

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>04/05/2016</b>
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>	<b>17/05/2016</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Jagdish Akhaja			2016/1324/P and 2016/1568/A		
<b>Application Address</b>			<b>Drawing Numbers</b>		
31 Windmill Street London W1T 2JN			Refer to decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Planning Permission – Replacement of shopfront. Advertisement consent- Display of 2x non-illuminated fascia signs.					
<b>Recommendation(s):</b>		Grant Planning Permission and Advertisement Consent			
<b>Application Type:</b>		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:	A press notice for the planning permission was published 31/03/2016 A site notice for the planning permission was published 30/03/2016  Objection <ul style="list-style-type: none"><li>- Noise emission from ventilation would impact on residents and surrounding area.</li><li>- Design is inappropriate for a building of this size and scale with the Conservation Area</li></ul>					
CAAC/Local groups* comments: *Please Specify	<b>Comments from Bloomsbury and Charlotte Street CAAC.</b> Charlotte Street represented by Bloomsbury Advisory committee.  Comment received on 28/06/2016  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.  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.  <i>Officer Response to comments – plant operation time will be restricted, for more details see design section 3.0</i>  <b>Separate comments on behalf of Bloomsbury CAAC.</b>  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.  <i>Officer response to comments - see section 2.0 design</i>  <b>Charlotte Street Association.</b>  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.