

SMB

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Planning & Development Control
London Borough of Camden
Camden Town Hall
London WC1H 8ND

30 November 2022

Our ref: SMB/db/2022/13

Dear Sir,

INSTALLATION OF 5 X CONDENSER UNITS WITHIN AN ACOUSTIC ENCLOSURE TOGETHER WITH 2 X AIR VENTILATION UNITS AND ASSOCIATED DUCTWORK ON THE ROOF OF THE REAR GROUND FLOOR EXTENSION AT 32-34 ROSSLYN HILL, HAMPSTEAD, LONDON NW3 1NH

On behalf of the Ottolenghi Group, I enclose all necessary documentation comprising an application for full planning permission for the installation of 5 x condenser units within an acoustic enclosure together with 2 x air ventilation units and associated ductwork on the roof of the rear ground floor extension at 32-34 Rossllyn Hill, Hampstead, London NW3 1NH.

The application documentation comprises:

1. Completed application form
2. Certificate B
3. Site location plan to a scale of 1/1250
4. A block plan to a scale of 1/500
5. Drawings (all scale 1/50 @A1):
 - Existing rear roof plan (drawing no. STS0870-M01)
 - Existing rear elevation (drawing no. STS0870-M03)
 - Existing section A-A (drawing no. STS0870-M04)
 - Proposed rear roof plan (drawing no. STS0870-M07)
 - Proposed rear elevation (drawing no. STS0870-M08)
 - Proposed section A-A (drawing no. STS0870-M09)
6. Acoustic Assessment
7. Cooling Hierarchy Compliance Report
8. Technical Specifications of the proposed equipment
9. CIL Questionnaire

The statutory planning application fee has been calculated as £462.00. This was paid via the Planning Portal on submission.

This proposal is for a minor development within the Hampstead Conservation Area. The basement and ground floors are currently a vacant restaurant (Class E), previously occupied by Kojo. The property is within a terrace of 5 buildings identified as positively contributing to the character and appearance of the Conservation Area



The basement and ground floors have a long and established history of restaurant use (Class E). The property has been vacant since May 2022.

Planning application no. 2021/0101/P for the *“Installation of roof lantern and new railings, replacement condenser units and duct on the roof of the rear ground floor extension”* was submitted retrospectively on 8 January 2021 in response to an “enforcement investigation” (EN20/1071). The application was refused on 10 November 2021. On 19 January 2022, the Council issued an Enforcement Notice (ref: EN21/0101).

The Ottolenghi Group are proposing to occupy the premises as an addition to their portfolio of restaurants in London. The proposed condenser units to be positioned on the roof above the ground floor at the rear of the premises meet their operational requirements.

Notwithstanding the fact that the proposed equipment differs from that contained in the previous application (2021/0101/P), the detailed information submitted with the current proposal overcomes the Council’s reasons for refusing planning permission as set out on the decision notice dated 10 November 2021.

The detailed technical evidence accompanying this application shows that the proposed equipment that the Ottolenghi Group require to operate the restaurant will not be contrary to Policies CC2 (Adapting to Climate Change), A1 (Managing the Impact of Development) and A4 (Noise and Vibration) of the Camden Local Plan and Policy DH1 (Design) of the Hampstead Neighbourhood Plan.

Furthermore, an important material consideration in the consideration and determination of this application is the Planning Officer’s conclusion in paragraph 2.5 of the Delegated Report regarding application 2021/0101/P:

“Although additional plant is proposed which would be visible in certain views within the public realm, it would sit within a ‘back of house’ context and would not significantly worsen the existing situation given parts of the existing ductwork have been removed. There are a number of items of plant and machinery serving the host building and other ground floor commercial uses within the parade which are visible from Downshire Hill and to a lesser extent from Pilgrim’s Lane”.

This clearly indicates that there is no objection to the principle of condenser units etc on the rear elevation of the property to serve the restaurant use.

The proposed equipment will not result in incongruous additions that would impact the appearance of the building to such an extent as to cause harm to the significance of the conservation area.

It would be sensible to hold the Enforcement Notice EN21/0101 in abeyance until this planning application has been determined. Should permission be granted then the equipment currently in place will be removed and replaced with the plant associated with this application and the Enforcement Notice will “fall away”.

In the meantime, we trust that the application is complete and look forward to receiving your confirmation of receipt.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. Birnbaum', with a long horizontal flourish extending to the right.

Simon Birnbaum BA Dip UPI MRTPI
Director
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