

Application ref: 2018/1262/P
Contact: Samir Benmbarek
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Date: 13 September 2019

Development Management
Regeneration and Planning
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DB PLANNERS
2 The Oaks
Juniper Road
Cove
Farnborough
GU14 9XU UK

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
41 Parkway
London
NW1 7PN

Proposal: Relocation of plant and kitchen extract system to flat roof at first floor level to restaurant (A3) unit (retrospective).

Drawing Nos: Unnumbered location plan (OS Extract); Unnumbered block plan (OS Extract).

PW42: ID-00-10; ID-00-11; ID-00-02; ID-00-20.

PW41: ID-00-00; ID-P-10; ID-P-00; ID-P-11.

Unnumbered As Built Roof Plan; Unnumbered As Built Section.

Environmental Noise Assessment dated 30 July 2019 (Ref: 1919030); Odour Risk Assessment prepared for planning application 2018/1262/P.

Planning Statement by DB Planners.

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

Condition(s) and Reason(s):

- 1 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.

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

Unnumbered location plan (OS Extract); Unnumbered block plan (OS Extract).

PW42: ID-00-10; ID-00-11; ID-00-02; ID-00-20.

PW41: ID-00-00; ID-P-10; ID-P-00; ID-P-11.

Unnumbered As Built Roof Plan; Unnumbered As Built Section.

Environmental Noise Assessment dated 30 July 2019 (Ref: 1919030); Odour Risk Assessment prepared for planning application 2018/1262/P.

Planning Statement by DB Planners.

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

- 3 The use of the relocated plant and ducting hereby permitted shall not be carried out outside the following times 12:00- 22:30 Mondays to Thursdays, 12:00- 23:30 Fridays and Saturdays and 12:00- 22:30 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, D1, A1, A4, TC1 and TC2 of the London Borough of Camden Local Plan 2017.

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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 Reasons for granting permission:

The proposed relocation of the plant located on the flat roof at first floor level is considered acceptable in its design and scale. The new ducting would loop around the flat roof and then climb up alongside the chimney breast in the same manner as the previous ducting. The ducting would be constructed of metal and the fan would be minimal in its appearance. Due to its location at the rear of the building, it would not be visible from public views and therefore is considered the proposal would not impact upon the character and appearance of the application building or the wider conservation area.

The application is accompanied by an acoustic report that demonstrates that the proposed plant complies with the Council's minimum noise standards is considered acceptable in this regards subject to conditions. This conditions are that the relocated plant shall operate lower than the lowest background level by 10dBA and that the proposed mechanical plant and extracts shall only operate during the opening times of the A3 unit. This is to ensure the amenity of adjoining residential occupiers is protected in regards to noise and vibration.

The accompanied odour assessment also demonstrates that the relocated plant and flue would not have a detrimental impact to adjoining residential occupiers in regards to odour.

Notwithstanding the environmental health impacts as discussed above, the proposal would not impact upon the amenity of adjoining residential occupiers in terms of loss of light or outlook.

Two comments were received on the proposal which was duly considered as part of a separate consultation summary. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving and enhancing the character and 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 (ERR) 2013.

Therefore, the proposed development is in general accordance with policies A1, A1, D1 and D2 of the London Borough of Camden Local Plan 2017. The development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

2 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.

- 3 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).

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer