

Application ref: 2020/2367/P
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Date: 3 March 2021

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London Borough of Camden
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Firstplan
Broadwall House
21 Broadwall
London
SE1 9PL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**Land to the rear of 115-119
Finchley Road
London
NW3 6HY**

Proposal:

Use of the site as commercial kitchens and delivery centre (Sui Generis use) on a permanent basis, installation of external plant equipment including 3 extract ducts, 4 flues, 3 air condensers, 3 air intake louvres and vents, creation of e-bike and cycle parking, e-bike charging point, bin store and 1 parking space (RETROSPECTIVE).

Drawing Nos: Existing Drawings: 2019-026-208; 2019-026-203 Rev A; 2019-026-202; 2019-026-201; 2019-026-200 Rev A.

Proposed Drawings: 2019-026-204 Rev D; P0000027/001 Rev 0; 2019-075-209 Rev A; 2019-075-207 Rev A; 2019-026-206 Rev A; 2019-026-205 Rev A; 2017-075-021 Rev H.

Supporting Documents: Summary of Monitoring undertaken since March 2020; Transport Statement dated May 2020; Review of adopted Operational Management Plan dated April 2020; Assessment of noise from fixed plant equipment dated 13th May 2020; Planning Statement dated May 2020; Assessment of noise from Deliveroo Editions operations dated 21st May 2020; Compliance Review - Odours dated 22 May 2020.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The use hereby permitted shall be for a limited period being the period of 9 months from the date of this decision. The use hereby permitted shall cease on or before that date and all external plant and equipment facilitating the use shall be removed from the site no later than 10 months after the date of this decision.

Reason: In order that the long term use of the site may be properly considered in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Drawings: 2019-026-208; 2019-026-203 Rev A; 2019-026-202; 2019-026-201; 2019-026-200 Rev A.

Proposed Drawings: 2019-026-204 Rev D; P0000027/001 Rev 0; 2019-075-209 Rev A; 2019-075-207 Rev A; 2019-026-206 Rev A; 2019-026-205 Rev A; 2017-075-021 Rev H.

Supporting Documents: Summary of Monitoring undertaken since March 2020; Transport Statement dated May 2020; Review of adopted Operational Management Plan dated April 2020; Assessment of noise from fixed plant equipment dated 13th May 2020; Planning Statement dated May 2020; Assessment of noise from Deliveroo Editions operations dated 21st May 2020; Compliance Review - Odours dated 22 May 2020.

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

- 3 The number of kitchens on the premises shall at no time exceed nine.

Reason: 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 Deliveries from the premises to customers shall be carried out by foot, bicycle or electric two wheeled vehicle only and not by any other mode of transport.

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 No deliveries from the premises to customers shall be carried out outside the following times: 1200 to 2300 hours.

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

- 6 No collection of orders from the premises shall take place by customers at any time.

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 Automatic time clocks shall be fitted to all external plant and equipment at the premises to ensure that the equipment does not operate outside the following times: 0800 to 0000 hours.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 During the final hour of operation (2300 to 0000) all kitchen extract and air supply equipment shall operate at no more than half operational speed (as defined in the table below)

Fan Operational speed (Hz)

Extract Fan EF1 36.80 Hz

Extract Fan EF2 38 Hz

Extract Fan EF3 39 Hz

Supply Fan SF1 25 Hz

Supply Fan SF2 26 Hz

Supply Fan SF3 30 Hz

The timer equipment shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 The level of noise emitted from all fixed plant on the site shall not exceed a value which is 10 dB below the background noise level at 1 metre from the façade of any dwelling or premises used for residential purposes or an alternative representative location approved in writing by the local planning authority. Background noise level is 50 dB, LA90 during the day (between 0700 and 2300 hours) and is 45 dB, LA90 at night (between 2300 and 0700 hours). The assessment period shall be 1 hour during day time periods and 15 minutes during night time periods. If the plant hereby approved has a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps) the level shall be 15 dB below the background noise level instead of 10 dB below.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 For so long as the use continues the odour control equipment shall provide a Very High level of odour control.

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.

- 11 The use shall not proceed other than in accordance with the approved scheme for maintenance of the odour filtration and ventilation system. The Plant Management Plan shall at all times cover cleaning of washable grease filters and frequency of inspection of all filters (grease filters, pre-filters and carbon filters). There shall be no primary cooking or reheating of food on the premises unless the odour filtration and ventilation system is being operated and maintained in full accordance with the Plant Management Plan.

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.

- 12 No deliveries shall be taken at or despatched from the premises and no loading or unloading of goods from servicing vehicles shall take place outside the hours of 0800 to 1600 Monday to Saturday. No servicing/deliveries shall take place on Sundays or on Bank or Public Holidays.

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.

- 13 The cycle parking and e-charging spaces shall be installed on site in accordance with plan 2017/075/021 Rev I (forming part of the Operational Management Plan dated 1 August 2019) and shall thereafter be retained for the parking of bicycles and the charging of electric two wheeled vehicles.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 14 The three extract ducts on the rear elevation of the building shall be individually wrapped in the brick effect Metamark vinyl wrap to match the brickwork on the rear elevation in accordance with the proposed plan 2019-026-212 hereby approved within 3 months of the date of the decision. The brick effect vinyl wrap shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the Camden Local Plan.

Informative(s):

- 1 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).
- 2 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