

PLANNING APPLICATION FOR INSTALLATION OF NEW EXTRACTION DUCT IN THE REAR YARD AREA

PLANNING, DESIGN AND ACCESS STATEMENT

16A NEAL'S YARD, LONDON, WC2H 9DP

ON BEHALF OF ZLNY LIMITED

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990**

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1. INTRODUCTION

- 1.1 Katie Priest Town Planning is instructed on behalf of ZLNY Limited ("The Applicant") to submit an application for planning permission at 16A Neal's Yard, London, WC2H 9DP in conjunction with their continued operation of the site as a coffee shop and café. The proposed development is as follows:

"Installation of new extraction duct in rear yard"

- 1.2 The proposal will allow the applicant to expand their food offer at the site, to include an oven to finish off baked goods and warming and heating goods on a stove top.
- 1.3 This Planning, Design and Access Statement provides the background to the application, including details of the site and surrounding area, together with the relevant planning history, policy context and detailed design of the proposal.
- 1.4 This Statement will consider whether the proposal is compliant with the policies at local level, as well as other material considerations, including the National Planning Policy Framework.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located within the administrative area of Camden Council and is located within Neal's Yard. Neal's Yard is a triangular shaped pedestrianised shopping area comprising shops, cafes and restaurants. To the north east is Neal Street, to the south east is Shorts Gardens and Monmouth Street is to the west.
- 2.2 The application site is edged in 'red' below and covers an area of 0.01ha



Figure 1: Extract from the Site Location Plan

- 2.3 The application site is a small café/coffee shop which fronts onto the pedestrianised area of Neal's Yard. It is situated within a three storey building, occupied by Jacob The Angel Coffee Shop on the ground floor, with basement storage. The first and the second floors are occupied by other operators in commercial uses. There is a

rear void/lightwell to the north west of the site where extraction and ventilation plant, as well as air conditioning units are situated for the surrounding buildings. The void/lightwell area is backed on to by buildings on Neal's Yard and Neal Street.



Photograph 1: The front elevation of the site (from Google Street View October 2017)



Photograph 2: The rear elevation where the new ducting is proposed

2.4 The site is located within the designated Covent Garden Specialist Shopping Area and is a designated Secondary Shopping Frontage. This is shown on the extract map below:

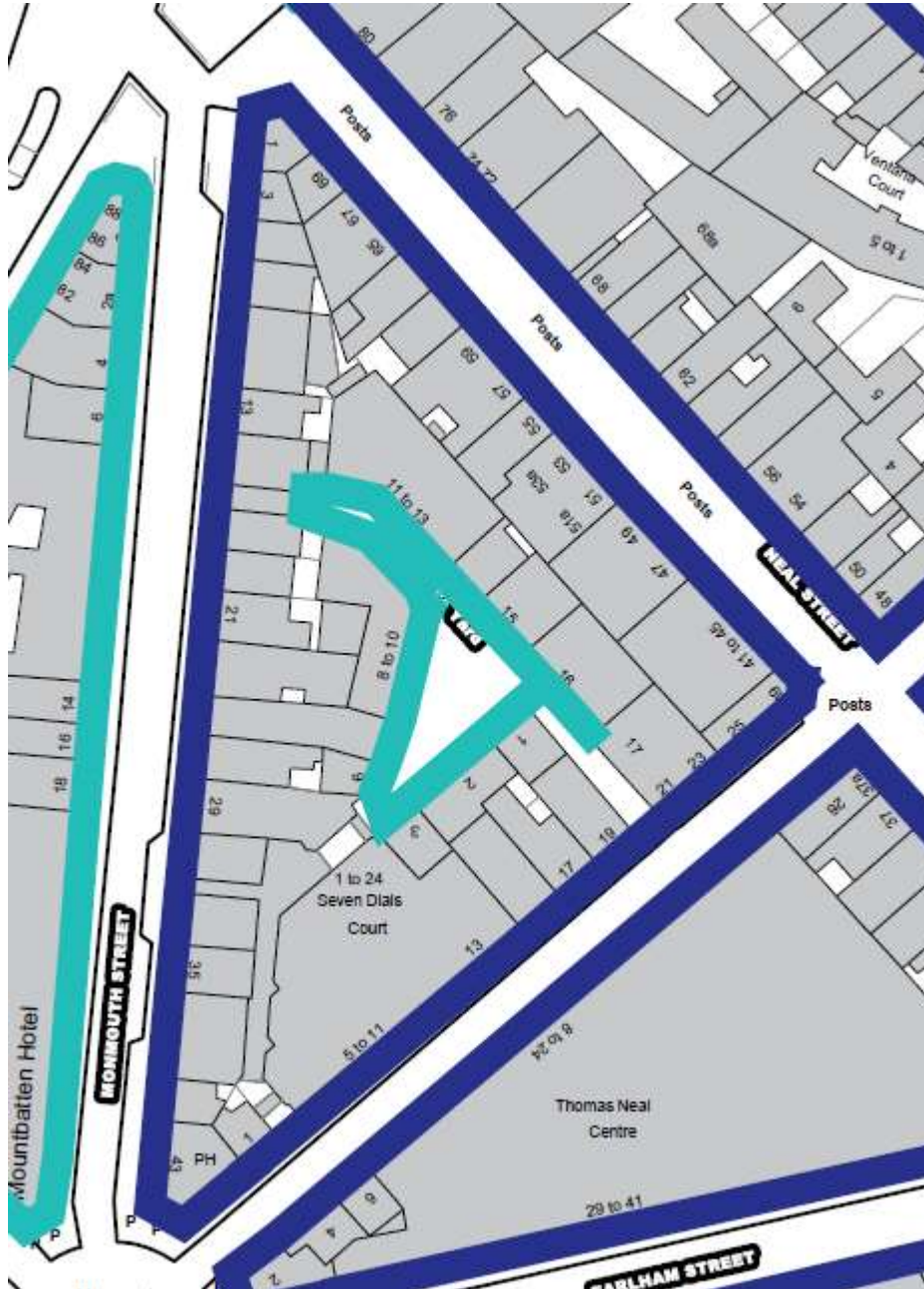


Figure 2: Extract from Camden Local Plan Policies Map Alterations Adopted Version June 2017

2.5 The site is located within the designated Seven Dials Conservation Area. However, the site is not a Listed Building. There are no Listed Buildings within Neal's Yard. However, the nearest Listed Buildings are nearby, to the north of the site on Neal

Street and the south of the site on Shorts Gardens. No Listed Buildings back onto the site.

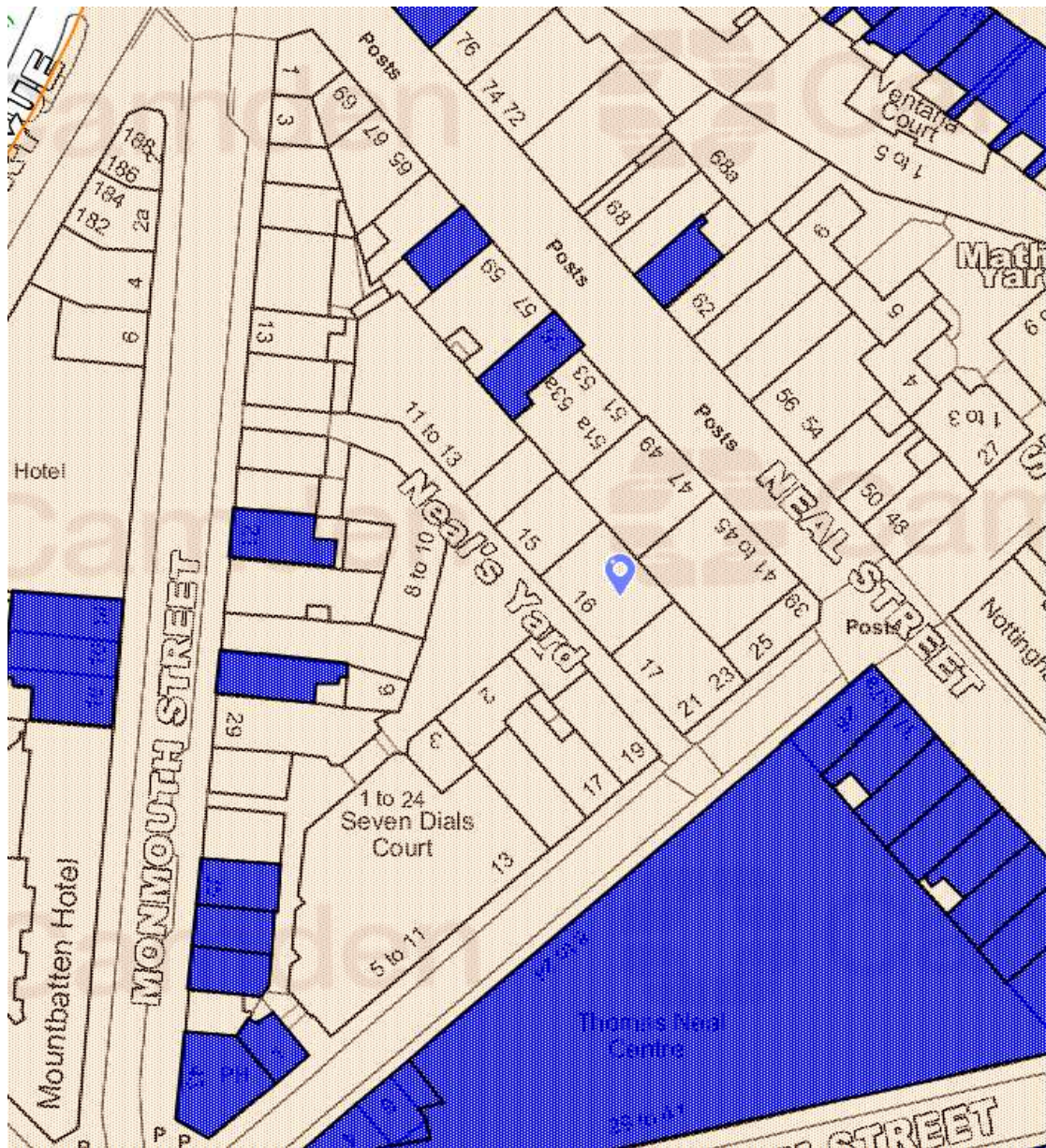


Figure 3: Extract from Camden Council's online mapping tool showing the site in the context of Listed Buildings; blue indicates Grade II Listed Buildings.

2.6 The site is in Flood Zone 1, the area least likely to flood. There are no other relevant designations affecting the site.

3. PROPOSAL

- 3.1 This application is a proposal for the installation of a 200mm duct on the rear wall of the application site, situated in the lightwell/void area. The duct will run up the wall and discharge at high level.
- 3.2 The ducting will discharge from the cooking area of the application site. The applicant will be warming up food cooked off-site in an oven and using a stove top for heating foods. The cooking area will not be used for any primary cooking, frying or greasy food preparation.

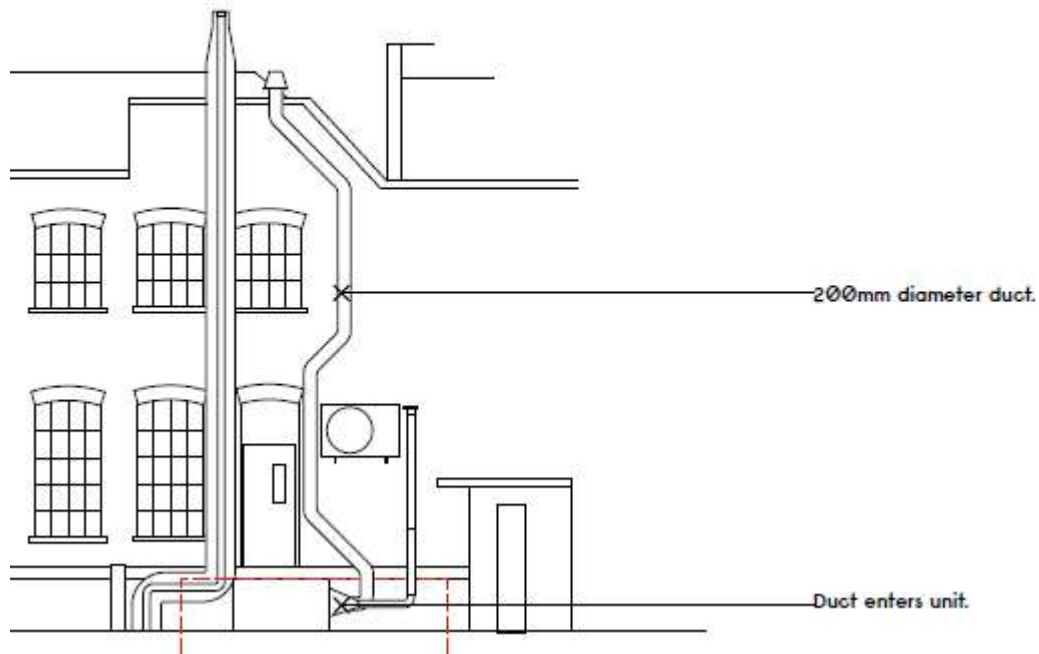


Figure 4: Not to scale extract from the Proposed Elevation showing the new ductwork

4. PLANNING HISTORY

- 4.1 The site's planning history relates mainly to its use as a commercial unit.
- 4.2 In August 2017, planning permission was granted for a replacement shopfront at the front of the site via application 2017/2630/P.
- 4.3 Advertisement Consent was also granted in August 2017 for signage in connection with the occupant.
- 4.4 There are existing pieces of plant equipment and extraction ducts in the rear lightwell/void area. The existing ductwork there is used by No. 16 Neal's Yard and was granted by planning permission 2014/6696/P in March 2015, for the change of use of the basement of No. 16 including external ductwork. As such, the existing ductwork in the shared void area is lawful.

5. PLANNING POLICY FRAMEWORK

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the 'Development Plan' unless material considerations indicate otherwise.

5.2 In this instance, the Camden Local Plan (adopted 3 July 2017) is the key document for the borough, in conjunction with the Policies Map Alterations, (adopted in June 2017). Other *material considerations* that are relevant to the development proposals include the following:

- National Planning Policy Framework (NPPF) (published February 2019);
- National Planning Policy Guidance (NPPG);
- The London Plan (March 2021)

National Planning Policy Framework (2019)

5.3 **Para 11** outlines the importance of an up-to-date development plan, stating that proposals that accord with an up-to-date development should be approved without delay.

5.4 **Para 80** of the NPPF relates to support for business via the planning system. This states:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development..."

5.5 **Para 81** goes on to state that planning policies should (inter alia):

"...c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices..., and to enable a rapid response to changes in economic circumstances."

5.6 **Paras 117 - 118** of the NPPF states that planning decisions should promote and support development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

5.7 Regarding design, **Para 124** identifies that high-quality buildings and places are fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development in creating better places in which to live, work and visit.

The London Plan (March 2021)

5.8 **Policy GG2** of the London Plan relates to making the best use of land. This seeks to create sustainable mixed-use places which make the best use of land. The policy requires planning decision-takers to (inter alia) enable the development of brownfield land.

5.9 **Policy GG5** relates to growing a good economy. This policy seeks to conserve and enhance London's existing global economy and ensure that economic success is shared by Londoners. The policy seeks to promote and strengthen London's economy overall.

5.10 **Policy E2** relates to providing suitable business space. This requires the London Boroughs to support businesses to meet the needs of businesses and firms in their areas looking to expand or start-up.

5.11 **Policy D12** relates to Noise. This states that development proposals should avoid significant adverse noise impacts and should mitigate and minimise potential noise impacts of new development, without placing unreasonable restrictions on existing uses.

Adopted Camden Local Plan (2017)

5.12 **Policy A1** of the adopted Local Plan relates to managing the impact of development. This states that the Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected and will require mitigation measures where necessary. This will be balanced against the needs of development and the characteristics of local areas and communities.

5.13 **Policy A4** relates to noise and vibration. This policy confirms that Council will control and manage noise and vibration. Planning permission will not be granted

for development which results in unacceptable noise or vibration. Plant and machinery must not cause harm to amenity.

5.14 **Policy D1** is a design policy. This policy seeks (inter alia) design which respects local context and character, as well as preserving or enhancing the historic environment and heritage assets. In addition, this policy states development should carefully integrate building services equipment.

5.15 **Policy D2** relates to heritage. This seeks to preserve and enhance heritage assets within Camden including Listed Buildings and Conservation Areas. With regard to Conservation Areas, Policy D2 requires that (inter alia) development within these areas preserves or enhances their character and appearance.

6. PLANNING ASSESSMENT

6.1 Having reviewed the relevant planning policy at the national and local level, the key issues in determination for this application are set out below:

1. Impact on neighbouring amenity; and
2. Impact on Heritage Assets.

6.2 Design considerations are assessed in the Design and Access section later in this Statement. Relevant issues are considered in turn below.

Impact on Neighbouring Amenity

6.3 The proposals have been carefully designed with respect to the amenity of neighbouring occupiers.

6.4 The application is accompanied by a Noise Impact Assessment which has been prepared by NSL. This assesses the proposal in terms of the potential noise from plant.

6.5 The assessment sets out noise limits that plant should meet to ensure the plant noise from the site falls within acceptable levels and will not harm the amenity of neighbouring occupants.

6.6 The Noise Impact Assessment shows that the plant proposed falls well within the acceptable limits, even when operating on a worst-case scenario at full capacity. It should be acknowledged that the café/coffee shop is only open during daytime hours, and therefore the plant will not be operational over the night time period.

6.7 In accordance with Local Plan Policies A1 and A4, consideration has been given to the context of the site and the impact of the proposals on neighbouring amenity. As has been demonstrated above, the proposal for a new extract duct will not have a harmful impact on neighbouring amenity. As such, the proposal is acceptable with regard to the development and in terms of its impact on neighbouring amenity.

Impact on Heritage Assets

6.8 As identified earlier in this Statement, 16A Neal's Yard is not a Listed Building, but it is located within the Seven Dials Conservation Area. Although there are Listed

Buildings close to the site, there are none in immediate proximity to the rear lightwell area where the new ducting is proposed or back onto this area.

6.9 The proposed new ductwork will be hidden from the public realm, where the setting of the Heritage Assets already identified is most prevalent. Therefore, this proposal will not cause any harm to the significance of the Seven Dials Conservation Area or the setting of nearby Listed Buildings.

6.10 The photograph below shows the existing context of the proposed new ducting, within the rear lightwell area, which is an established location for existing plant and ducting which is lawful.



Photograph 3: The rear lightwell area showing existing lawful plant and ducting

6.11 Given the location of the ducting and the context of this within the rear lightwell area, where similar items of ducting and plant are already lawfully in place, the proposal will result in "no harm" to the setting of nearby Listed Buildings or the Seven Dials Conservation Area.

7. DESIGN AND ACCESS STATEMENT

Design

- 7.1 The proposal is for a new extraction duct in the rear lightwell of No. 16A Neal's Yard, in connection with the use of the site. This has been carefully designed to respond to the character and appearance of the area, as well as the requirements of the occupiers.
- 7.2 The position of the plant is within a location which is not visible from the public realm and is as discrete as possible. However, this is also a location where there is an established context of plant and extraction ducts in use for the neighbouring occupiers. As such, this is an acceptable location for the proposed plant.
- 7.3 The extraction needs of the coffee shop occupier are minimal, as they will not be primary cooking, or frying greasy food. As such, the ducting has been designed to be slim, at 200mm diameter, and discrete, fixed to the rear wall of the building and extracting at a high level. This is entirely acceptable for this location
- 7.4 In this context, the design is considered to be acceptable and a practical solution to provide flexibility to the requirements of the existing business at the site.
- 7.5 As has been set out in the previous section of this Statement, ducting is not seen from the public realm and is considered to be entirely appropriate in the site's context and does not cause any harm to the street scene, or visual amenity of the local area or the designated Heritage Assets.
- 7.6 It is therefore considered that the design of the proposal is acceptable.

Access

- 7.7 No change will occur to the access to the site which is for authorised staff and maintenance workers only, through the buildings on site.
- 7.8 The existing access is sufficient to accommodate the proposed development at the site and is therefore acceptable.

9. CONCLUSION

- 9.1 This application is for planning permission for an extract duct at the rear elevation of 16A Neal's Yard, London, WC2H 9DP. The extraction duct will be used in connection with the existing occupiers at the site.
- 9.2 This Planning Design and Access Statement has demonstrated that the development is acceptable in principle. It has been shown that the location of the development is acceptable and that policies at both national and local level are supportive of development which helps facilitate the expansion of and investment in existing businesses. National policy requires that decision takers place "significant weight" be place on supporting the economy and the needs of local businesses.
- 9.3 It has been demonstrated that the location and arrangement of the extraction duct will cause no harm to the visual amenity of the local street scene or any harm to designated Heritage Assets. It has also been shown that it will not cause any detriment to the amenity of neighbouring occupiers as a result of its operation and noise.
- 9.4 Accordingly, it is considered that the proposal is acceptable and that planning permission should be granted.