

KP/P18-1130

15 August 2018

Development Management
Camden Town Hall extension
Argyle Street
London
WC1H 8EQ

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
Application for Installation of Replacement Plant and Screening
29 Belsize Lane, Camden, NW3 5AS
Planning Portal Ref: PP-07200751

Pegasus Group have been instructed by Co-operative Group Food Ltd to submit an application in relation to the above site, for the following development:

"Replacement of plant equipment, screening and planters on ground floor flat roof level"

Accordingly, the following documentation has been submitted via the planning portal (ref: PP-07200751):

1. Application Forms;
2. The following plans prepared by Tyburn:
 - i. Site Plan (Drg. No. PP100 Rev B);
 - ii. Location Plan (Drg. No. PP101 Rev B);
 - iii. Existing Plant Location (Drg. No. PP102 Rev A);
 - iv. Proposed Plant Location (Drg. No. PP108);
 - v. Existing Roof Plan (Drg. No. PP103 Rev B);
 - vi. Existing Elevation A Front Façade (Drg. No. PP104 Rev B);
 - vii. Existing Elevation B (Drg. No. PP105 Rev A);
 - viii. Existing Elevation C (Drg. No. PP106);
 - ix. Proposed Roof Plan (Drg. No. PP109 Rev B);
 - x. Proposed Elevation A (Drg. No. PP110 Rev B);
 - xi. Proposed Elevation B (Drg. No. PP111 Rev A);
 - xii. Proposed Elevation C (Drg. No. PP112 Rev A);
3. Plant Noise Impact Assessment prepared by NSL;
4. Decision Notice 2006/3597/P;
5. Officer's Report Reference 2006/3597/P; and

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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6. CIL Form.

A Planning, Design and Access Statement, including Conservation Statement forms part of this letter. Additionally, photographs are included as part of this letter.

A cheque for the sum of £462.00 is enclosed, to cover the relevant planning application fee.

Planning, Design, Access and Conservation Statement

The Site and Proposal

The development site comprises the XO restaurant at 29 Belsize Lane. The restaurant currently occupies the ground floor and basement of the property, with the upper two stories occupied by residential uses in a separate demise. The building is not listed. However, it is located within the Belsize Conservation Area and the building is identified as making a positive contribution to the Conservation Area.

Co-operative Group Food Limited intend to occupy the site as a convenience food store, using permitted development rights. As such, the change of use does not require planning permission.

The lawful use of the site was confirmed via application 2006/2023/P in 2006, which confirmed the restaurant use falls within Class A3 use. This decision also confirmed the Class A1 use of the adjacent site at No. 31 Belsize Lane, which is not included within the application site for the application which is current for consideration. There are permitted development rights from a restaurant to retail use in Class A1. As such, the applicant intends to exercise these rights in this case.

The proposal is to remove the existing plant, which is located on the rear ground floor flat roof area, and replace it with a new plant scheme. The existing plant is contained within a metal enclosure called a "frog box".

The proposed plant equipment will replace the existing plant in this part of the roof (including the frog box) and the new plant will be surrounded by a new enclosure which will be constructed from timber louvres. These louvres will be painted grey, the same colour as the existing frog box. The proposal also proposes to install new planters to surround the plant enclosure, filled with bamboo for screening. All existing extraction and ventilation plant (including the flue shown in photographs below) which is on the flat roof area will be removed, as this will not be required by Co-op.

Planning History

The site has existing plant on the rear ground floor flat roof area. This was granted in 2006 via application 2006/3597/P and is shown on the photograph below:



The plant comprises an extraction duct in relation to the restaurant, as well as extraction/ventilation equipment enclosed with housing and screened with planters.



The Officer's Report for 2006/3597/P states that; *"subject to suitable noise attenuation measures, the erection of the plant and extraction equipment was appropriate to meet the Council's noise requirements"*. Additionally, the hours of use of the plant were not restricted, given that the noise requirements were met.

The Officer's report also confirmed that with regard to the impact of the proposal on the Conservation Area, the plant was located so that it would not be visible from the street scene of Belsize Lane. The planting which was approved as part of the existing plant was visible from the street scene but would be *"an unobtrusive additional that would integrate easily with the surrounds"*.

In terms of residential visual amenity, it is noted that the previously approved plant was designed so as to restrict views of the plant from the rear windows of the first floor flat of the site, which has views over the rear roof. The Officer confirmed that the priority was to protect *"this window"*. It is assumed the officer was referring to the nearest window for a 'habitable' room, which in this case is the kitchen window of the flat which is furthest from the plant, as opposed to the bathroom window, which is closer, but is obscured glazing, so is not directly impacted in terms of outlook.

The Officer ultimately considered the following:

"The properties facing Belsize Lane which back onto Belsize Mews are commercial in nature, and it is considered that the rear elevations of commercial properties area typical location for service units. The applicant has sought to soften the impact of the Frog Box [box housing the plant] through the use of landscaping..."

The proposal works are considered to be respectful of the character and appearance of the building, unobtrusive in the street scene and in no way detrimental to the amenity of the conservation area or surrounding properties, and thus is considered to have appropriate regard for the relevant policies..."

As such, the 2006 application was approved, subject to condition, on the basis that it was acceptable in terms of its impact on the street scene, Conservation Area and in terms of residential amenity.

Impact of the Proposal in terms of Design and Conservation

The applicant for this current application has noted the previously approved planning permission for plant and extraction/ventilation equipment on the flat roof of the property and has sought to replicate a similar scheme for their intended occupation of the site as a Class A1 convenience store. The applicant has a requirement for heating and cooling the property and plant for the chiller units on the site. However, in contrast to the restaurant who required ventilation and extraction plant, there will be no primary cooking at the site, so this extraction/ventilation plant will be removed and does not form part of the proposals.

The proposals include the replacement of the existing "frog box" with a bespoke, louvred plant enclosure which will be painted to match the colour of the existing frog box. As such,

the proposal will be similar in nature to the existing plant, given that this has an extant approval and is acceptable in principle.

The applicant also proposes to screen the louvred enclosure, using metal planters containing bamboo plants, similar to those already approved and in place, to ensure the views from the nearby residents are screened.

It is acknowledged that the proposed plant equipment for heating/cooling equipment and chiller units will be marginally larger in size than the existing plant contained within the frog box. However, this should be given consideration in the context that the extraction and ventilation ductwork, which is currently located closer to the most important first floor residential windows, will be removed from the flat roof, as will the vertical extraction duct, which dramatically reduces the amount of clutter on the roof.

The removal of the extraction/ventilation plant and ducting will be of benefit to the first floor residential outlook and other residents with views and glimpses towards the site.

As per the existing plant at the premises, the proposed plant is not visible from the street scene, in particular Belsize Lane, and will therefore not have a harmful impact on the character and appearance of the Conservation Area. In addition, the planting screens will be maintained, to further soften the appearance from nearby residential views.

Impact on Amenity

With regard to amenity, a Plant Noise Impact Assessment is submitted in conjunction with this application. This assessment reviews the existing noise climate of the site, and sets out relevant guidance for plant noise specifications. Based on Camden Council's guidance, the Noise Impact Assessment considers that cumulative plant noise should be designed to be at a level that is 10dB below the background level.

The NIA makes an assessment of the predicted likely noise at the closest residential receptor, which would be the most affected by the proposals. This is shown to meet the 10dB below background requirement for worst case daytime noise, and 15dB below background at night time. As such, this meets the noise requirements for the site.

Access

There will be no public access to the area where the plant will be constructed. However, a new access hatch is proposed to the plant area from the ground floor which will enable suitable access to the plant area for maintenance and servicing by specialist personnel only.

Conclusions

As has been demonstrated within this letter, the proposal will replace existing plant with a similar type of plant in the same location. The proposed plant will be screened by new timber to be painted grey, with planters and additional bamboo screening in place, to soften the visual impact of the proposals. This is considered to be acceptable in principle, given the limited views of the site and is similar to that already in place which benefits from planning permission.

In addition, the proposals will necessitate the removal of the unscreened extraction ducting and flue on the roof and which will not be required by the applicant for their operations. This will improve the visual impact of the roof area.

The proposals have been assessed in terms of their impact on nearby residents with regard to noise. The noise impacts will meet or will be lower than the noise criteria required by Camden Council and therefore are considered to be acceptable with regard to impact on residential amenity.

As such, the proposal is acceptable in terms of amenity and impact on the character and appearance of the Conservation Area. As such, it is considered that planning permission should be granted in respect of this application.

I trust the above and submitted documentation is sufficient to validate the application. Should you have any queries, please do not hesitate to contact me.

Yours faithfully



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