

# CONSULTATION SUMMARY

## Case reference number(s)

2020/0594/P

## Case Officer:

Elaine Quigley

## Application Address:

103 and 105 Highgate Road

London

NW5 1TR

## Proposal(s)

Change of use of ground floor retail unit (A1 use) at no. 105 to restaurant (Class A3) as an extension to the existing restaurant at no. 103 to provide a single restaurant use, together with installation of new shopfront and internal roller shutter at unit 105 and alterations to rear ground floor facade including new fire escape doors, bricking up door openings and installation of intake louvre and discharge grill at first floor level.

## Representations

<b>Consultations:</b>	No. notified	0	No. of responses	1	No. of objections	1
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## Summary of representations

### *(Officer response(s) in italics)*

The owner/occupier of Flat 32, 199 Highgate Road has objected to the application on the following grounds:

- Need a larger diversification of shops in the area
- Existing restaurant already gives off cooking smells – upgrading the size of the extraction would lead to more air pollution and noise from extra people sitting outside

### 1. Diversification of shops in the area

*The change of use would ensure that 50% of the units continue to operate in A1 retail use and not more than 3 consecutive units would be non-A1 units in line with Policy TC2 and Town Centre and retail CPG (2018). Policy CE1 of the Dartmouth Park Neighbourhood Plan states that 80% of the units within the Neighbourhood Centre should fall within A1, A3, A4, D1, D2 and laundrettes (thereby excluding A2, A5 or other sui generis uses). Given that both the existing A1 and proposed A3 uses fall within the uses identified in the Dartmouth Park NP that it is seeking to encourage and retain, the proposal would also meet this policy requirement. The overall A3 floorspace created as a result of the proposal would be 70 sq. m which would ensure that the use remains small in terms of its scale. Taking all of this into consideration as well as the fact that the unit has been vacant for 5 years and it would be occupied by an existing local business, the proposal would be positive for the vitality and viability of the centre and would be consistent with Policies TC2 and TC4 of the Camden Local Plan and policy CE1 of the Dartmouth Park Neighbourhood Plan*

**2. Noise and smells from extract system and people sitting outside the larger restaurant**

*With regard to noise and disturbance issues, it is considered that the proposed opening hours will limit any impacts of noise and disturbance to neighbouring occupiers and the area generally. A condition would be attached to ensure that no music would be played on the premises in such a way as to be audible within any adjoining premises or on any adjoining highway. Concern has been raised from a local resident about noise from people sitting outside the restaurant particularly during the summer months. The use of the pavement area outside the proposed A3 use would require a table and chairs license and would be controlled by the relevant legislation.*

*The application has been supported by an acoustic report that has been reviewed by the Council's Environmental Health officer. No objections have been raised subject to securing the standard condition to ensure that the noise levels would meet the Council's minimum noise requirements.*

*Given the nature of the change of use to operate as a larger restaurant it is imperative that equipment is installed to deal with the existing and additional cooking smells and fumes. Concerns have been raised from a local resident of one of the flats above the*

*application site regarding smells from the existing restaurant. Although no odour report has been submitted the applicant has confirmed that an odour control unit would be installed that would eliminate odours from the ventilation equipment. The Council's Environmental Health officer has reviewed the information and is satisfied that the equipment will ensure that any odour from the ventilation equipment will be mitigated. A condition will be attached to ensure it the odour control unit is fitted before the use commences.*

**Recommendation:-**

**Grant conditional planning permission**