

Application ref: 2018/1174/P
Contact: Nora-Andreea Constantinescu
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Date: 18 May 2018

Development Management
Regeneration and Planning
London Borough of Camden
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Beamish Planning Consultancy
33 Holland Gardens
Brentford
TW8 0BE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
74 Southampton Row
London
WC1B 4AR

Proposal:

Change of use of ground floor and basement levels from a restaurant (Class A3) to sui-generis to include restaurant and hot food takeaway (Class A3/A5) to include alterations to the shopfront, installation of plant in the rear courtyard at ground floor level with associated alterations, and retention of extract on rear elevation.

Drawing Nos: 2749/G099 rev A; 2749/G210 rev B; 2749/G211; 2749/SK100 rev C; 80809/M/001 rev B; Site location plan; Mechanical Ventilation & Environmental Control Equipment October 2017; Delivery and Servicing Plan February 2018; Planning statement AB1730/LPA0606318 Mach 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and

Country Planning Act 1990 (as amended).

- 2 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

2749/G099 rev A; 2749/G210 rev B; 2749/G211; 2749/SK100 rev C; 80809/M/001 rev B; Site location plan; Mechanical Ventilation & Environmental Control Equipment October 2017; Delivery and Servicing Plan February 2018; Planning statement AB1730/LPA0606318 March 2018.

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

- 4 The cumulative sound level from external building services and fixed plant shall be 10dB or more below the representative background sound level (15dB if tonal components are present) at the nearest residential receptor at any time. The plant and equipment shall be installed and constructed to ensure compliance with the above requirements and the mitigation measures identified in section 14.0 of the noise report.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 5 The heating, ventilation and air conditioning plant items associated with the development shall only be operational between the hours of 07.00-midnight on Mondays to Thursdays, 07.00-01.00 hours on Fridays and Saturdays and 09.00-midnight on Sundays and Bank Holidays.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 6 The sui-generis use hereby permitted shall not be carried out outside the following times 07.00 to midnight on Mondays and Thursdays, from 11.00 to 01.00 on Fridays and Saturdays, and from 09.00 to midnight on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, A1, and A4 of London Borough of Camden Local Plan 2017.

- 7 Notwithstanding the provisions of sui-generis class use of Schedule of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order, any part of the premises used as D1 shall not be used for any other uses other than KFC.

Reason: To ensure that the future occupation of the building does not adversely affect neighbouring amenity by reason of noise, traffic congestion or excessive on street parking pressure, in accordance with policies G1, A1 E1, E2 of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application site is located within the neighbourhood centre outside of central London area where the focus is to retain convenience shopping, besides other uses which contribute to the character, function, vitality and viability of the centre.

The proposal is to convert the existing premises as restaurant (class A3) in a sui-generis use to include restaurant (class A3) and take-away (class A5) uses. The requirements for premises within a neighbourhood centre outside of central London is to not result in less than 50% of ground floor premises being in retail use or more than 3 consecutive premises being in non-retail use. Given the proposal would not result in the loss of an A1 unit, the development would not impact any further on the number of A1 uses within the neighbourhood centre.

The delivery and servicing documents submitted would be in line with policy T4.

In relation to the impact of the proposed change of use to the amenity of the neighbouring occupiers, this would include provision of plant into the rear courtyard and extract fan to be located within the existing extract ductwork which projects to the rear of the building up to the roof level. An environmental noise survey was submitted which proposes mitigation measures to ensure that the noise from the proposed plan is 10 decibels lower than the lowest measured value over the operational period of the units. Compliance conditions would be attached to this decision in relation to plant as advised by environmental health officers.

In relation to odours from cooking activities, the information submitted was assessed by environmental health officers and considered to provide enough evidence to demonstrate that the required level of odour control would be installed and therefore the proposed scheme would not cause harm to the amenity of the neighbouring occupiers.

The proposal includes removal of the recessed entrance into the premises, installation of new door and alterations to the existing window partitioning, and installation of a brick tiles course with a height of 0.25m. The existing shopfront has been altered previously from its original form and it is not considered a shopfront of merit in the conservation area. There is a variety of shopfront designs along Southampton Row and the proposed alterations are considered to keep in with the existing character. It is therefore considered that the proposal alterations are in line with policies D1 and D2.

The propose plant into the rear courtyard would not be visible from any public view and would be occupy an area of 1.4sqm and the condensers would have maximum height of 1.3m. Due to its location, bulk and scale it is consider to preserve the appearance of the rear elevation.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The impact of the proposed advertisement and projection sign would be assessed under advertisement consent application 2018/1656/A.

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

As such, the proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies D1, D2, A1, A4, E1, E2, G1, TC2 of London Borough of Camden Local Plan 2017.

- 2 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).
- 3 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.

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 T. Joyce

David Joyce
Director of Regeneration and Planning