

64 Charlotte Street & 32 Tottenham Street 2017/3040/P



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Photo 1 – Current photo of 64 Charlotte Street (showing the construction hoarding around the site)



Photo 2 - Pre-existing photo 64 Charlotte Street



Photo 3 - Pre-existing photo of the flank elevation of 64 Charlotte Street also showing 32 Tottenham Street



Photo 4 - Pre-existing photo of 32 Tottenham Street



Photo 5 - Photo showing the properties opposite the site at 73-79 Charlotte Street



Photo 6 - Pre-existing photo showing the adjacent properties at 66-70 Charlotte Street



Photo 7 - Existing photo showing the existing restaurants and external seating areas at 91-95 Charlotte Street

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	24/07/2017
		N/A / attached	Consultation Expiry Date:	03/08/2017
Officer			Application Number(s)	
Robert Lester			2017/3040/P	
Application Address			Drawing Numbers	
64 Charlotte Street & 32 Tottenham Street London W1T 4QD			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of condition 2 (approved plans) of permission ref: 2016/3133/P dated 30/12/2016 for the 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 the internal reconfiguration and resizing of the units and the installation of a replacement kitchen extract system to the rear; namely, changes to the basement access arrangement via the external lightwell, retention of a section of the pavement lights behind railings, installation of a replacement shopfront with sliding door to provide access to outdoor seating, alterations to window/door openings on the front and side elevations at basement level and reconfiguration of the basement level to provide a 19sq.m increase in restaurant (A3) floorspace.				
Recommendation(s):		Grant planning permission subject to a Section 106 Legal Agreement		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice				
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	0	No. of objections	0
Summary of consultation responses:	<p>First Consultation: A site notice was erected on the 14/06/2017 and a press advert was placed in the local newspaper on the 08/06/2017. The first consultation period expired on the 05/07/2017.</p> <p>Reconsultation: A site notice was erected on the 07/07/2017 and a press advert was placed in the local newspaper on the 13/07/2017. The reconsultation period expired on the 03/08/2017.</p> <p>No responses were received.</p>				
CAAC/Local groups* comments:	<p><u>Charlotte Street Association – Objection and Comments (originally received 27/07/2017 – updated 08/10/2017).</u></p> <ol style="list-style-type: none"> 1. The increase in the restaurant area (A3) at basement level would result in an increased amenity impact. The applicants licensing application plans show increased customer seating at basement level. This would also result in a loss of office (B1) floorspace. <p><i>Case Officer's Response: Please refer to sections 2 & 4 of the attached report.</i></p> <ol style="list-style-type: none"> 2. The proposed external forecourt and the proposed opening/sliding doors should be conditioned setting out the hours of use to match those in the recently approved premises licence. <ul style="list-style-type: none"> • The use of the external forecourt area shall only take place: 10.00am to 10.00pm Monday to Saturday; 11.00am to 10.00pm Sundays and Bank/Public Holidays. • The opening/sliding doors, to be kept closed outside these hours (except for access). <p><i>Case Officer's Response: Please refer to section 4 of the attached report.</i></p>				

Site Description

The application site is located at the junction of Charlotte Street and Tottenham Street in Fitzrovia. The site includes the 4 storey end of terrace/corner building at 64 Charlotte Street and the adjoining 4 storey mid-terraced building at 32 Tottenham Street.

The application relates to the ground floor and basement levels of these properties. The site is presently a construction site as building works have commenced in relation to former permission refs: 2012/3537/P, 2015/6701/P and 2016/3133/P (see planning history below).

The ground floor/basement at 32 Tottenham Street was previously in restaurant (A3) use and 64 Charlotte Street was previously in office (B1) use.

The existing Charlotte Street frontage of no. 64 Charlotte Street contains a small shopfront window and access door to the ground floor unit and a separate doorway access to the upper floor residential use. The side return frontage of this unit along Tottenham Street contains 4 shopfront windows and a service access. This unit has covered lightwells with pavement lights along both frontages. The existing frontage of no. 32 Tottenham Street contains a shopfront, fascia and raised external setting area.

The site is located in the Charlotte Street Conservation Area and Fitzrovia Area Action Plan area. The site is identified as a positive contributor to the conservation area. The adjoining terrace at 24-30 Tottenham Street is a Grade 2 Listed terrace. The site is also located within the Fitzrovia Central London Retail Area.

Relevant Planning History

32 Tottenham Street

9000540 - The Change of use from retail (A1) to hot food premises (A3) as specified under the Town and Country Planning - Granted - 28/02/1991.

9101273 The retention of a new shopfront - Granted - 27/02/1992.

2014/7777/P - Use of ground floor as restaurant/cafe (Use Class A3) - Granted - 14/04/2015.

2015/7183/P - Introduction of new front lightwell with railings; new shopfront to replace existing (retrospective) and associated works – Granted - 18/03/2016.

64 Charlotte Street

PS9904367 - The change of use of the basement and ground floor from use Class B1 (office) to use Class D1 (non-residential institution) - Granted - 21/06/1999.

PSX0104990 - The retention of the change of use of ground floor and basement from Use Class D1 (non-residential institution) to use Class B1 (office) - Granted - 11/12/2001.

8900594 - Change of use of the ground floor from showroom to Class B1 Business Use – Granted - 26/06/1990.

9101263 - Change of use of ground and basement floors from B1 to restaurant - Refused - 11/02/1992

32 Tottenham Street and 64 Charlotte Street

2012/3537/P - Erection of extensions at first to third floor level, raising of cornice by 240mm, alterations to fenestration, shopfront and addition of railings and stairs to open front lightwell all in connection with change of use from offices (Class B1) and retail (A1) to retail (Class A1) at basement

and ground floor level and residential on the first to third floors (1 x 3 bed, 2 x 2-bed and 3 x1-bed) (Class C3) – Refused 22/04/2013 – Appeal Allowed 29/11/2013.

2014/3932/P - Details pursuant to condition 2 (detailed design) of planning permission granted on appeal on 29/11/2013 (reference: 2012/3537/P & APP/X5210/A/13/2198369) for erection of extensions at first to third floor level, raising of cornice by 240mm, alterations to fenestration, shopfront and addition of railings and stairs to open front lightwell all in connection with change of use from offices (Class B1) and retail (A1) to retail (Class A1) at basement and ground floor level and residential on the first to third floors (1 x 3 bed, 2 x 2-bed and 3 x1-bed) (Class C3) - Granted - 15/07/2014.

2014/5072/P - Replacement of existing butterfly roof with pitched and flat slate roof. Removal and reinstatement of chimney and dormer onto Tottenham Street as part of the works - Granted - 23/12/2014.

2015/6701/P - Erection of mansard roof extension to create new 3-bed residential unit – Refused - 10/03/2016. Appeal Allowed 25/07/2016

2016/3133/P - 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 - Granted - 30/12/2016.

2017/3795/P - The change of use and reconfiguration of the existing basement and ground floors at no. 64 Charlotte Street (B1) and 32 Tottenham Street (A3) to locate the A3 use on Charlotte Street and the B1 use on Tottenham Street, including replacement plant extract equipment (as consented under 2016/3133/P); The retention of, and alterations to, the ground floor retail unit (A1) at no. 66, including installation of a front lightwell and new shopfront; Refurbishment and retention of the existing lower ground floor (B1) at no 66; Conversion and extension of existing office accommodation on the first and second floors of no. 66 (B1), and retention of the existing third floor residential use, to provide 2 x 2 bed residential flats (C3), including extension of the closet wing and replacement of existing roof. Demolition of courtyard office building to the rear of no. 66 and the construction of a new replacement building across a new basement level, ground and first floor levels - to form an extension of office accommodation from no. 64 – Pending.

2017/3796/P - The change of use and reconfiguration of the existing basement and ground floors at no. 64 Charlotte Street (B1) and 32 Tottenham Street (A3) to locate the A3 use on Charlotte Street and the B1 use on Tottenham Street, including replacement plant extract equipment (as consented under 2016/3133/P); the retention of, and alterations to, the ground floor retail unit (A1) at no. 66, including installation of a front lightwell and new shopfront; Refurbishment and retention of the existing lower ground floor (B1) at no 66; Conversion and extension of existing office accommodation on the first and second floors of no. 66 (B1), and retention of the existing third floor residential use, to provide 2 x 2 bed and 1 x 4 bed residential flats (C3), including extension of the closet wing and erection of a mansard roof extension. Demolition of courtyard office building to the rear of no. 66 and the construction of a new replacement building across a new basement level, ground and first floor levels - to form an extension of office accommodation from no. 64 – Pending.

Pending Applications 2017/3795/P & 2017/3796/P propose the change of use and reconfiguration of the basement/ground floors to locate the A3 use on Charlotte Street and the B1 use on Tottenham Street (as consented 2016/3133/P) together with works to the adjacent property at no. 66 including a new front lightwell and shopfront, change of use and conversion of the upper floor offices at no. 66 into residential flats, rear extensions to no. 66 and a basement extension at no. 66 to provide office floorspace linked with no. 32 Tottenham St. Application 2017/3796/P is similar to application 2017/3795/P but includes a mansard roof extension and additional 1 x 4 bed flat.

These applications have been submitted by Porta Planning LLP on behalf of the applicant Mr Roger Lass. This is a different applicant to this members briefing application ref 2017/3040/P which has

been submitted by Spaced Out Limited on behalf of a Mr Murchandani. However, the current application has served certificate B notice on Mr. Lass.

The application plans for current application ref: 2017/3040/P are not completely consistent with applications 2017/3795/P & 2017/3796/P as it shows the originally approved basement layout and basement/ground floor design at 64 Charlotte Street. Nevertheless, it is possible for a site to hold multiple versions of a similar development and it would be for the applicant to decide which permission to implement.

Relevant policies

National Planning Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

E1 Economic development
E2 Employment premises and sites
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage
D3 Shopfronts
CC5 Waste
TC2 Camden's centres and other shopping areas
TC4 Town centres uses
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials

Camden Planning Guidance

CPG1 Design (2015)
CPG 5 Town centres, retail and employment (2013)
CPG6 Amenity (2011)
CPG 7 Transport (2011)

Charlotte Street Conservation Area Appraisal and Management Plan (2008)

Fitzrovia Area Action Plan (2014)

Assessment

1.0 Proposed Development.

1.1 This application is for minor material amendments to planning permission ref: 2016/3133/P which granted the change of use at ground/basement 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; with associated internal reconfiguration and resizing of the units, and the installation of a replacement kitchen extract system to the rear. The proposed amendments are:

- Alterations to the basement access arrangement via the external lightwell. The external staircase providing access from ground level to basement level would be repositioned from the Charlotte Street frontage to the Tottenham Street frontage.
- The retention of a section of the pavement lights behind railings. A section of the existing pavement lights would be retained along the Charlotte Street and Tottenham Street frontages.

- A replacement shopfront would be installed on the Charlotte Street frontage with a sliding door to provide access to an outdoor seating area.
- Alterations to window/door openings on the front and side elevations at basement level.
- The reconfiguration of the basement level to provide an additional 19sq.m of restaurant (A3) floorspace.

2.0 Principle of Development

2.1 The principle of the change of use of 64 Charlotte Street from an office (B1) to a restaurant (A3) and the change of use of 32 Tottenham Street from a restaurant (A3) to an office (B1) use and the reconfiguration of the units involving the loss of 24 sq.m of office floorspace and increase of 23 sq.m of restaurant floorspace was accepted in the parent permission ref: 2016/3133/P dated 30/12/2016 under the previous development plan (Camden Core Strategy & Development Policies 2010).

2.2 This amendment application still proposes to 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. However an additional 19 sq.m of office use would be changed to restaurant use at basement level (43 sq. m total).

2.3 The table below sets out the office and restaurant floorspace on the existing site, in the original approval and in this amendment application.

Use	Existing Floorspace (sq.m)		Approved Floorspace (2016/3133/P) (sq.m)		Proposed Floorspace (sq.m)	
	Basement	Ground	Basement	Ground	Basement	Ground
A3 use	38	38	39	60	58	60
B1 use	90	62	90	38	71	38

2.4 This site is located at the junction of a primary and secondary frontage within the Fitzrovia Local Area. The proposal to 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 would involve no loss of retail floorspace on this site and therefore the development would result in no harm to local shopping provision in accordance with policy TC4 (Town Centre Uses) and Camden Planning Guidance 5. The relocation of the restaurant unit to 64 Charlotte Street would in fact enhance the character, function, vitality and viability of this important thoroughfare in Fitzrovia in accordance with policy TC4.

2.5 The development would swap the existing units on the site and would not result in an over concentration of food and drink uses in the area. The amended basement layout would result in a restaurant with a floorspace of 118 sq. m, which is above the 100sq m recommended in CPG 5 guidance. However, this would primarily provide space for the relocation of the kitchen and ancillary restaurant functions and would only provide a small area of additional seating. It is also acknowledged that the proposal would only increase the A3 floorspace by 19 sq.m over the former permission at this site which had a floorspace of 99 sq. m. The amenity impact of the amended development is considered in detail below; however, it is not considered that the increased floorspace would result in a noticeable or material increase in the amenity impact in the local area compared to the approved restaurant.

2.6 The Council has recently granted a premises licence for this proposed restaurant at this site ref: #APP\PREMISES-NEW\001823. The plans submitted with that licensing application indicate that the restaurant would have 51 seats at ground floor level (37 internal, 14 external). These plans also show that the basement level would contain the ancillary kitchen, toilets and staff facilities together with 12 seats. It is considered that the level of seating (63 in total) would be reasonable for a restaurant of this size in this location. The number of customers would not result in an amenity impact in the local area compared to the approved restaurant. It is also acknowledged that the proposed layout includes a

large food preparation and drinks area at ground floor level which reduces the amount of seating which can be accommodated at that level. A commensurate level of seating could have been provided in the previously approved ground floor layout.

2.7 The loss of an additional 19 sq. m of office floorspace in this application is considered to be small and would not prejudice employment activity in the area. The development would retain an office unit on the site which is suitable for a small/medium sized businesses and would not significantly conflict with policy E2 (Employment premises and sites) and CPG5 in relation to loss of employment use.

2.8 Overall, the amended development is considered to be acceptable in principle in accordance with policies TC4 and E2 of the Camden Local Plan 2017 and CPG5.

3.0 Design of Development

3.1 This amendment application includes alterations to the proposed shopfront facing Charlotte Street including extending the shopfront window down to ground level and the installation of vertical timber joinery to divide the window into three sections with a central sliding door and the installation of a stall riser. The existing shopfront facing Charlotte Street is not a historic or locally distinctive shopfront, although the building itself is a traditional Victorian building which is a positive contributor to the conservation area. The alterations to the shopfront would not detrimentally affect the character or appearance of the frontage. The main change would be dropping the shopfront window down to ground level and the provision of a central sliding doorway which would provide access to the external seating area. However, the addition of vertical mullions and stall riser would maintain the traditional character of the frontage. The sliding door would be well integrated into this design and would only take up 1/3 of the glazed frontage. Overall, the alterations to the shopfront would sensitively relate to the scale, proportions and architectural style of the building and surrounding facades.

3.2 The application proposes alterations to openings in the basement lightwell on the front and side elevations, including the installation of two windows in place of a window and door on the Charlotte Street elevation and the replacement of a window with a door on the Tottenham Street elevation. These window alterations are considered to be minor in nature, and due to their location at basement level would not be highly visible from street level. The new windows/doors would have a design and materials which would harmonise with the character and appearance of the host building.

3.3 The application also proposes alterations within the lightwell including the relocation of the lightwell staircase from the Charlotte Street frontage to the Tottenham Street frontage; the retention of a section of the existing pavement lights on the Charlotte Street frontage; and the use of part of the Tottenham Street frontage as an external seating area. The retention of a section of the existing pavement lights would have no impact on the character or appearance of the building or street scene. This area would be used as an external seating area which would be in keeping with the character of Charlotte Street where external restaurant seating is a common feature. The repositioned external staircase would be hidden behind the previously approved lightwell railings and would have no impact on the streetscene. Overall, these amendments would harmonise with the character of the building and street scene.

4.0 Amenity Impact

4.1 The amenity impact of the proposed new restaurant at 64 Charlotte Street was assessed and was considered to be acceptable in the previous application. The previous permission was granted subject to several planning conditions including restricting the hours of operation for the restaurant to between 08:00 - 23:30, noise insulation, noise mitigation of plant and no audible music outside the premises. The main issues to be assessed on this amendment application are the amenity impact resulting from the additional restaurant floorspace at basement level, the external seating area and associated sliding door to provide access.

4.2 The original permission proposed 39 sq. m of restaurant floorspace at basement level which would have been used to provide a kitchen and toilets. This amendment application proposes 58 sq. m of restaurant floorspace at basement level, an increase of 19 sq. m over the approved application.

The amendment application does not include a detailed layout of the basement, but this is shown in the associated licensing application (ref: #APP\PREMISES-NEW\001823) which shows the proposed layout with a kitchen and some additional seats for the restaurant at basement level (12 additional seats). The total floorspace for the restaurant would increase from 99 sq. m to 118 sq. It is acknowledged that the Council's CPG5 guidance states that food, drink and entertainment uses should have a floorspace no greater than 100 sq.m in this part of Fitzrovia. The Fitzrovia Area Action Plan also states that the impact of new restaurants on residential properties in the area will be carefully managed. However, the amendment application only proposes a small increase in floorspace, which would be located at basement level. Any noise and disturbance associated with the kitchen and additional seating at this level would be contained within the basement level and would not have a significant amenity impact in the local area. As discussed above, the level of seating proposed for the restaurant with 63 seats would be reasonable for a restaurant of this size and would not result in an amenity impact on the area.

4.3 The amendment application proposes to retain a section of the existing pavement lights in the lightwell to provide an external seating area. The proposed replacement shopfront includes a sliding door to provide access to this area. The associated licensing application shows 14 seats on this external area. There are residential properties in the area located above the restaurant at no 64 itself, in adjacent properties at no's 66 - 69 and 73-79 (odd) Charlotte Street, no's 28-30 and Scala House on Tottenham Street.

4.4 Charlotte Street is one of the main commercial streets within Fitzrovia containing a high level of retail, food, drink and entertainment uses. It is noted that this northern part of Charlotte Street does not have as high a concentration of food, drink and entertainment uses as the southern section closer to Goodge Street. However, there are several existing restaurants in this section including some with external seating. It is acknowledged that there is a need to ensure the operation of the restaurant's external seating area does not cause harm to neighbouring amenity. However, considering the location of the site, it is considered that the provision of an external seating area would not have a significant amenity impact on the area provided the hours of use are restricted. A planning condition would therefore be applied limiting the use of the external seating area to 10.00am to 10.00pm Mondays to Saturdays; and 11.00 to 10.00pm Sundays and bank/public holidays (which would match the approved premises license hours for this site). A separate planning condition would be applied to ensure that the sliding door is only openable for access and egress to the seating area and remains closed at other times. The planning conditions applied to the original permission, including preventing the breakout of music from the restaurant would also remain. However, the main hours of operation would also be amended to require the basement seating area to close 30 minutes before the main restaurant, to prevent all of the customers leaving at the same time. Overall, with these planning conditions in place the amended development would not result in a significant amenity impact on the area in accordance with Camden Local Plan Policies A1 and A4.

5.0 Transport Issues

5.1 The amendments including the retention of a section of the external pavement lights and the relocation of the external staircase would not result in any additional local highway impacts. The Council's Transport Officer has assessed the proposals and does not object to the development.

6.0 Conclusion

6.1 Overall, the amended application would not cause harm to the character or retail vitality of the Fitzrovia area designated frontages nor on the amenity of nearby residential uses. 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 external alterations would harmonise with the character and appearance of the building and conservation area. The reconfigured uses are located in a highly accessible Central London location and would not result in any additional adverse highway impacts.

7.0 Recommendation

7.1 It is recommended that planning permission is Granted Subject to Conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 13th November 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr James Engel
Spaced Out Limited
4a Godson Street
London
N1 9GZ

Application Ref: **2017/3040/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

6th November 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

64 Charlotte Street & 32 Tottenham Street
London
W1T 4QD

DECISION

Proposal: Variation of condition 2 (approved plans) of permission ref: 2016/3133/P dated 30/12/2016 for the 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 the internal reconfiguration and resizing of the units and the installation of a replacement kitchen extract system to the rear; namely, changes to the basement access arrangement via the external lightwell, retention of a section of the pavement lights behind railings, installation of a replacement shopfront with sliding door to provide access to outdoor seating, alterations to window/door openings on the front and side elevations at basement level and reconfiguration of the basement level to provide a 19sq.m increase in restaurant (A3) floorspace.

Drawing No's: 17.227.001, 1329-PP3-002, 1329-PP3-003, 17.227.101C, 17.227.102A, 17.227.103A, 17.227.104B, 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):

Executive Director Supporting Communities



- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2016/3133/P dated 30/12/2016.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, condition no. 2 of planning permission 2016/3133/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans- 17.227.001, 1329-PP3-002, 1329-PP3-003, 17.227.101C, 17.227.102A, 17.227.103A, 17.227.104B, 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. The restaurant seating area at basement level shall not be used out outside the hours of 08:00 - 23:00 daily.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 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 A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 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 an 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 A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 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 antivibration 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 A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 7 The external seating area for the restaurant (Class A3) use hereby permitted shall not be used outside the hours of 10:00 - 22:00 Mondays to Saturdays; and 11:00 - 22:00 Sundays and bank/public holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 8 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 A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 9 The sliding door in the shopfront hereby approved shall be used for access and egress to the external seating area only and shall remain closed at all other times.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 10 Detailed drawings in respect of the following shall be submitted to and approved in writing by the local planning authority prior to any commencement of the relevant part of the development hereby permitted:

- Elevation and section drawings of all new doors and windows including jambs and head of all openings at a scale of 1:10.
- Plans, elevations and sections of the new shopfront including pilasters, fascia, stallrisers and transom at a scale of 1:20, with typical glazing bar details at 1:10.
- Elevation and section drawings of all new lightwell balustrading at a scale of 1:10.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 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.
- 3 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.
- 4 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

- 5 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>.
- 6 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 7 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@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

Director of Regeneration and Planning