

Application ref: 2020/4249/P  
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Date: 16 December 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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RTSAN  
58 De Lisle Road  
Bournemouth  
BH3 7NG

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**The Freemasons Arms**  
**32 Downshire Hill**  
**London**  
**NW3 1NT**

Proposal:

Installation of replacement kitchen extraction unit on rear 2nd floor roof  
Drawing Nos: Site location plan; 001; 002; 003; 004; kitchen ventilation system noise impact assessment dated August 2020 by Hepworth Acoustics; Specification & EMAQ report dated 19/10/20 by Purified Air

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:

Site location plan; 001; 002; 003; 004; kitchen ventilation system noise impact assessment dated August 2020 by Hepworth Acoustics; Specification & EMAQ report dated 19/10/20 by Purified Air.

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

- 3 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.

- 4 Prior to the commencement of the use of the equipment, automatic time clocks shall be fitted to the equipment/machinery hereby approved, to ensure that the plant/equipment does not operate between 11:30am and 9am. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

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 The plant shall be installed in accordance with the details and mitigation specified in the approved Kitchen ventilation system noise impact assessment by Hepworth Acoustics dated August 2020. Within 1 month of installation a post-installation noise assessment shall be submitted to and approved by the Local Authority. Details should include confirmation of the plant's compliance with the noise criteria and any additional steps to mitigate noise to be taken if required. Such steps shall be implemented and permanently retained as such.

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.

- 6 Prior to use, machinery, plant or 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.

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.

- 7 Prior to use of the plant, details shall be submitted to and approved in writing by the Council of a suitable cleaning schedule and/or maintenance contract for

the extract and odour control system. 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 The installation must be as per the 'Purified Air' odour assessment dated 19th October 2020 with all specified odour mitigation in place before occupation.

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 proposal is for the replacement of a kitchen extraction unit on the rear 2nd floor flat roof for the pub, which was installed without planning permission. The unlawful equipment will be removed. The extraction equipment will be screened by the existing parapet wall and will not project above this, therefore it would not be visible from the street. Overall, given its siting which would not be subject to public views, the proposal is not considered to harm the character and appearance of the host property, streetscene or wider conservation area.

A noise and odour report have been submitted in support of the application. The Council's Environmental Health officer has reviewed the information and considers it to be acceptable, subject to conditions securing noise levels compliance, anti-vibration pads, time clocks and details of the extract maintenance. The development would thus not result in a material impact on the amenity of neighbouring properties in terms of noise. Given the scale, siting and design of the proposal, it is not considered to cause harm to the amenity of the neighbouring properties in terms of loss of light, privacy or outlook.

One comment regarding noise and odour was received during the statutory consultation period and was duly taken into consideration and addressed through conditions. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been given to the desirability of preserving or 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 2013.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and 2019 (intended to publish) and the National Planning Policy Framework 2019.

- 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 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