

Application ref: 2018/5215/P
Contact: Patrick Marfleet
Tel: 020 7974 1222
Date: 19 February 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Mr Stephen Gould
29a Montague Street
London
WC1B 5BL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**77 Southampton Row
London London
WC1B 4ET**

Proposal:

Change of use of ground floor unit from betting shop (Sui Generis) to restaurant (Class A3) including installation of extract duct and 2 x condenser units to the rear.

Drawing Nos: 1392 M01 PL, Acoustic Assessment Report dated 19/09/18, 1392 M12 PL, 1392 M10 PL, 1392 M02 PL, BB230 - 02, Cover letter dated 24/10/2018.

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: 1392 M01 PL, Acoustic Assessment Report dated 19/09/18, 1392 M12 PL, 1392 M10 PL, 1392 M02 PL, BB230 - 02, Cover letter dated 24/10/2018.

Reason:

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

- 4 The use hereby permitted shall be in operation only for the hours of 09:00am - 11:00pm Monday to Sunday and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, D1, A1, A4 and TC4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to occupation 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 commercial part(s) of the premises from residential dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 10dB 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 'Good' criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the change of use of the existing betting shop (Sui Generis) to a restaurant (A3) including the installation of an extract flue on the rear elevation of the building, terminating at roof level.

Whilst the application site is located between two existing restaurants, the wider frontage of which it forms apart is not a protected primary, secondary or Central London frontage. Therefore, no restrictions apply with regard to the amount of food, drink and entertainment uses that can be provided along this particular part of Southampton Row. Furthermore, the Council's Local Plan policies and supplementary guidance do not seek to protect existing betting shops in the borough and the proposed change of use to a restaurant is considered acceptable.

The proposed extract duct would extend the full height of the building and would terminate at roof level, however; It's location on the rear elevation of the building and the built topography of the site would ensure it is largely screened from public view and would not cause harm to the character of the surrounding conservation area as a result.

The plans and submitted acoustic report have been reviewed by the Council's Environmental Health officer who has confirmed that no harm would be caused to the amenity of neighbouring residents in terms of external plant noise and odour, particularly as the flue discharges at roof level. The acoustic report does not include details of the sound insulation of the separating floor between the commercial premises and residential dwellings above, this will be secured by condition.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing 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.

As such, the proposal is in general accordance with policies D1, D2, A1 and A4 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2018.

- 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.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is

subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

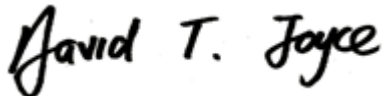
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In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning