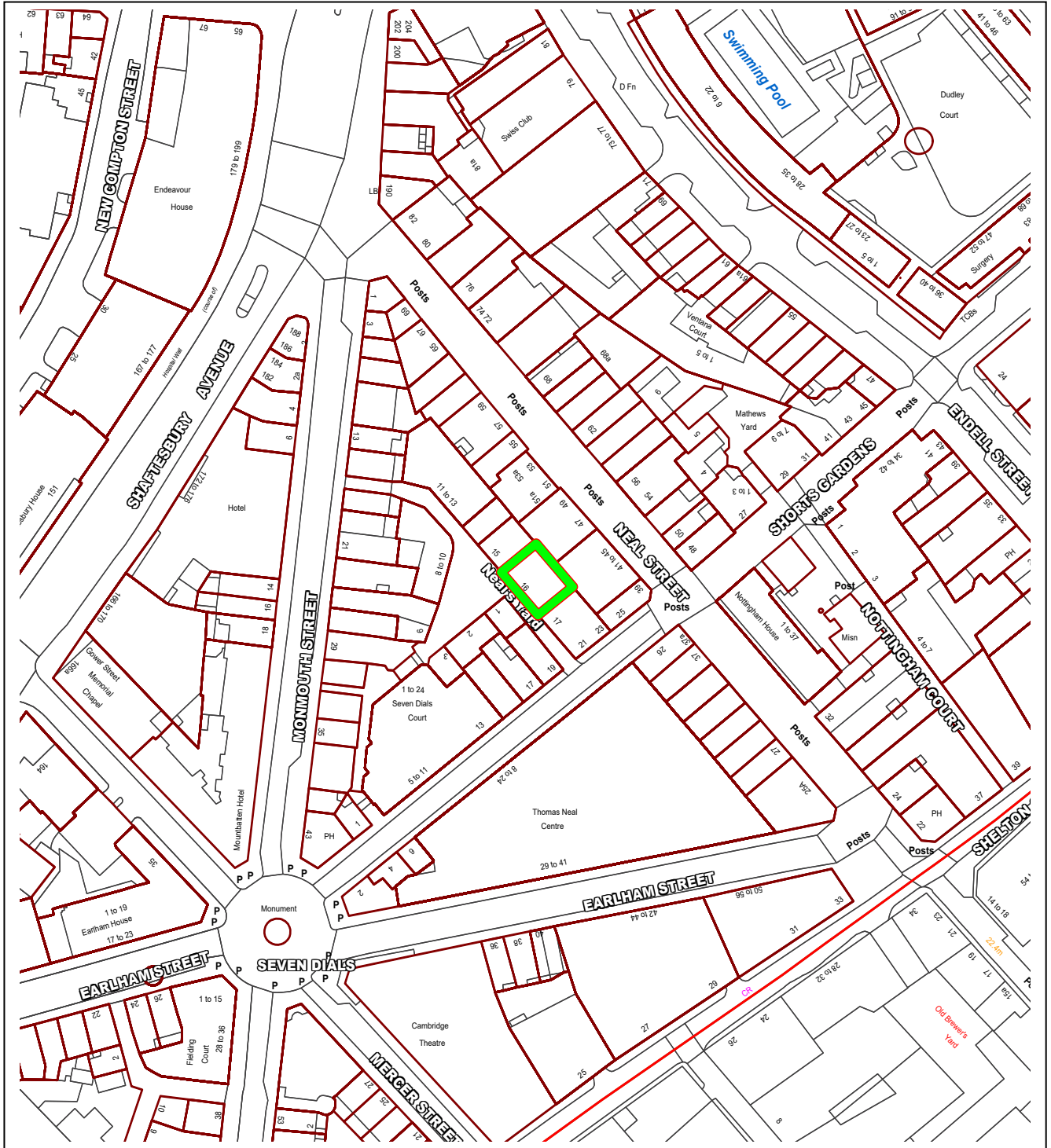


16a Neal's Yard 2021/5150/P



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Site photographs

1. Existing rear elevation where new duct is proposed



2. Existing duct to adjoining property



3. Aerial view of the application site



Delegated Report		Analysis sheet		Expiry Date:		16/12/2021			
		N/A		Consultation Expiry Date:		19/12/2021			
Officer				Application Number(s)					
Patrick Marfleet				2021/5150/P					
Application Address				Drawing Numbers					
16A Neal's Yard London WC2H 9DP				Please refer to decision notice					
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature			
Proposal(s)									
Installation of extraction duct to the rear.									
Recommendation(s):		Grant conditional planning permission							
Application Type:		Full Planning Permission							
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice							
Informatives:									
Consultations									
Adjoining Occupiers:		No. of responses		2		No. of objections		2	
Summary of consultation responses:		<p>Site notice: displayed from 24/11/2021 - 18/12/2021 Press notice: displayed from 25/11/2021 – 19/12/2021</p> <p>Two objections were received from neighbouring residents and the following concerns raised:</p> <ol style="list-style-type: none"> 1. The yard in which this duct is proposed is extremely narrow with bedroom windows facing on to it. This causes smells and noise meaning people are unable to open their bedroom windows without being impacted. These are the only windows in the bedrooms. 2. The proposed flue will be right next to our rear window and patio. As such, we ask that you please include more planning conditions to ensure it is used for the extraction of fumes from heated food not primary cooking. 3. Limits on the hours of use of the extract flue, similar to the consent for 2021/3736/P, should be imposed, to ensure no noise nuisance at night. 							

	<p><u>Officer comment</u></p> <p>1-3. <i>The amenity impacts of the proposals are discussed in paragraph 2.3 below.</i></p>
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<p>Local Groups</p>	<p>The Bloomsbury CAAC submitted the following objection:</p> <ol style="list-style-type: none"> 1. The proliferation of plant upon rear elevations is unacceptable, even if they are not seen from the street. 2. Should the application be granted approval, there must be an insistence on sociable hours of use and a fully monitored maintenance contract, to mitigate impact on residential amenity. 3. The flue will also need to be painted black or have some kind of aesthetic cladding to be appropriate for the Conservation Area. <p><u>Officer comment</u></p> <ol style="list-style-type: none"> 1. <i>See section 2.3 below.</i> 2. <i>See section 2.3 below.</i> 3. <i>The design/conservation impact of the proposals are discussed in section 2.2 below</i> <p>The Covent Garden Community Association submitted the following objection:</p> <ol style="list-style-type: none"> 1. Flues of any sort detract from residential amenity in such locations, by virtue of the noise that they bring into the space and their unattractive appearance. 2. If you are minded to grant consent for another ugly pipe near the windows of people’s flats, then we would ask for two conditions to be added to the decision to ensure that a) the pipe is used only for extraction of fumes etc. from heated-up food, and not related to primary cooking and b) a limit on the terminal hour of use of 10pm each night. <p><u>Officer comment</u></p> <ol style="list-style-type: none"> 1. The design and amenity impacts of the extract flue are discussed in paragraphs 2.2 and 2.3 below. 2. The amenity impacts of the proposals including odour and noise control are discussed in paragraph 2.2 below.
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Site Description

The application site relates to an existing ground floor commercial unit with Neal’s Yard which is currently in use as a café/coffee shop. The host building is not listed but is located within the Seven Dials Conservation Area.

Relevant History

No relevant planning history.

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Design

CPG Amenity

Seven Dials Conservation Area Statement 1998

Assessment

1 PROPOSAL

1.1 Planning permission is sought for the installation of an extract duct to the rear elevation of the building to serve an existing café at 16a Neal's Yard. The proposed duct would be approximately 200mm in diameter and would discharge at main roof level. No other external alterations are proposed

1.2 The ducting is to extract fumes for food which is cooked off-site and will be warmed up on-site in an oven or stove top. The duct is not for any primary cooking, frying or greasy food preparation.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design
- Amenity of neighbouring residential occupants

2.2 Design

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 The proposed flue would have a narrow diameter of approximately 200mm and its overall size and scale is not considered to have a significant impact on the original character and appearance of the host building. Furthermore, the proposed flue would be located to the rear of the property within an enclosed light well space and would have very limited visibility from the public realm. As such, the proposed flue is not considered to cause harm to the character and appearance of the surrounding conservation area.

2.2.3 Officers note the request made by the Bloomsbury CAAC for the proposed silver/steel flue to be painted black to better integrate it into its surroundings. However, there are existing silver flues and associated plant to the rear of neighbouring properties in the existing lightwell space which are much larger than the one currently proposed. Therefore, the erection of a narrow silver flue in this location is not considered out of keeping with the prevailing pattern of development in the area and would not cause harm to the character of the conservation area as a result.

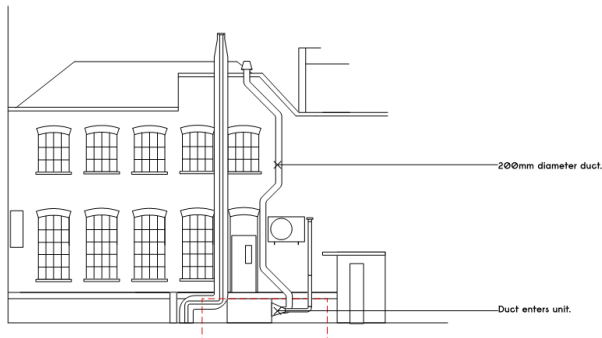
2.2.4 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the host building and conservation area under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.

2.3.2 The proposed extract duct would be set away from the upper floor windows of the host building in order to limit the impact on neighbouring amenity as much as possible (see image below). Therefore, the size and location of the duct is not considered to cause any harm to neighbouring amenity in terms of loss of light or outlook.

Proposed rear elevation



2.3.3 Officers note the concerns raised from local residents and the CGCA regarding the impact the proposed ducting will have on neighbouring amenity in terms of noise and odour. With regards to the noise impact, the submitted Noise Impact Assessment (NIA) has been reviewed by the Council's Environmental Health Officer who has confirmed it would comply with the Council's minimum noise standards when in operation. Two conditions are included on the decision notice which would ensure compliance with these noise limits. Therefore, given the extract flue's compliance with our noise standards (as demonstrated by the NIA) it is not considered necessary to secure any further conditions to restrict the hours of operation for the flue, as has been requested in some of the written representations.

2.3.4 With regards to odour control, the applicant has made clear that the existing café at the site, which the extract flue is to serve, does not carry out any primary cooking and only heats up food that is prepared off site. Notwithstanding this, the submitted documents included details of the odour control/extraction equipment that will be used at the site along with a maintenance schedule for the regular cleaning and upkeep of the equipment. These documents have again been reviewed by the Council's environmental health officer who has confirmed that the proposed odour control details are acceptable and would ensure neighbouring amenity is sufficiently protected. Compliance with these documents shall be secured by condition. Furthermore, with a width of approx. 200mm the proposed flue is likely to be too narrow for the extraction of odours from primary cooking activities.

2.3.5 Given the above, the proposed extract flue is considered to have an acceptable impact on neighbouring amenity in terms of light, outlook, noise and odour.

3 Recommendation

3.1 Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th April 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk

and search for 'Members Briefing'.

Application ref: 2021/5150/P
Contact: Patrick Marfleet
Tel: 020 7974 1222
Email: Patrick.Marfleet@camden.gov.uk
Date: 29 March 2022

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Katie Priest Town Planning
8 The Rosary
Stoke Gifford
Bristol
BS34 8AH
UK

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

16A Neal's Yard
London
WC2H 9DP

DECISION

Proposal:

Installation of extraction duct to the rear.

Drawing Nos: Cover letter dated October 2021, Plant Noise Impact Assessment 90298/NIA, Extraction Maintenance Schedule March 2022, ON 100 Odour Control Unit spec sheet, 430.PL.01, 430.PL.02, 430.PL.03, 430.PL.04, 430.PL.10, Planning, Design and Access Statement dated October 2021, 329.PL.01

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: Cover letter dated October 2021, Plant Noise Impact

Assessment 90298/NIA, Extraction Maintenance Schedule March 2022, ON 100 Odour Control Unit spec sheet, 430.PL.01, 430.PL.02, 430.PL.03, 430.PL.04, 430.PL.10, Planning, Design and Access Statement dated October 2021, 329.PL.01

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

- 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.

- Before the use commences, the extract ventilating system shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with the scheme approved in writing by the local planning authority. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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

Informative(s):

- 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).
- 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.
- 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) 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 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

DRAFT

Yours faithfully

Chief Planning Officer

DECISION