

DISCHARGE OF CONDITIONS

Change of use and subdivision of mixed A1/A3
to form an A3 unit at 51. Alteration to the
shopfront and the installation of an extract duct
from first floor to roof level on the rear
elevation

March 2017

*51 Fairfax Road,
London,
NW6 4EN*

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1.0 Introduction and Aims

This supporting Planning Statement has been prepared by Drawing and Planning Ltd, Mercham House, 25-27 The Burroughs, Hendon, London, NW4 4AR (0208 202 3665), on behalf of the applicant at 51 Fairfax Road, NW6 4EN, London. The site has been identified on the location plan within the attached drawing pack.

This statement accompanies an application for the Discharge of Conditions (5), (9), (10), (11) & (13) as set out in the original decision notice following the London Borough of Camden's decision to Grant Full Planning Permission **Ref: 2015/3916/P** for **'Change of use and subdivision of mixed A1/A3 to form an A3 unit at 51. Alteration to the shopfront and the installation of an extraction duct from first floor to roof level on the rear elevation at 51 Fairfax Road, London, NW6 4EN.'**

The site is accessed via Fairfax Road to the front of the site. The application premises extends towards the rear of the unit with the rear being adequate for parking and a general service and delivery area. This aspect of the site bodes well with the anticipated restaurant use where deliveries and staff parking are important.

2.0 The Site and surrounding area

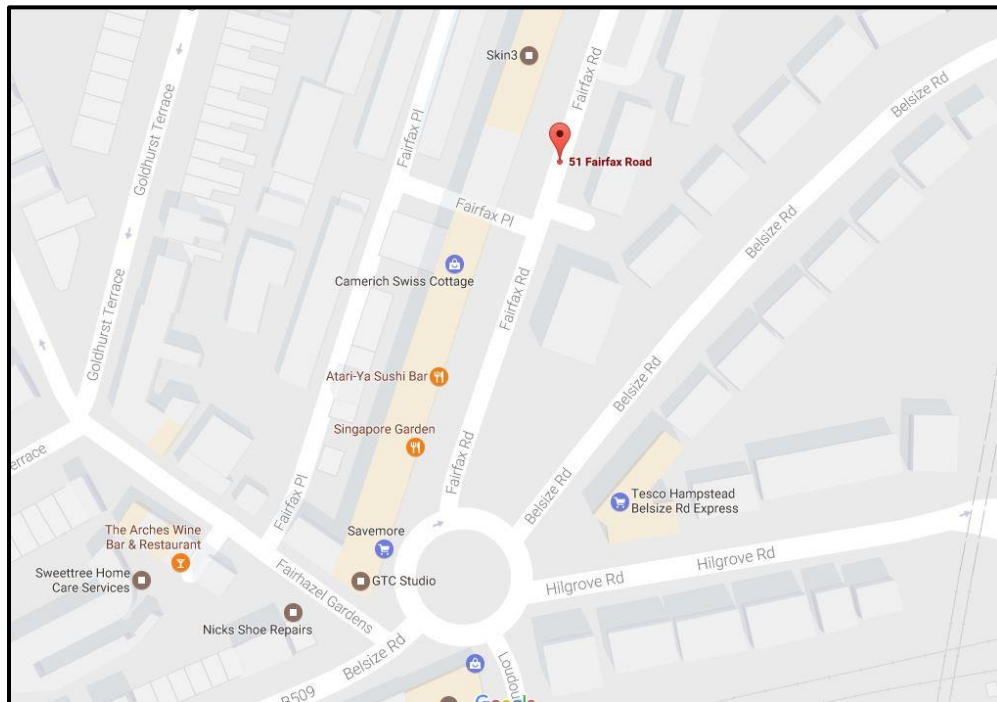


Fig. 1: Map of the local area



Fig. 2: Street View at 51 Fairfax Road

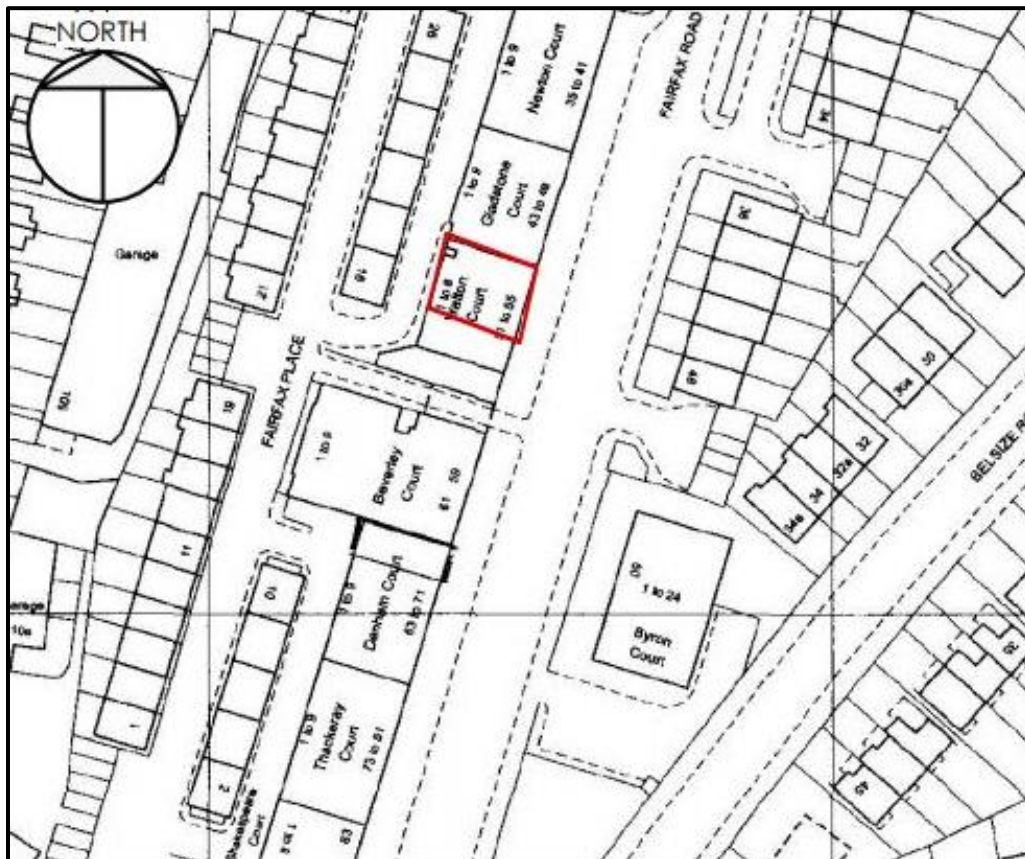


Fig. 3: Site Plan

3.0 Discharge of Conditions

This statement accompanies an application for the Discharge of Conditions (5), (9), (10), (11) & (13) as set out in the original decision notice following the London Borough of Camden’s decision to Grant Full Planning Permission Ref: 2015/3916/P for ***‘Change of use and subdivision of mixed A1/A3 to form an A3 unit at 51. Alteration to the shopfront and the installation of an extraction duct from first floor to roof level on the rear elevation at 51 Fairfax Road, London, NW6 4EN.’***

This application will therefore provide the additional details, specification and statements required to discharge these conditions as requested.

Discharge of Condition Five (5): Double glazed windows installation

Condition 5: *‘Prior to commencement of the use of the hereby approved, suitable sound attenuated windows (double glazed) shall be installed, the details of which will be approved in writing by the Council. The windows in the kitchen to the rear shall be fixed shut and shall remain permanently fixed shut, unless otherwise agreed in writing by the Local Planning Authority.’*

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 Management Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Management Framework Development Policies.’*

Condition five requires the installation of appropriate sound attenuated windows, with full details of said scheme, having been first submitted to and approved by the Local Planning Authority.

Sound insulation has been provided through the installation of double glazing windows in the kitchen at basement level at 51 Fairfax Road. The windows have been provided and installed by Hendon Glazing. The exact specifications of the double glazed windows proposed as part of this scheme have been provided with this application.

As part of discussions with Camden Council during the processing of this application, further details on the specification of the double-glazing window system proposed had been requested. Details of the additional specification are shown in the attached appendix. The aforementioned windows have been installed and will remain permanently fixed shut as requested by the Council.

Please see the attached Specification Documents as listed below:

- Appendix 2 – Double glazing installation letter
- Appendix 3 – Window specification

This statement therefore looks to confirm that the attached double glazed window details are suitable & are appropriate for this development. All elements & specification proposed within this report will be implemented in their entirety before the unit is first occupied/the use commences. As such, it is felt that these details should be considered sufficient to summarily discharge this condition.

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Discharge of Condition Nine (9): Equipment to control the emission of fumes and smell

Condition 3: *'Before the use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.'*

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 Management Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Management Framework Development Policies.'*

Condition nine requires the installation of appropriate equipment to control the emission of fumes and smell from the premises, with full details of said scheme, having been first submitted to and approved by the Local Planning Authority.

This application therefore looks to discharge condition nine by providing a detailed extract system, as designed by Fan Rescue Ltd, extraction and ventilation specialists and consultants who have prepared the attached Kitchen Extraction System Proposal, to include recommendations for the necessary works to mitigate the fumes and smell disturbances.

(It should be noted that the subject site looks to operate a high end restaurant, supporting only 30 covers, serving the type of dishes on the premises which are molecular in nature, with very little - if at all - deep fat frying. With high end dining, the restaurant will pace the reservations in gaps of 15 minutes, as the kitchen is low volume - as opposed to a grill house/kebab shop type establishment.

Whilst the extract system proposed, has been designed to cater for the subject units' on site hot food preparation requirements, this high-end extract ventilation system has been designed to accommodate not only molecular cuisine, but also deep fat frying/grill house type cuisine. As such, the proposed ventilation can in theory, accommodate any A3 Class restaurant house.)

All cooking odours attributed with the proposed A3 use of the site, will be controlled through the installation of a modern integrated air extraction flue, which is to be positioned on the rear elevation of the building. This modern system, works on a multi-filter arrangement to ensure that odours are adequately expelled from the hot food cooking establishment.

The exact specifications of the extraction system proposed as part of this scheme have been provided within Appendix 4-12 inclusive. The proposed system has been tailored to the building's requirements and would ensure that smells do not affect the residential properties located above. The extraction systems are highly beneficial to local residents as they principally extract odours and should not be stigmatised as being a nuisance. Under the terms of this application the extract system would, in any event, be turned off during the evening hours.

As part of discussions with Camden Council during the processing of this application, further details on the specification of the system proposed had been requested. Details of the additional specification are shown below. This filtration will be implemented in the final design as approved.

Improving the filtration system

As noted in the attached statement by ventilation specialists - Fan Rescue Limited, a Three Stage Kitchen Extraction Filtration System has been proposed, to include a passive make-up air system. This three-stage filtration system will include:

- Stage 1: Removable/washable stainless steel baffle type grease filters (**Stage 1 filtration**), plus
- Stage 2: A high odour filtration unit (see attached specification sheet) followed by an ozone odour control unit with two built-in disposable pre-filter G4 (**Stage 2 filtration**) plus
- Stage 3: 100kg (2No. 24x24x24) of extra duty active carbon to remove odour - to be replaced every 6-12 months (**Stage 3 filtration**) depending on the usage

An Odour Control Unit before the carbon filtration system.

As requested by council and noted in the attached Ventilation Plan Drawings, the inclusion of a high odour filtration unit Ozone oxidation system model OC1 has now been shown. Please refer to the attached specification sheet in Appendix 7, as provided by ventilation specialists - Fan Rescue Limited - entitled 'High Odour filtration unit – OC1 specification'.

Ventilation specialists - Fan Rescue Limited have designed and proposed a bespoke high specification three-stage extract filtration system tailor-made to this site. This high-spec system has been designed to vent 1 meter above the roof level, with a variety of safeguards proposed to ensure that odours and smells are limited to safe levels in line with current requirements.

Please see the attached Specification Documents as listed below:

- Appendix 4 – GBW500 Centrifugal fan specification
- Appendix 5 – 24x24x4 Prefilter specification
- Appendix 6 – Carbon Filter specification
- Appendix 7 – High odour filtration Unit – OC1 specification
- Appendix 8 – Kitchen extraction system proposal
- Appendix 9 – Proposed fan & attenuators
- Appendix 10 – Canopy and ductwork regulations
- Appendix 11 – Section, Elevation & Ventilation Specification Details
- Appendix 12 – Equipment Schedule – QT Acoustics

This statement therefore looks to confirm that the attached Extraction System Details are suitable & are appropriate for this development. All elements & specification proposed within this report will be implemented in their entirety before the unit is first occupied/the use commences. As such, it is felt that these details should be considered sufficient to summarily discharge this condition.

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Discharge of Condition Ten (10): Anti-vibration measures, cleaning & maintenance schedule

Condition 10: *‘Prior to commencement of the development, details of anti-vibration measures and suitable cleaning schedule and/or maintenance contract for the extract system and odour control system shall be submitted to and approved in writing by the Council. The measures shall ensure that extract/ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.’*

Reason: *‘To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by vibration, smell, steam and other effluent.’*

Condition ten of this approval requires the submission of details relating to anti-vibration measures and a suitable maintenance scheme, to be approved in writing by the local planning authority, before the use hereby permitted first begins.

This application therefore looks to discharge condition ten by providing a detailed extraction system, as designed and prepared by Fan Rescue – specialist extraction and ventilation consultants who have prepared the attached Kitchen Extraction System Proposal which includes recommendations for the necessary works to mitigate vibration disturbances.

As part of the mitigation measures, the ventilation proposal, includes details of the anti-vibration rubber mountings to eliminate noise and vibration caused by the ventilation system. Furthermore, two attenuators are proposed to be connected to the fan. A bespoke 450x1000mm attenuator before the fan, and a 590x1800mm double skinned attenuator after the fan.

Ensuring a regular maintenance contract is in place to ensure the carbon filters are changed at appropriate time intervals

The attached statement appendix by ventilation specialists - Fan Rescue Limited, outlines the maintenance requirements for the three stage Kitchen Extraction filtration system. As proposed, a detailed and scheduled maintenance program will be put in place to ensure that the extra duty active carbon filters are replaced every 6-12 months (depending on the usage) as part of the 3 stage filtration with this cleaning & maintenance program including a full kitchen extraction system service clean every 6 months.

Please see the attached Specification Documents as listed below:

- Appendix 8 – Kitchen extraction system proposal – Fan Rescue

This statement therefore looks to confirm that the attached Management Plan is considered suitable and appropriate to address this condition. All elements & specification proposed within the attached Plan will be implemented in their entirety before the development commences following the works hereby approved. As such, it is considered that the details stated within this report should be considered sufficient to summarily discharge this condition.

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Discharge of Condition Eleven (11) [& Thirteen (13) - Condition Repeated]: External noise level assessment

Condition 4: *‘Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/equipment and mitigation measures as appropriate. 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 10dBA, by 15dBA where the source is tonal, as assessed according to BS4141:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implanted prior to occupation of the development and thereafter be 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 Management Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Management Framework Development Policies.’

Condition eleven (& thirteen) of this approval requires the submission of an ‘External noise level assessment’ relating to the minimization of noise emitted from the plant/machinery, to be approved in writing by the local planning authority, before the use hereby permitted first begins.

This application therefore looks to discharge condition eleven (& thirteen) by providing a detailed Noise Impact Assessment as prepared by Clement Acoustics - specialist sound and acoustics engineers and consultants who have prepared the attached Noise Impact Assessment which includes recommendations for the necessary works to mitigate any sound disturbances to local residential receptors.

Proposed mitigation measures to include the replacement of the existing in-line silencer with a new silencer with higher performance (an indicative view of the required attenuation from mitigation of the proposed system, is shown in table 6.2 of the attached Noise Impact Assessment). The chosen silencer should then be installed between the fan and the outlet terminus. As such, the mitigation measures would meet the strictest recommendations of British Standards.

Please see the attached assessment report, as listed below:

- Appendix 13 – Noise Impact Assessment

This statement therefore looks to confirm that the attached Noise Impact Assessment is considered suitable & appropriate to address this condition. All elements & specification proposed within the attached Plan will be implemented in their entirety before the development commences. As such, it is considered that the details stated within this report should be considered sufficient to summarily discharge this condition.

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4.0 Conclusion

This statement accompanies an application for the Discharge of Conditions (5), (9), (10), (11) & (13) as set out in the original decision notice following the London Borough of Camden's decision to Grant Full Planning Permission **Ref: 2015/3916/P** for ***'Change of use and subdivision of mixed A1/A3 to form an A3 unit at 51. Alteration to the shopfront and the installation of an extraction duct from first floor to roof level on the rear elevation at 51 Fairfax Road, London, NW6 4EN.'***

Based on the information provided, we therefore trust that you will be able to support this application for the Discharge of these Conditions and recommend this application for approval.