

Document 1

Site photos



Image 1 – The northern elevation



Image 2 – Existing air condensers along western elevation



Image 3 – Internal room used for storage



Image 4 – Existing internal plant equipment

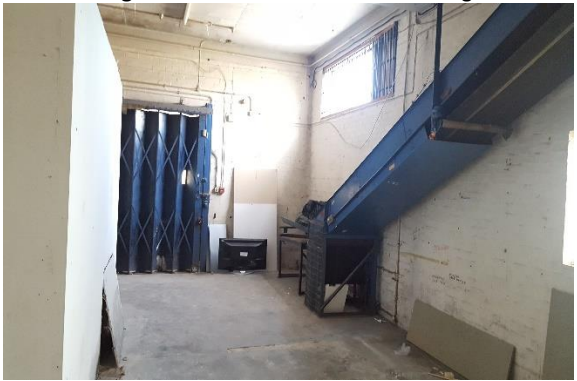


Image 5 – Existing conveyor belt room



Image 6 – Existing internal space set out for office use

Document 2



City of Westminster

Your ref: MR ROGER IBBOTT
My ref: 10/09613/CLEUD

Please reply to: Sarah Whitnall
Tel No: 020 7641 2929
Email: northplanningteam@westminster.gov.uk

Miss Sarah Bowers
Jones Lang LaSalle
25 Bank Street
Canary Wharf
London
E14 5EG

Development Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

29 December 2010

**CERTIFIED TRUE RECORD OF
COUNCIL'S DECISION OF 2/12/10**

Dear Sir/Madam

SCHEDULE 4

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192 (AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995
ARTICLE 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The Westminster City Council HEREBY CERTIFY that on 02.11.2010 the use or works described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged/hatched/coloured in red on the plan attached to this certificate was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the reason(s) detailed on the following page:-

Application No:	10/09613/CLEUD	Application Date:	28.10.2010
Date Received:	02.11.2010	Date Amended:	15.11.2010
Plan Nos:	Site plan; (01)100; A4 Brochure by Jones Lang Lasalle October 2010.		
First Schedule:	Use of ground floor of 302 -310 Kilburn Lane as (Class B1) food preparation facility.		
Second Schedule:	302 Kilburn Lane, London, W9 3EF,		

R. A. MacQueen

Signed _____

On behalf of Westminster City Council

Date 29/12/10



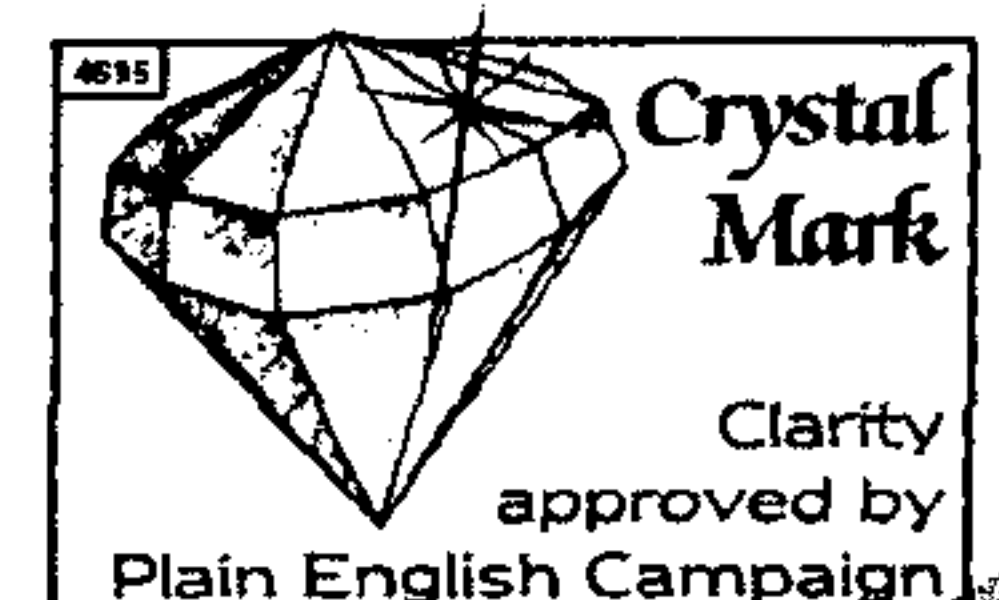
10/09613/CLEUD

Reason(s):

- 1 The City Council is satisfied that the use has been in operation for a continuous period of at least 10 years prior to the date of application.

Note:

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- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
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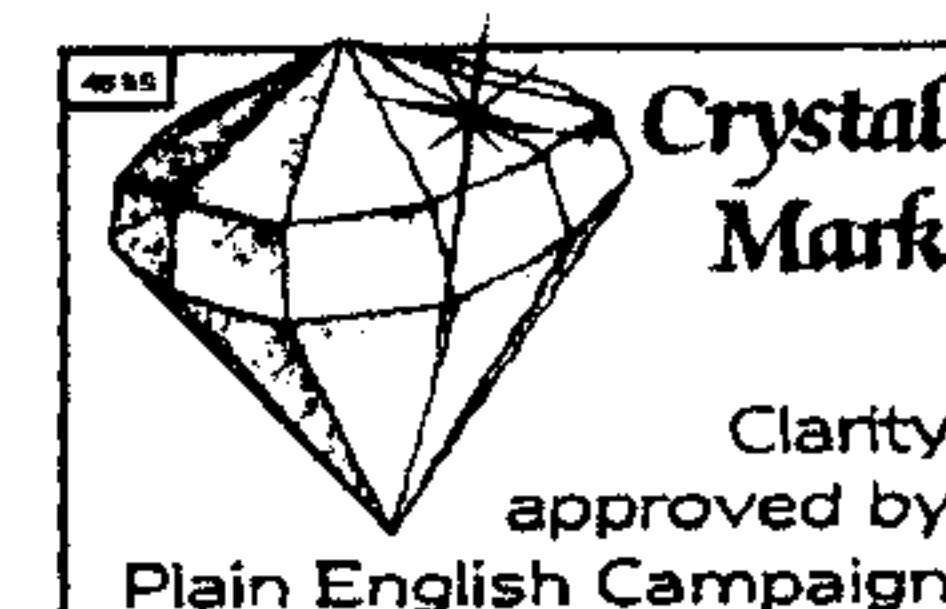


NOTES

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use or works specified in the First Schedule for the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable for enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use or works described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or works which is materially different from that described or which relates to other land may render the owner or occupier liable for enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

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City of Westminster

Your ref: MR RICHARD WELLS
My ref: 12/07057/FULL

Please reply to: Kathryn Moran
Tel No: 020 7641 5974
Email: centralplanningteam@westminster.gov.uk

Mr Tom Shelswell
William Tozer Associates
First Floor
33 D'arblay Street
London
W1F 8EU

Development Planning
Westminster City Hall
64 Victoria Street
London SW1E 6QP

20 September 2012

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT (CONDITIONAL)



The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

Application No:	12/07057/FULL	Application Date:	12.07.2012
Date Received:	12.07.2012	Date Amended:	26.07.2012
Plan Nos:	A/01/101; 102; A/02/101; 08-167D1-Rev A; Site location plan; Acoustic report		
Address:	Camera Room, 73A Beak Street, London, W1F 9SR		
Proposal:	Installation of a full height extract duct in association with use of 73A as commercial kitchen and bakery (Class B1).		

See next page for conditions/reasons.

Yours faithfully
R. MacQueen

Rosemarie MacQueen
Strategic Director Built Environment

Note - As the requirements of the Building Regulations may impact on the design of the proposed development, our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this free service please contact **020 7641 7230** to arrange a preliminary discussion.

Condition(s):

- 1 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out

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in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in CS31 of our Core Strategy that we adopted in January 2011, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 2 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 3 The plant/machinery hereby permitted shall not be operated except between 0700 hours and 19.00 hours daily.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in CS31 of our Core Strategy that we adopted in January 2011 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 4 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in CS28 and CS31 of our Core Strategy that we adopted in January 2011 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 5 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the premises. (C14EC)

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Reason:

To protect the environment and provide suitable storage for waste as set out in CS43 of our Core Strategy that we adopted in January 2011 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 6 You must finish the ductwork in a colour to match the material next to it. You must then keep it that colour. (C26FA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in CS24 and CS27 of our Core Strategy that we adopted in January 2011 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

Informative(s):

- 1 **SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION** - In reaching the decision to grant planning permission the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, the City of Westminster Core Strategy adopted January 2011, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that in amenity, design, listed building and conservation area terms the proposed plant/ air conditioning equipment is acceptable.

In reaching this decision the following policies of the City of Westminster Core Strategy and the Unitary Development Plan were of particular relevance:
CS31, CS24, CS27, ENV 7, DES 9 and DES 10.

- 2 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)

- 3 The activities we have given permission for fall within Class B1. This means that they may be carried out in any residential area as long as they do not cause harm by noise, vibrations, smells, fumes, smoke or dust. However, if you increase the activities and it causes such harm, you may need to apply for further planning permission. (I63AA)

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SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

PLANNING PERMISSION

Applicant Mr A. Uhl
Date of Issue of this decision 25/10/2013

LBS Registered Number 13/AP/2826

Planning Permission was GRANTED for the following development:
Installation of ventilation / extraction system with external extract flue for commercial kitchen.

At: RAILWAY ARCH 263, GROSVENOR TERRACE, LONDON, SE5 0NP

In accordance with application received on 27/08/2013 08:01:50 **Your Ref. No.:**

and Applicant's Drawing Nos. Planning and Ventilation / Extraction Statement; Ordnance Survey map; Drawing No's: Ps099; Ps100; Ps101; Ps102; Ps103 and Ps104

Subject to the following five conditions:

Time limit for implementing this permission and the approved plans

1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

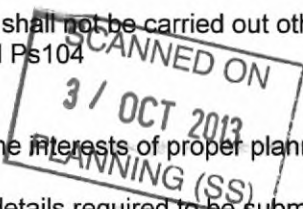
Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: Ps100; Ps102 and Ps104

Reason:

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



Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3 Prior to the installation of the equipment hereby permitted, a scheme for the control of odour emanating from the unit/kitchen extraction system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of odour in accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

Continued overleaf...

TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

PLANNING PERMISSION

LBS Reg. No. 13/AP/2826

Date of Issue of this decision 25/10/2013

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 4 The rated noise level from the plant and duct shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. The method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 5 The flue hereby permitted shall not be used outside of the hours of 08:00-22:00 Mondays to Fridays and 09:00-22:00 on Saturdays and 10:00-16:00 on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme does not comply with guidance and no pre application discussions were entered into. The Council is ready to enter into discussions with the applicants to assist in the preparation of a new planning application. The local planning authority delivered the decision in a timely manner.

Signed *Gary Rice*

Head of Development Management

Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Head of Development Management, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to planning.applications@southwark.gov.uk

UPRN: 200003493757

TP/RLY/23/BK2

PLANNING PERMISSION

LBS Registered Number: 13/AP/2826

Date of issue of this decision: 25/10/2013



www.southwark.gov.uk

IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pes. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a

neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

IMPORTANT: This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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