

Application ref: 2020/1373/P
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Date: 7 April 2021

Development Management
Regeneration and Planning
London Borough of Camden
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HLF Planning Ltd
First Floor Office
172 Old Christchurch Road
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BH1 1NU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**61 Camden High Street
London
NW1 7JL**

Proposal:

Change of use at ground floor from Pawn Brokers (Sui Generis) to Restaurant/Take-away (Sui Generis) and installation of extraction unit, ventilation grille and air-conditioning unit to the rear ground floor.

Drawing Nos: RPP/001 Rev C; RPP/002 Rev.F; RPP/003 Rev.B; RPPF1/101A; RPPF1/102A; RPPF1/103C; Plant noise assessment by NSL dated 2/11/20, Odour filtration by Leech Group Services dated 22/3/21; sustainability statement.

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:

RPP/001 Rev C; RPP/002 Rev.F; RPP/003 Rev.B; RPPF1/101A; RPPF1/102A; RPPF1/103C; Plant noise assessment by NSL dated 2/11/20, Odour filtration by Leech Group Services dated 22/3/21; sustainability statement.

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

- 3 The use hereby permitted shall not be carried out outside the following times 11am -11pm Mondays to Sundays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC1, TC2 and TC4 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 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.

- 6 The extraction/odour control system shall be maintained and cleaned in accordance with the approved Odour Filtration document by Leech Group Services during the lifetime of its use.

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 No sound emanating from the use shall be audible within any adjoining premises between 2300 hrs and 0700 hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission:

The proposal involves the change of use of the ground floor from Pawn Brokers (Sui Generis) to Restaurant/Take-away (Sui Generis). There are no Local Plan policies to protect or encourage such uses. A restaurant and takeaway would be an appropriate use in this town centre and High Street location which should contain a variety of uses to maintain vibrancy and choice. This change of use would not result in a proliferation of this type of food&drink use within this parade as the majority are in retail use. It is not considered to cause harm to the character, function, vitality and viability of this part of Camden High Street Town Centre.

The extraction unit was revised to reduce its prominence and visual impact on the rear elevation. A smaller scale kitchen extract with termination of mesh is proposed at ground floor on the rear elevation. At ground floor level within the rear gated alleyway, one small condenser unit and one louvre are proposed. Both are minor in scale and in an appropriate location. Given the rear location and small scale of the extract, air-con unit and louvre, views of the equipment from the street would be limited. Overall, given its siting, limited public views and its primarily commercial use along the ground floor, the proposal is not considered to harm the character and appearance of the host property or wider 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

A noise and odour report with maintenance/cleaning schedule for the extraction unit 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 anti-vibration pads, compliance with Council's noise levels and compliance with the cleaning schedule being secured by planning condition. The proposed opening hours are 11am-11pm Monday-Sunday and bank holidays; given the busy and commercial nature of the site, these hours would be appropriate and similar to others in the area. These would be secured by condition

The development would not result in a material impact on the amenity of neighbouring properties in terms of noise and disturbance. The site fronts onto a busy high street and noise generated by customers entering and exiting the restaurant would not result in any further harm to amenity in terms of noise and disturbance. The revised extraction duct has been set away from the residential windows on the upper floors. 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.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, CC1, D1, D2, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 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 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.

- 4 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.
- 5 You are advised that Camden High Street forms part of the Transport for London Road Network (TLRN). The footway and carriageway must not be blocked during the development. All vehicles associated with the development must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions. In the event that any Red Route dispensations are sought, these must be agreed with TfL in writing before the work.

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 centered on the page.

Daniel Pope
Chief Planning Officer