

Mr Mike Washbourne
Porta Planning LLP
67-69 George Street
London
W1U 8LT

Application Ref: **2016/3133/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

30 December 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**64 Charlotte Street & 32 Tottenham Street
London
W1T 4QD**

Proposal:

Change of use at ground and basement floor levels from Class B1 (office) use to Class A3 (restaurant/cafe) use at 64 Charlotte Street and from Class A3 (restaurant/cafe) use to Class B1 (office) use at 32 Tottenham Street, involving internal reconfiguration and resizing of units and installation of a replacement kitchen extract system to the rear.

Drawing Nos: 1329-PP3-001, 1329-PP3-002, 1329-PP3-003, 1329-PP3-004, 1329-PP3-DET-302, 1329-PP3-DET-303, Noise Impact Assessment R6650-1 Rev 0.

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 The development hereby permitted shall be carried out in accordance with the following approved plans- 1329-PP3-001, 1329-PP3-002, 1329-PP3-003, 1329-PP3-004, 1329-PP3-DET-302, 1329-PP3-DET-303, Noise Impact Assessment R6650-1 Rev 0.

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

- 3 The restaurant (Class A3) use hereby permitted shall not be carried out outside the hours of 08:00 - 23:30 daily.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 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 commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the proposed restaurant from the dwellings above. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the noise criteria of BS8233:2014 within noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 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 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 policies CS5 and CS7 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 Prior to the first use of the restaurant hereby approved, the extract/ ventilation

system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 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.

- 7 No music shall be played in the restaurant hereby approved in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 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 Reasons for granting permission-

The development would reconfigure and swap the uses around on the site to provide a restaurant (A3) unit at 64 Charlotte Street and office (B1a) unit at 32 Tottenham Street. This would involve the loss of 24 sq.m of office floorspace and increase of 23 sq.m of restaurant floorspace.

It is considered that the relocation of the proposed restaurant use, its new access and increase in size and customer capacity would not harmfully impact on the character or retail vitality of the Fitzrovia area designated frontages nor on the amenity of nearby residential uses, either individually or cumulatively in conjunction with other Class A3 food and drink uses in the area.

It is considered that the loss of office floorspace is modest and would not prejudice employment activity in the area. The development would maintain an office unit on the site which is suitable for a small/medium sized businesses.

The new restaurant would also not harm the residential amenity of the area by reason of noise and odour or customer activity. The submitted noise survey demonstrates that the use and its external plant can operate without detriment to local residential amenity subject to conditions on noise and music.

The reconfigured uses are located in a highly accessible Central London location and would not result in any additional adverse highway impacts.

The proposed extract duct would be sited in the enclosed area to the rear of the building terminating above eaves level. The extract duct would be barely visible and not harm the character and appearance of the host property and conservation

area. 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 2013.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

The planning history of the site has been taken into account when coming to this decision. No objections were received to this application.

As such, the proposed development is in general accordance with policies CS5, CS7, CS8, CS11 and CS14, of the London Borough of Camden Local Development Framework Core Strategy, and policies DP12, DP13, DP16, DP17, DP18, DP20, DP21, DP24, DP25 and DP26 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.

- 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 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 Noise and Licensing Enforcement Team, 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.
- 6 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For

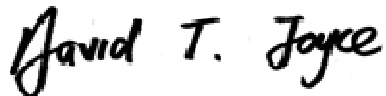
further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Executive Director Supporting Communities