

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

Application Ref: **2016/3294/P**  
Please ask for: **Amy Grace Douglas**  
Telephone: 020 7974 **8096**

29 July 2016

Dear Sir

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**117 Tottenham Court Road**  
**London**  
**W1T 5AL**

Proposal:  
Installation of replacement mechanical plant  
Drawing Nos: Noise Assessment May 2016; S2457.00.01; S2457.00.02; S2457.02.06;  
S2457.02.07; S2457.02.08; S2457.05.02.A; S2457.05.03.A; E6055\_R-DW-C

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 The development hereby permitted shall be carried out in accordance with the



following approved plans Noise Assessment May 2016; S2457.00.01; S2457.00.02; S2457.02.06; S2457.02.07; S2457.02.08; S2457.05.02.A; S2457.05.03.A; E6055\_R-DW-C

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

- 3 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.

- 4 Prior to the commencement of use, the proposed plant shall be provided with sound attenuation in accordance with the recommendations of the acoustic report hereby approved, All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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 the commencement of use, the proposed plant shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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.

- 6 The use of the kitchen extract system shall only take place during the period of 11:00 to 23:00 on Monday to Sundays and Public/Bank Holidays only.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise.

## Informatives:

- 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 Reasons for granting permission

The mechanical plant and associated works would replace existing equipment on the flat roof at the rear flat roof above the first floor level of the building. The replacement mechanical plant and additional associated equipment would be required to facilitate the extraction from the ground floor restaurant unit. The subject site is located within the Fitzroy Square Conservation Area and is not a listed building, however it is considered to be a building that makes a positive contribution to the conservation area.

The proposed plant would be visible from several upper floor flats to the rear, however it is considered that given the replacement mechanical units are in the same position, and similar scale as the existing, and the use of this area has been established as suitable for such additions, the proposal would not be detrimentally harmful to the surrounding properties. Several nearby properties have existing utilities located to the rear, and the proposed additions are not of an obtrusive or dominant nature.

A Noise Impact Assessment report has been submitted by the applicant, which examines the existing environmental noise conditions and the potential impact of the plant to residential amenity. The noise assessment has been considered by Camden's Environmental Health officers who consider it to be satisfactory, demonstrating compliance, as such had no objections subject to recommended conditions with regards to noise, to ensure the amenities of the adjoining premises is retained.

Given that the proposed works would not be significantly visible from the public realm as they are located to the rear of the subject site, they are considered to be

acceptable. The proposal would replace existing, outdated equipment, improving the efficiency of the operations that are required as part of the ground floor unit at 117 Tottenham Court Road. The additions are not of a significant size or scale that would result in additional harm to the building or surroundings, and as such the proposal would not warrant a refusal in this instance.

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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP28 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, 56-68 and 126-141 of the National Planning Policy Framework.

- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

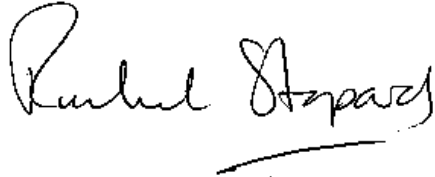
Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard  
Executive Director Supporting Communities