

Application ref: 2019/0429/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Date: 9 April 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Mr Sam Harper  
First Plan  
Bramah House  
65-71 Bermondsey Street  
London  
SE1 3XF

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**32 Parkway**  
**London**  
**NW1 7AH**

#### **Proposal:**

Installation of replacement plant equipment and additional plant equipment to the rear single storey flat roof of restaurant (Class A3)

Drawing Nos: Existing Ventilation Layout COT10-05, Proposed Ventilation Layout 016-166-11 Rev C, Existing Roof Elevation COT10-06, Proposed Roof Elevation 016-166-12 Rev C, letter dated 21.1.19 by FirstPlan, Equipment Schedule 016-166-ES Rev A, DEFRA Risk Assessment for Odour, Site Block Plan, Site location plan, 32 Parkway  
Plant noise impact report ref. 88248 by NSL

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 The development hereby permitted shall be carried out in accordance with the following approved plans - Existing Ventilation Layout COT10-05, Proposed Ventilation Layout 016-166-11 Rev C, Existing Roof Elevation COT10-06, Proposed Roof Elevation 016-166-12 Rev C, letter dated 21.1.19 by FirstPlan, Equipment Schedule 016-166-ES Rev A, DEFRA Risk Assessment for Odour, Site Block Plan, Site location plan, 32 Parkway Plant noise impact report ref. 88248 by NSL.

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

- 3 Prior to their use, all plant equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such. Mitigation measures including attenuation and acoustic enclosures shall be installed in accordance with the recommendations of the acoustic report hereby approved and shall be permanently retained thereafter.

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 a 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 15dB(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 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the use of equipment, details of the installation, operation and maintenance of the odour abatement equipment and extract system shall be submitted to and approved by the Council. The approved details shall be implemented prior to the commencement of the use 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 A1 and A4 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 Reasons for granting permission.

The surrounding buildings are in a range of uses including restaurants, retail and residential, and there is a school playground to the rear of the site. The rear ground floor flat roof has existing plant equipment comprising kitchen extract, air handling, 3 air condensing units and 1 catering condenser. This equipment was granted under planning permission: ref. 2015/1254/P on 25/08/2015. Adjoining properties also have a variety of roof equipment, units and ducts prominently located on the roofs and rear elevations.

The proposed plant equipment will be located and routed internally and externally. The external components at roof level will comprise the kitchen extract fan, filtration system and ductwork, 3 air condenser units and 1 catering condenser. The scale and appearance of the proposed equipment will be similar to the existing plant equipment granted under planning permission on 25/08/2015. The additional equipment is therefore not considered to cause additional harm. The location of the equipment on the roof of the ground floor rear extension behind the rear parapet reduces the visibility of proposal in public and private views. The rooftop equipment will be reduced in size which represents an improvement on the existing. Overall in the context of the surroundings where there is a variety of other prominent plant, it is considered that the equipment is sited relatively discreetly which preserves the character and appearance of the host building and Camden Town Conservation Area.

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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. The reconfigured plant will not affect any habitable room windows in terms of loss of light or outlook.

Policy A4 seeks to ensure noise and vibration is not harmful to residential amenity. The applicant has submitted an acoustic assessment which has been assessed by the Council's Environmental Health officer. The proposed noise levels are considered sufficient with specified mitigation to the units recommended for the installation. Conditions are attached to this decision to require noise levels to comply with Council's standard noise criteria, mitigation measures to be installed in line with the acoustic report, and details of odour control to be submitted for the Council's approval.

As such, the proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers. Two comments were received prior to the determination of this application regarding odour control. These and the planning history of the site have been taken into account when coming to this decision.

The proposed development is in general accordance with the Camden Local Plan 2017, with particular regard to policies A1, A4, D1 and D2. The proposed development also accords with the London Plan and National Planning Policy Framework 2019.

- 3 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.
- 4 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)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Chief Planning Officer