

Mr Chun Qing Li  
Mr Chun Qing Li  
25 Longshore  
London  
SE8 3DF

Application Ref: **2016/0401/P**  
Please ask for: **Laura Hazelton**  
Telephone: 020 7974 **1017**

28 September 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**100 Cleveland Street**  
**London**  
**W1T 6NS**

Proposal:  
Installation of new kitchen extraction flue at rear first floor level and replacement extraction ducting from first floor to roof level (retrospective); and proposed ducting to the roof of the existing ground floor extension in association with the use of the ground floor restaurant (A3 use).

Drawing Nos: AL(01)0100 P01, AL(04)0204 P02, AL(02)0204 P03, AL(02)0205 P02, AL(04)0404 P03, AL(05)0500 P01, Kitchen extraction system proposal reference P-108765, Assessment of mechanical plant noise reference ARM 177-01.

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 shall be carried out in accordance with the following approved plans: AL(01)0100 P01, AL(04)0204 P02, AL(02)0204 P03, AL(02)0205 P02, AL(04)0404 P03, AL(05)0500 P01, Kitchen extraction system proposal reference P-108765, Assessment of mechanical plant noise reference



ARM 177-01.

Reason:

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

- 2 Within 2 months of the date of this decision notice, the extraction system, odour control system and noise mitigation measures as stated in acoustic report ref: ARM 177-01, dated 12th February 2016 and kitchen extraction system proposal document ref: P-108765 shall be provided in full for the building. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, or by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating together at maximum capacity. The acoustic enclosure shall be permanently retained thereafter and the extract system and odour control system shall be cleaned and maintained every 6 months following installation.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, cooking odour, steam and other effluent in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 3 All external doors to the kitchen shall be fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows to the kitchen be fixed in an open position.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, smell, steam or other effluent.

Informative(s):

- 1 Reasons for granting permission

Planning permission was previously granted in 2007 (reference 2007/1461/P) for the extension of an existing flue to roof top level. The current application seeks retrospective permission following the replacement of the previous flue and the installation of a second smaller flue. Planning permission is also sought for the installation of new ducting that would run along the rear of the ground floor roof and new acoustic attenuation shrouding.

The replacement flue is located in the same position as the previous one, running from ground floor level up the rear elevation to roof level. The replacement of the existing flue with a new model of similar size, height, colour and position as the existing is considered acceptable as there would be minimal impact on the character and appearance of the host building and wider conservation area than the previous situation. The addition of a second smaller flue, new ducting and

acoustic attenuation system are considered relatively minor changes when considered within the existing context.

The development is not visible from Cleveland Street; however, there are views from Fitzroy Mews to the rear. Although there would be some visual impact resulting from the additional equipment, this is not considered to be so harmful to the character and appearance of the building or conservation area as to warrant refusal of the application.

The noise impact assessment submitted in support of the application suggests that noise mitigation measures are required in order for the development to comply with Camden's noise standards, and has outlined the attenuation measures proposed. The Council's Environmental Health Officer has assessed the proposals and does not object provided the mitigation measures suggested are supplied and installed correctly. It is therefore recommended that permission is granted subject to the conditions outlined above.

Due to the location and nature of the works, they are not considered to cause harm to the amenity of neighbouring residents in terms of a loss of daylight or privacy. There would be some impact on outlook from the residential properties to the rear, but as discussed above, this is not considered sufficiently harmful as to warrant refusal of the application. The Council is satisfied the development would not cause disturbance in terms of noise or odour, subject to the implementation of the measures outlined in the noise impact assessment and kitchen extraction system proposal.

Two objections were received and duly taken into account prior to the determination of this application. The planning history of the site 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, under 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 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 the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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).
- 3 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

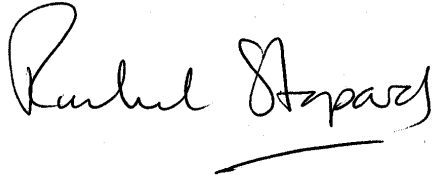
Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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

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

Rachel Stopard  
Executive Director Supporting Communities