

Application ref: 2021/3296/P
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Date: 29 June 2022

Development Management
Regeneration and Planning
London Borough of Camden
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Flat 9, Kintyre Court
41 New Park Road
London
SW2 4DY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**25 Boswell Street
London
WC1N 3BW**

Proposal:

Installation of new duct on side elevation of 25 Boswell Street (to rear of 27 Boswell Street), plus removal of existing disused duct, in association with restaurant use on ground floor and basement of 25 Boswell Street

Drawing Nos: Site Plan, Existing Plans 101 B, Existing Elevations and Section 151 B, Proposed Plans 301 B, Proposed Elevations and Section 351 B, Design & Access Statement, Kitchen Ventilation Specification Information (Springfield Group), Odour Abatement Risk & Noise Calculation (Springfield Group), Acoustic Consultancy Report by Acoustic Consultancy Partnership Ltd dated 14.1.22

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 documents:
Site Plan, Existing Plans 101 B, Existing Elevations and Section 151 B, Proposed Plans 301 B, Proposed Elevations and Section 351 B, Design & Access Statement, Kitchen Ventilation Specification Information (Springfield Group), Odour Abatement Risk & Noise Calculation (Springfield Group), Acoustic Consultancy Report by Acoustic Consultancy Partnership Ltd dated 14.1.22.

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

- 3 Prior to use, machinery, plant or equipment 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.

- 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 Before the use commences, the extract ventilating system shall be provided with mitigation measures of sound attenuation and anti-vibration measures in accordance with the recommendations of the acoustic report hereby approved. 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 policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal is for the installation of a flue on the side and rear elevation of 25 Boswell Street which is an end-of-terrace five storey building immediately adjacent to the adjoining five storey residential building at 26 - 27 Boswell

Street. The proposal is for the ground floor (and basement) unit at the application site which is a restaurant.

The site (and 26 - 27 Boswell Street) is located in the Bloomsbury Conservation Area but it is not listed or a positive contributor to the Conservation Area. There are no Listed buildings on this side of Boswell Street.

The proposal is for the installation of a 500mm diameter duct which would rise from first floor level to 2m above the roof of the building and it would wrap around to the rear of the building where it would enter the ground floor restaurant.

A smaller existing duct is to be removed. Another similar sized duct to that proposed would remain alongside.

Due to its siting at the rear, the proposed duct would not alter the appearance of the Boswell Street streetscene or the setting of the listed Italian Hospital on the other side of Boswell Street.

Furthermore, as it would align with the similar duct to be retained (which serves an adjoining unit) and it would project no further from the side of the building, it would not be unduly harmful to the appearance at the rear or the visual amenity of any surrounding occupiers. The duct would not protrude excessively beyond or above the building and it would not harm the significance of the Bloomsbury 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.

The proposal would not result in any loss of amenity for any surrounding occupiers. As stated, aligning with the duct to be retained, it would not impact unduly upon the outlook or light to the windows of the adjoining dwellings at the rear of the adjoining building (26 - 27 Boswell Street). A Noise and Odour Control report has been submitted. This has been checked by the Council's Environmental Health Officer who considers that the predicted noise levels and odour control filter system will be acceptable to protect the amenity of neighbouring residents (subject to a condition regarding noise levels). Mitigation measures of acoustic attenuation and vibration-isolation are recommended by the acoustic report to ensure Council standards are adhered to.

No objections were received prior to making this decision. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 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) 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>

Yours faithfully



Daniel Pope
Chief Planning Officer