

Our Ref: 22490/MS/gc  
Your Ref: PP-11749220  
Email: [mshearman@firstplan.co.uk](mailto:mshearman@firstplan.co.uk)  
Date: 01 December 2022

Planning Department  
The London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

Dear Sir/Madam,

**PLANNING APPLICATION FOR THE INSTALLATION OF EXTERNAL PLANT AT ROOF LEVEL  
287 CAMDEN HIGH STREET, LONDON, NW1 7BX**

We have been instructed by our client, Diverse Dining Ltd., to submit the enclosed application online via the planning portal (ref: PP-11749220) for the installation of a comprehensive heating, cooling, ventilation and extraction system at the above address. The proposals comprise of 1 no. supply fan, 2 no. extract fans, 4 no. air conditioning condensers and 2 no. extract fans, which will be installed on the roof of the flat roof to the rear of the premises, serving the ground floor commercial unit and enabling our client to establish the site as a Shake Shack restaurant.

In accordance with national and local validation requirements the following documents are enclosed in support of the application:

- Completed Application Forms;
- Completed CIL Forms;
- Planning and Heritage Statement – included within this letter;
- Acoustic Report – prepared by ACA Acoustics;
- Equipment Schedule/Odour Risk Assessment;
- Site Location Plan;
- Existing Roof Plan (drawing no. LAB\_287CHS\_2021\_000\_RL\_01);
- Existing Front and Rear Elevations (drawing no. LAB\_287CHS\_2021\_000\_ELEV\_01 Rev. P1);
- Existing Side Elevation (drawing no. LAB\_287CHS\_2021\_000\_ELEV\_02 Rev. P1\_);
- Proposed Roof Plan HVAC Layout (drawing no. 22294\_004 rev. C);
- Proposed External Elevations (drawing no. 22294\_005 rev. C); front and side

The requisite fee of £462 has been paid online via the planning portal. The remainder of this letter sets out the relevant planning considerations in respect of this application.

**Site Background**

The application site is a basement, ground and first floor commercial unit positioned on the western side of Camden High Street, directly adjacent to Camden Lock Market. The unit forms part of a wider mixed-use block, which extends to the west and contains similar commercial units at ground floor level and offices on the upper floors – rising to 4 storeys in height and featuring a curved north-facing frontage onto Hampstead

Road Lock. An aerial image showing the unit at the western end of the development (facing Camden High Street) is provided below at Image 1.



As can be seen above, the unit features a bespoke glazed façade along its Camden High Street elevation and is a prominent building when viewed from street level. The roof (where the HVAC is proposed) is however well screened from the adjacent properties and can only be viewed from the office accommodation on the upper floors of the development. Furthermore, there is already a range of existing plant positioned here, demonstrating the acceptability of plant in this position.

The property is not listed, nor is it located within a conservation area. It is however situated adjacent to the Regents Canal Conservation Area and the grade II listed lock keepers cottage which is set back from the Camden High Street frontage.

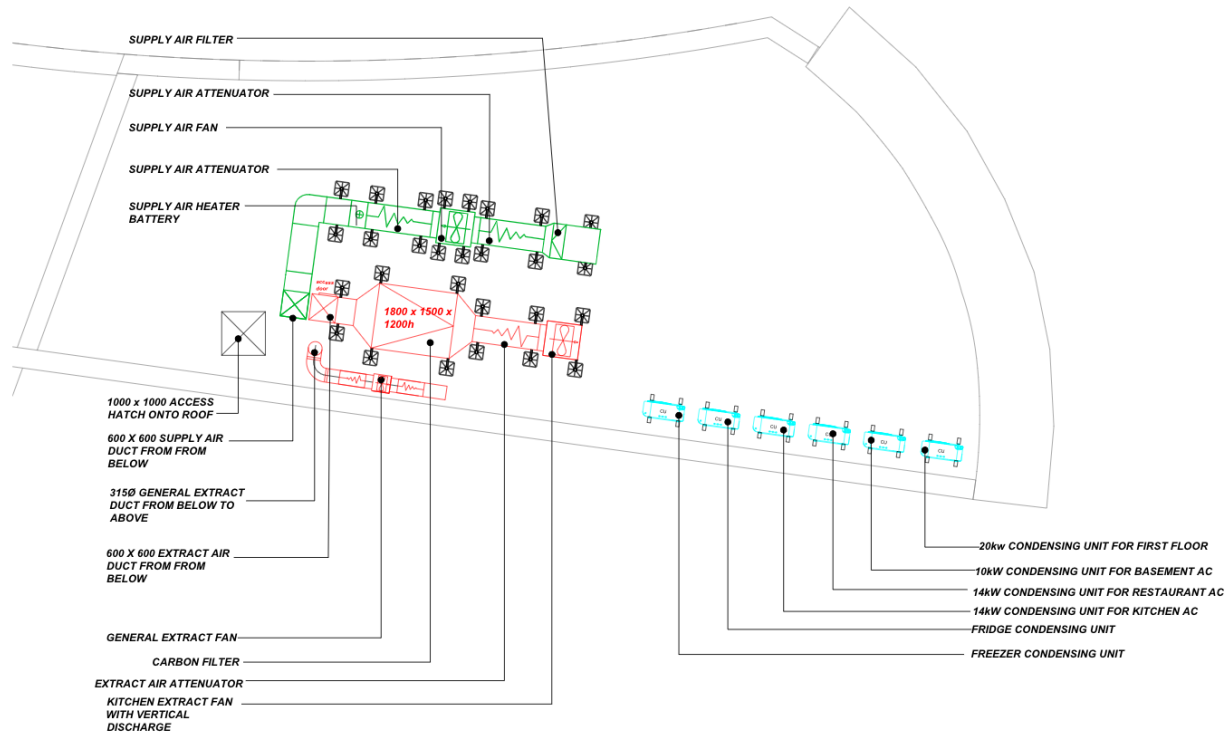
## **Planning History**

The large extension to the rear of the site was granted consent in 2003 when permission was granted for the *“Redevelopment of eastern part of the site by the erection of a 4-storey building to accommodate Class A3 (food and drink) on the ground floor, class A1 (retail) on part of the ground and first floors, Class B1 (business purposes) on the upper floors, and the use of the former lock-keepers cottage as an information centre”*- ref: PE9700702R. This included various plant on the roof of the building, however no plant was approved in connection to our clients unit as at the time it was being used for retail/ did not require additional HVAC.

In 2009 permission was refused for a retrospective application for a new shopfront and illuminated sign to cover front elevation of the shop (refs: 2009/2560/P & 2009/2562/A). The applicant subsequently submitted a revised application for a full height glazed façade with steel section framework and critical windows which was approved in ref: 2010/2703/P. This represents the existing shopfront, installed by All Saints, which has remained in place for the past 10 years.

## Application Proposals

This application seeks permission for the installation of external plant on the roof of the building, so that Shake Shack can take occupation of the vacant commercial unit and begin trading as a restaurant. Specifically, permission is sought for the provision of 2 no. extract fans, 1 no. air supply fan, and 6 no. condensing units, which will sit on the flat roof of the building within an allocated plant area – as illustrated below at Image 2.



The air supply and extract fans will sit beside each other and feature 600mm x 600mm square profiles. They will be fitted with attenuators and industry standard extract fans, ensuring there is no discernible odour at street level or amongst the neighbouring properties. Their ducts will neatly exit the roof of the building and sit within an allocated plant area that is hidden from street level, ensuring there is no harm to the wider Conservation Area as can be seen above.

Following recommendations from the applicant's acoustic consultant, noise attenuation elements have been incorporated within the proposed scheme (as shown on plans and detailed within the acoustic report). Of note, it is proposed that the air supply/extract fans will feature duct mounted attenuators, and that the condensers will sit within a high-performance acoustic enclosure. This will ensure noise/odour breakout from the equipment is limited and the proposal does not negatively impact neighbouring amenity.

## Planning Policy

The statutory development plan for Camden consists of the Camden Local Plan (2017), the Proposals Map (2017) and the Camden Planning Guidance. The relevant policies are discussed below.

**Policy G1** outlines that the Council will support development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.

**Policy D1** confirms the Council will seek to secure high quality design in development. Specifically, it is required that development (inter alia):

- is sustainable in design and construction;
- respects local context and character;
- preserves or enhances the historic environment and heritage assets;
- uses details and materials that complement the local character;
- integrates well with the surrounding streets, and contributes positively to the street frontage;
- preserves strategic and local views;
- provides a high standard of accommodation for housing.

**Policy D2** seeks to protect and, where appropriate, enhance the character and appearance within conservation areas.

**Policy A1** states that the quality of life for both occupiers and neighbours will be protected. When assessing new applications, the Council will consider:

- Visual privacy and outlook.
- Sunlight, Daylight and Overshadowing.
- Artificial lighting levels.
- Impacts of the construction phase.
- Noise and vibration levels.

## **Planning and Heritage Assessment**

The key planning considerations to this application relate to the impact the proposed plant will have on the setting of the host building and surrounding properties in design terms, and the implications of the external plant on the surrounding amenities.

With regards to external appearance, the proposals have been designed and positioned to minimise visual intrusion. This has been achieved through restricting the plant as much as possible to the inside of the building, with the only external plant being positioned on the roof of the building where it is entirely hidden from street view/the wider Conservation Area and can only be viewed from the office accommodation on the upper floors of the adjoining buildings. The principle of plant in this location should be considered acceptable as there are already a number of condensers on the roof of the building, and many of the neighbouring properties have also utilised their roof structures for much larger HVAC systems than what is being proposed at the application site. The proposed location, set back in the rear section of the roof, is the most appropriate location for the plant to be positioned - as it negates the need for any ducts to run up the high-quality glass facades of the building. Instead, there is just a small termination point on the roof of the building, with all of the plant being low lying and sitting below the parapet walls on the roof (which were included in the design of the original building to conceal roof plant such as this). Overall, it is considered that the proposals are of the highest quality design and therefore accord with Camden design policies D1 & D2, and London Plan Policy D4.

In order to demonstrate that the proposed extract, air intake and condensers will not have any detrimental impact on neighbouring amenities, an acoustic survey has been undertaken and a noise impact assessment has been prepared by ACA Acoustics in support of this application. This has taken consideration of the nearby residential receptors on the upper floors of the neighbouring buildings, and confirmed that during its operation the plant, when installed with recommended mitigation measures, will not cause any undue disturbance to nearby residential properties. Appropriate mitigation will be provided to assist in achieving recommended noise levels, and the proposal will not therefore have any negative impact on the

neighbouring buildings. The results of the noise assessment also adhere with the Councils standards and requirements on noise control.

The proposal is, therefore, a well-considered, and entirely necessary solution to ensure the required extraction of the restaurant use. Much of the ducting and other elements of the HVAC system are contained internally, with the remaining elements limited to the roof of the building where they are screened and positioned away from any sensitive receptors. Accordingly, the proposal is considered to fully comply with the aforementioned national and local policies and guidance documents, and will not have any consequential impact on residential amenities and should therefore be supported.

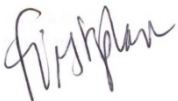
## **Conclusion**

In conclusion, we consider the proposals put forward by this application as entirely appropriate to the significance of the site and represents a significant investment on the part of our client. The plant equipment will ensure the necessary environmental standards are met. Indeed, the proposals are in compliance with the Council's policies and guidance on design and amenity. They will bring a reputable and popular operator, Shake Shack, to the area, bringing this prominent corner unit into an active use and ensuring its long term viability – whilst also enhancing the vitality of the Camden area.

Further to this, the Noise Impact Assessment submitted in support of this application demonstrates that the noise levels accord with the Council's limits and will subsequently have no detrimental impact on neighbouring amenities.

I therefore trust that you have sufficient information to validate and approve the application, however, should you have any queries then please do not hesitate to contact me. Otherwise, I look forward to discussing the application proposals with you in due course.

Yours faithfully,



MARK SHEARMAN  
Director