

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**

13 November 2017

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**

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 Nos: 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):

- 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>.

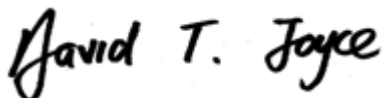
- 6 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 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



David Joyce
Director of Regeneration and Planning