

Application ref: 2020/4168/P  
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Date: 17 May 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

**ADA GROUP**  
453 West Green Road  
London  
N15 3PW  
United Kingdom

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted**

Address:  
**59 Gray's Inn Road**  
**London**  
**WC1X 8TL**

Proposal:  
Installation of extraction flue to the rear elevation to cafe/restaurant (Class E(b))  
Drawing Nos: GR-2905-EP, GR-2005-RPD, GR-2905-PP, GR-2905-EPRE, AirClean  
Caron Filters sheet, Anti Vibration Mount Sheet, Noise Report 21610PCR.01, Helios  
Gigabox Centrifugal Fans sheet, Anti Vibration mount sheet.

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: GR-2905-EP, GR-2005-RPD, GR-2905-PP, GR-2905-EPRE, AirClean Caron Filters sheet, Anti Vibration Mount Sheet, Noise

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

- 3 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 ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 4 Prior to their use, all plant 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. Mitigation measures including attenuation and acoustic enclosures shall be installed in accordance with the recommendations of the acoustic report hereby approved and shall be permanently maintained in accordance with the manufacturers details.

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 the commencement of the use of the plant equipment, automatic time clocks shall be fitted to the plant equipment hereby approved, to ensure that the plant equipment only operates between 07:00-20:00 Monday to Friday, Saturday 09:00 - 16:00 and Sunday 09:00 - 15:00. The timer equipment shall thereafter be permanently retained and maintained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, A4, TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site is bounded by residential and commercial units to the North and West, Northington Street to the South, and Grays Inn Road to the East. It is understood that the kitchen extract system is currently installed and operational. The site is not located within a Town Centre but is within the Central London Area.

The ground and lower ground floor can be used as a restaurant or cafe within use Class E (commercial, business and service uses) without the need for

planning permission. Therefore the use of the premises as a restaurant or cafe does not form part of the assessment of the application. However policies A1, A4 and TC4 consider the impact of town centre uses on neighbouring residential amenity. The cumulative impact of food, drink and entertainment uses, including from noise and vibration is specifically considered under policy TC4.

The proposed flue would be located to rear and would run up the side wall of a rear projection. There is an enclosed courtyard space which backs onto No. 2 North Mews. Given the location of the flue to the side of the rear projection, it would be tucked away from public views on Northington Street. As a result of its location and scale the flue would not have a harmful impact on the host building or Bloomsbury Conservation Area.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The closest noise sensitive receiver to the existing installation location has been identified as being a bedroom window serving the top flat of the 59 Gray's Inn Road. It is located approximately 3.6 metres from the existing plant installation.

A noise impact assessment has then been undertaken using manufacturer noise data to predict the noise levels at the nearby noise sensitive receivers. In order to control the noise emissions from the kitchen extraction system duct termination point and duct breakout, acoustic silencers would be installed before and after the existing fan to provide the minimum insertion loss values. Furthermore, to control the noise emissions from the proposed fan breakout, there is a requirement that the acoustic panels to fully encapsulate the existing fan, to provide the minimum calculated insertion loss levels. These mitigation measures are outlined in the acoustic report and secured via condition.

Appropriate anti-vibration mounts are required to be installed in order to ensure that vibrations do not give rise to structure-borne noise. A condition is also imposed to require time clocks to be fitted to the plant equipment hereby approved, to ensure that the equipment only operates during restaurant operating hours. The operating hours were provided in the submitted noise report.

It has been concluded that noise emissions from the existing kitchen extract fan would not have an adverse impact on the nearest residential receiver provided that the noise control strategy presented in the acoustic assessment are followed. Therefore the application is acceptable in terms of impact to neighbouring residential amenity.

As such, the proposal is in general accordance with policies D1, D2, TC4, A4 and A1 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 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, 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 (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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