

Application ref: 2022/0718/P  
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Date: 6 October 2022

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

Phone: 020 7974 4444

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Se & Se Consultancy Ltd.  
59a Turners Hill  
Cheshunt  
EN8 8NT

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**329-331 Gray's Inn Road**  
**London**  
**WC1X 8PX**

Proposal: Alterations to shopfront; installation of extraction/ventilation system and ground floor fire exit to rear.

Drawing Nos: GIR-1512-OS rev V2, GIR-1512-BP rev V2, GIR-1512-EB rev V2, GIR-1512-PB rev V2, GIR-1512-EGF rev V2, GIR-1512-PGF rev V2, GIR-1512-EFF rev V2, GIR-1512-PFF rev V2, GIR-1512-EFR rev V2, GIR-1512-PFR rev V2, GIR-1512-EPSAA rev V2, GIR-1512-EFE rev V2, GIR-1512-PFE rev V2, GIR-1512-ERE rev V2, GIR-1512-PRE rev V2, GIR-1512-ERSE rev V2, GIR-1512-PRSE rev V2, GIR-1512-ELSE rev V2, GIR-1512-PLSE rev V2, Noise Impact Assessment by DAAGROUP Issue 01 (dated 20th November 2021), Kitchen Extraction and Odour Control Proposal by Fan Services (dated 30th November 2021).

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: GIR-1512-OS rev V2, GIR-1512-BP rev V2, GIR-1512-EB rev V2, GIR-1512-PB rev V2, GIR-1512-EGF rev V2, GIR-1512-PGF rev V2, GIR-1512-EFF rev V2, GIR-1512-PFF rev V2, GIR-1512-EFR rev V2, GIR-1512-PFR rev V2, GIR-1512-EPSAA rev V2, GIR-1512-EFE rev V2, GIR-1512-PFE rev V2, GIR-1512-ERE rev V2, GIR-1512-PRE rev V2 GIR-1512-ERSE rev V2, GIR-1512-PRSE rev V2, GIR-1512-ELSE rev V2, GIR-1512-PLSE rev V2, Noise Impact Assessment by DAAGROUP Issue 01 (dated 20th November 2021), Kitchen Extraction and Odour Control Proposal by Fan Services (dated 30th November 2021).

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical 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. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 5 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 The use of the plant hereby approved shall not commence until the odour mitigation measures within the approved document 'Kitchen Extraction and

Odour Control Proposal' by Fan Services (dated 30th November 2021) have been fully implemented. The approved odour mitigation measures shall thereafter be retained and remain operational for the duration of the use hereby approved. The maintenance measures set out within the approved odour control proposal shall be complied with throughout the duration of the use.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by odour nuisance from food preparation activities in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

Permission is sought for façade alterations to the shopfront on Gray's Inn Road, and fire exit and mechanical plant additions to the rear.

The detailed design of the shopfront alterations are considered acceptable, as is the new fire exit access door to the rear at ground floor level. In terms of the shopfront, the design has been revised in response to comments from the Bloomsbury CAAC that the initial design was at odds with the character the host building. The subsequent submission is considered appropriate and consists of floor to ceiling glazing, no longer with crittall style doors.

The Kings Cross Conservation Area Statement states that 'the provision of roof level plant outside the building envelope is not normally acceptable where this will be visible from the surrounding publicly accessible areas. In assessing applications the Council will be concerned about the siting of the equipment, particularly in visually sensitive locations and in the proximity of residential accommodation, to ensure that local amenity is protected.' Although this is not roof level plant, but rear façade plant, the same principle is considered to apply.

CPG Town Centres and Retail highlights that extraction systems can harm the visual appearance of an area. The guidance notes that new extraction systems should be positioned sensitively so that they do not have an unacceptable visual impact, particularly within conservation areas. The rear of the host building is not visible in public views as it is enclosed; however, it is visible from neighbouring properties. The proposed flue does extend high up the rear elevation of the building but does not protrude above the pitch of the butterfly roof.

The plant would not be visible from the public realm on the surrounding streets of Gray's Inn Road, Birkenhead Street, St Chad's Street, but rather only a private enclosed courtyard. Although properties to the rear are listed, the plant would only be seen from the rear and therefore is not considered to detract from their setting in the public realm. The applicant has explored the possibility of reducing the diameter of the flue proposed but this would affect the plant's ability to adequately mitigate cooking smells from windows in the vicinity which is not an acceptable compromise. On balance, taking into consideration the fact that the extraction system is intended to reduce fumes and smells

produced by the kitchen, the impact on the character and appearance of the host building and views from surrounding properties is considered to be acceptable.

The project is considered to be acceptable in terms of neighbouring amenity, and several conditions have been added to the proposal to protect the amenity of nearby properties, namely to install anti-vibration measures and odour mitigation measures before use of the proposed extraction system, and to control noise levels during use of the proposed plant. No significant negative impact on neighbouring amenity is expected from the proposed works in terms of loss of daylight, sunlight, privacy or outlook.

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.

No objections were received during the course of the application, bar comments from the Bloomsbury CAAC which informed a revised proposal. The CAAC have confirmed since that they have no objection to the revised proposals. The planning history of the site has been taken into account when coming to this decision.

The proposed development is in general accordance with policies A1, A4, D1 and D2 of the Camden Local Plan 2017, as well as 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](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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer