

Application ref: 2019/5915/P  
Contact: Rachel English  
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Date: 21 February 2020

**Development Management**  
Regeneration and Planning  
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Mr Roy Hayim  
1st Floor  
26 Clifton Road  
Little Venice  
London  
W9 1SX

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)  
**Prior Approval Required - Approval Refused**

Address:  
**93 Fairfax Road**  
**London**  
**NW6 4DY**

Proposal: Change of use from retail (Class A1) to bakery (Class A3) with extraction duct to the rear

Drawing Nos: Site location plan, 93FFR001rev001, 93FFR002rev001, 93FFR003rev01, 93FFR004rev001, 93FFR005rev001, FC(02), Details of Helios centrifugal fan, Acoustica silencer details, Carbon discarbs and panels Operational Criteria, details of Electrostatic Precipitator, Planning Statement dated January 2020

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The Council has considered your application for prior approval and hereby **refuses approval**, under Schedule 2, Part 3, Class C of the The Town and Country Planning (General Permitted Development) (England) Order 2015, for the following reasons.

### Reasons for Objection

- 1 The proposed loss of a retail unit (Class A1), by reason of the reduction of the total number of retail units within this parade, would harm the retail character, function, vitality and viability of the Fairfax Road neighbourhood centre, contrary to policies TC2 (Camden's Centres and other shopping areas) and TC4 (Town centre uses) of the London Borough of Camden Local Plan 2017 and chapter 7 of the National Planning Policy Framework 2019.

- 2 The proposed kitchen extraction flue, by reason of its size, location and detailed design would have a detrimental impact on the character and appearance of the host building and the terrace in which it is located, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and chapter 12 of the National Planning Policy Framework 2019.
- 3 The applicant has failed to demonstrate, by way of a suitably comprehensive acoustic survey and a risk-based odour control assessment, that all extraction equipment, when operating at full capacity, would be capable of doing so without causing noise or odour disturbance and harm to the local residential environment, contrary to policies A1 (Managing the impact of development), A4 (Noise and vibration), TC2 (Camden's centres and other shopping areas) and TC4 (Town centre uses) of the London Borough of Camden Local Plan 2017, and chapter 15 of the National Planning Policy Framework 2019.

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 in regard to your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Chief Planning Officer