987: Alterations to ground floor restaurant frontage as shown on drawing numbers 02/A & 04/A revised by letters dated 19th February 1987 and 14th April 1987.

9080048- Granted 13/09/1990: The display of two internally illuminated main fascia signs.

2013/4270/P- Granted 29/10/2013: Replacement of existing shopfront and entrance door and the installation of new railings, following the demolition of existing brick wall to the front elevation all associated with existing restaurant (Class A3).

Relevant policies

National and Regional Policy

National Planning Policy Framework (2012)

The London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

CS17- Making Camden a safer place

Development Policies:

DP17 Walking, Cycling and Public Transport

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP30 - Shopfronts

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Camden Planning Guidance 2015

CPG1 (Design) Chapter 1, 2 3 & 7

CPG 6-Amenity

Assessment

1 Proposal:

- 1.1 Planning permission is sought for the re-designing the shopfront and replacement of existing louvers.
- 1.2 The main considerations in relation to the proposal are the design and impact on the conservation area, and the impact on amenity. These points are considered below.

2.0 Revision:

2.1 The original proposal was

- Retaining existing louvers and adding small vent next to the existing small vent
- Steel framed windows
- Installation of unaligned granite cladding stallriser
- Redecoration to fascia signs
- Noise report was not submitted as plant is installed internally

2.2 The applicant has subsequently been revised as follows:

- Replacement of existing louvered with grilled louvers
- Installation of black colour timber framed and transparent glazed windows, replacing to large existing glazed windows
- Existing stallriser redecorated with external grade paint finished
- Redecoration of fascia signs
- Noise impact assessment report submitted to address noise concerns

3.0 Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used.

3.2 The existing shopfront is not original and the shop windows are compromised by a double height fascia. The upper floor windows of the host building are non-original, top-hung and metal framed. The proposed windows would enlarge the area of glazing, whilst retaining the traditional stallriser. The proposed alterations to the shopfront would maintain the traditional design elements with black timber framed windows, in materials and form which is sympathetic to the character of the conservation area. The proposals are considered to preserve the character and appearance of the host building and the Charlotte Street Conservation Area, and are in compliance with DP24 and DP25 of the LDF.

4.0 Amenity

4.1 The proposed air intake plant would be concealed by two louvered grilles 1mx1m and 1mx 0.5m. The site on a busy street and is located close to Tottenham Court Road. The noise from the plant would not be noticeable during the day time, but during the night time it would be audible. However the submitted acoustic details demonstrate that the plant would achieve Camden's noise requirements.

4.2 The acoustic report identifies that the noise from the proposed new plant would be 44 dB(A) at the nearest windows. This noise level would be 6 dB below the lowest measured LA90 background noise level during the proposed operating hours of 50 dB(A).

4.3 Environmental Health have reviewed the proposals and have recommended a condition to ensure that the use of the mechanical plant shall be permitted only during the hours of 08:00 - 00:00.

4.4 The proposals raise no other concerns in terms of impact on daylight, sunlight, overlooking, privacy or outlook.

Advert

5.1 The proposed fascia signs would be non-illuminated. Their size and style would remain the same as the existing. The advert would not raise any safety concerns in respect of transport movements.

5.2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Recommendation: Grant Planning Permission and Advertisement Consent.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th July 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Mark Shearman
Firstplan
Firstplan Bramah House
65-71 Bermondsey Street
London
SE1 3XF

Application Ref: **2016/1324/P**
Please ask for: **Jagdish Akhaja**
Telephone: 020 7974 4899

29 June 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
31 Windmill Street
London
W1T 2JN

DECISION

Proposal: Replacement of shopfront.

Drawing Nos: The Site Location Plan, 013-PLN-02 rev B; 03 rev H, 04 rev C, Noise Impact Assessment Report 15/06/2016.

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

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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 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: Site Location Plan, 013-PLN-02 rev B; 03 rev H, 04 rev C, Noise Impact Assessment Report 15/06/2016.

Reason:

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

- 4 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: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to first operation of the plant equipment, it shall be fitted with automatic time clocks which ensure that the plant shall not operate outside of the hours of 08:00 - 00:00.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 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.

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

Executive Director Supporting Communities

DECISION

Firstplan
Firstplan Bramah House
65-71 Bermondsey Street
London
SE1 3XF

Application Ref: **2016/1568/A**
Please ask for: **Jagdish Akhaja**
Telephone: 020 7974 **4899**

28 June 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Advertisement Consent Granted

Address:
31 Windmill Street
London
W1T 2JN

DECISION

Proposal: Display of 2x non-illuminated fascia signs.
Drawing Nos: The Site Location Plan, 013-PLN-02 rev B; 03 rev H, 04 rev C

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or

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aid to navigation by water or air; or
(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

Informative(s):

- 1 The proposed non-illuminated two fascia signs are considered to be acceptable in terms of their location, size, materials and design. The proposal will not harm the character and appearance of the streetscene or the Conservation Area.

The proposal will not impact on the neighbours' amenity nor would it be harmful to either pedestrian or vehicular safety.

The site's planning and appeal history has been taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25 and DP26 of the London

Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2016 and paragraphs 14, 17, 56 67, 126 -141 of the National Planning Policy Framework.

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 in regard to your rights of appeal at:

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

Yours faithfully

Executive Director Supporting Communities

DRAFT

DECISION