Camden

Haylaz Brasseria, 153 Fortress Road, London, NW5 2HR

Scale = 1:721.980

12-September-2024

I want to apply for a	Premises licence
Are you an agent?	Yes - I am an agent
Agent Details	
First name	Mrs Aysen
Last name	Ipek Kilic
Name of business	NARTS
Name and address	68 STOKE NEWINGTON HIGH STREET N16 7PA LONDON
Email address	[redacted]
Telephone number	[redacted]
Does the premises have a name?	Yes
What is the name of the premises?	Haylaz Brasseria
What is the address or location?	153 Fortess Road NW5 2HR London
What is the type of premises?	Cafe, restaurant
Describe the area it is situated in	commercial and residential mix use
Describe the layout of the premises	ground floor only with a backyard which will be in the licencible area
Copy of the premises plans	• 153FortessRd-GroundFloorPlan.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00

Are there any seasonal variations for the premises opening times? No

Is the premises open to the public at times other than those listed? No

Is the premises an open space? No

Is the premises currently under construction? No

What is the non-domestic rateable value (NDRV) of the premises? 30500

How many people are expected to attend the premises at any one time? Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol? No

How are you applying for a premises licence? As an individual or group of individuals

Individual details

First name	Mr Haydar
Last name	Ozcan
Name and address	[redacted]
Email address	[redacted]
Telephone number	[redacted]
How long do you want your premises licence for?	Permanently
When do you want your licence to start?	As soon as possible
Activity you wish to licence	j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	23:00

Where will the supplied alcohol be consumed?	Both
Are there any seasonal variations for the activity?	No
Will the activity take place at times other than those listed?	No

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence?	No
First name	Mr Haydar
Last name	Ozcan
Address	[redacted]
Email address	[redacted]
Telephone number	[redacted]
Signed Copy of the Designated Premises Supervisor (DPS) consent form	• passport.jpg • DPSConsentForm.pdf
Will there be any activities associated with the premises which may give rise to concern in respect of children?	No
The prevention of crime and disorder	1) The dps, a personal licence holder or trained member of staff nominated in writing by the dps shall be on duty at all times the

premises are open to the public. 2) a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public. b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days. c) All staff who may work front of house shall be trained to operate the cctv system and download images. d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request 3) Challenge 25 shall be operated as the proof of age policy. 4) All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. 5) An incident book shall be kept at the premises, and made available to the police or authorized council officers, which will record the

	following: A) All crimes reported, B) Lost property, C) All ejections of customers, D) Any complaints received, E) Any incidents of disorder, F) Any seizure of drugs or offensive weapons, G) Any faults in the cctv, H) Any refusal in the sale of alcohol. I) Any visit by a relevant authority or emergency service 6) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers: A) That cctv & challenge 25 are in operation; B) Advising customers of the provisions of the licensing act regarding underage & proxy sales; C) Of the permitted hours for licensable activities & the opening times of the premises; D) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.
Public safety	A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.
The prevention of public nuisance	1) The front of the premises shall be kept tidy at all times and be swept at close. 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00. 4) An incident book shall be kept at the premises and made available to the police or authorized council. 5) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by

	the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
The prevention of children from harm	1) Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age. 2) All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorized council officers on request –see section b condition 5 for full details. 3) Relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details. 4) All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing. 5) All alcohol shall be ancillary to the operation of the premises as a Restaurant. Alcohol may only be supplied with a substantial food order. 6) All alcohol will be displayed and kept and will be sold from behind the counter and to be dispensed by a member of staff only 7) The delivery of alcohol to be made only to a residential or business address, where it is clearly evident that the customer is a resident or occupies the business. 8) The

delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc. 9) Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years 10) ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure 11) All serving and delivery staff shall receive regular training, a minimum of twice a year on the prevention of underage sales and on Challenge 25 scheme. 12) Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals. 13) Should the premises remain open for non-licensable activities customer shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

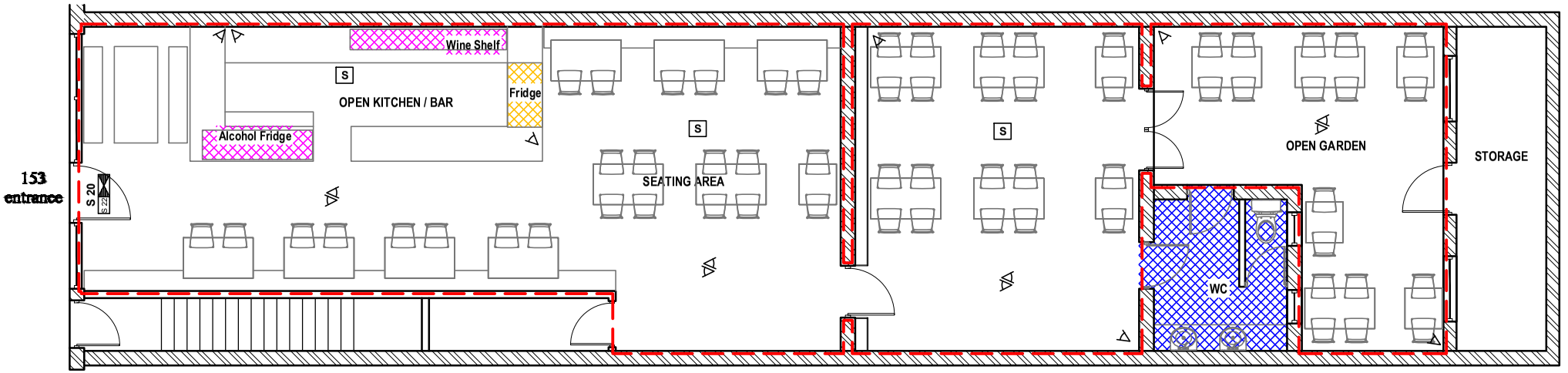
020 7974 4444

Form reference	Ref. no. 122484

Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

Appendix 2



GROUND FLOOR PLAN

0 1m 2m 3m 4m 5m 10m

LEGEND

- ALCOHOL
- WC AREA
- FRIDGES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- S — SMOKE DETECTOR
- CCTV
- S 20 — FIRE ESCAPE KEEP CLEAR
- S 22 — INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)

N

NARTS /nartsbritain
Voice of Turkish & Kurdish Food Industry in Britain
53 Stoke Newington High Street, London N16 8EL
Tel: 020 7241 3636 | Mob: 07940 414 890 | www.narts.org.uk | info@narts.org.uk

GENERAL NOTES:

ADDRESS: 153 Fortess Road NW5 2HR	DRAWING DATE: 17/07/2024	TOTAL AREA: ADD	
DRAWING NAME: Ground Floor Plan	SCALE: 1:100 @A4	SHEET: 1	
	DRAWN BY: OZ	CONTROL BY: MHR	

SKH Associates Ltd

CHARTERED BUILDING SERVICES

Acoustic Consultancy

7 Riseldine Road, London, SE23 1JT

[redacted]

E-mail: [redacted]

REPORT No: FR230724NW52HR **Date:** 23/07/2024

CLIENT PROJECT REFERENCE

153 Fortess Rd London, NW5 2HR

ENVIRONMENTAL NOISE SURVEY

PREPARED FOR:

153 Fortess Rd London, NW5 2HR

PREPARED BY:

Mr Salih K. Hassan

Senior Acoustic Consultant

BSc, BEng (Hons), MSc, MIOA, MIEE, LDip, MSLL, MTCEA, MCIBSE, CEng.

IOA Registration No. 30878

IEE Registration No. 16695640

MCIBSE No 5628

Engineering Council No. 510932

CHECKED BY

Dr Haydar Aygun (PhD, MSc, BSc, FIOA, MASA**)**

Associate Professor of Ventilation and Air Conditioning

Fellow member of the Institute of Acoustics

Signed: *Salih K Hassan* **Date: 25/07/2024**

Contents Page

1. Summary

An environmental noise impact assessment was carried out at the premises at 153 Fortess Rd London, NW5 2HR, on Tuesday 23rd July 2024. **The aim of this report is to determine the impact of the proposed extractor fan system upon noise sensitive receptors in accordance with BS4142:2014+A1:2019 guidance, and to determine interior noise levels in the flat above the shop in accordance with BS8233:2014 guidance.**

The results of the environmental noise survey are reasonable considering the location of the measurement position and the existing noise sources in the local neighbourhood. Noise calculations of the sound source were undertaken using available details and plans provided by the client. The data and information form the basis of the assessment. BS4142:2014+A1:2019 and BS8233: 2014 noise assessment were conducted at the site.

The summary of the difference between the Rating Level and Background Noise Level of sensitive receptors, and also external noise levels is given in table below.

Noise sensitive receptor	**Difference between The Rating Level and Background Level**
	Day
153 Fortess Road (Top floor bedroom)	– 14.2dB(A)
151 Fortess Road (Top floor bedroom)	– 17.74dB(A)
	External Noise levels
153 Fortess Road, First Floor, Rear Terrace	19.4dB(A)

In accordance with BS4142:2014+A1:2019 guidance, the day Rating Level at nearest noise sensitive receptors does not exceed the background sound level as shown in Table above. Therefore, the operation of the proposed extractor fan indicates the specific sound source having a low adverse impact during daytime.

The predicted daytime Rating Level $\boldsymbol{L_{Aeq,Tr}}$ at the external amenity space, rear terrace, of First Floor of 153 Fortess Road is 19.4dB(A). The Rating Level $\boldsymbol{L_{Aeq,Tr}}$ 19.4dB(A) at the external amenity space does not exceed 50dB(A) $L_{Aeq,16hr}$ of desirable category of BS8233:2014.

It can be confirmed that the Rating Levels of the proposed extractor fan is expected to comply with BS4142:2014+A1:2019 guidance.

A rigorous calculation method that is given in BS8233: 2014 was applied to determine interior noise levels of the flat above the shop by using predicted internal noise level 85dB(A) in the shop, measured environmental noise levels, and suggested multi-layer ceiling. Calculations show the ceiling scheme reduces sound transmission from the shop to the flat above by 60dB(A), which achieves minimum airborne sound insulation value of 43dB(A) (D_{nTw} +C_{tr}).

In accordance with BS8233:2014 guidance; the predicted daytime internal noise level in the flat above the shop is 25dB(A**)** $L_{Aeq,16hr}$ and it is within the desirable category of 35dB(A) for living rooms and 30dB(A) for bedrooms.

2. Introduction

Environmental noise assessment was carried out at the premises at 153 Fortess Rd, London, NW5 2HR, on Tuesday 23rd July 2024. Environmental Noise Survey was undertaken in accordance with BS4142:2014+A1:2019. The site is located on a busy road with high background noise level.

3. Site Description

The site (153 Fortess Rd, London, NW5 2HR) is seeking planning permission for proposed extractor fan system that will be installed on the rear-brick-wall of the premises. The building has four floors. The premises is located in a mixed commercial and residential area, and it will be open for business between 07:00 and 23:00.

4. Environmental Noise Survey Methodology

Environmental noise survey was undertaken at the rear of the site to determine day noise levels in accordance with the methodology contained within BS4142:2014 +A1:2019. Noise survey at given time covers the most sensitive period of the time in which the noise units may be operational.

4.1. Sound source under investigation

During the measurements carried out at the site, the primary noise source identified was road traffic noise from Fortess Road. Secondary noise sources are mechanical noise from neighbour shops (151 Fortess Road). An extractor fan system with the attenuator for the kitchen of the premises will be installed on the rear wall of premises. The details of the extractor fan unit are as follow: **Helios GigaBox centrifugal fan 560mm (GBW 560/4)**. The details of the fan and attenuator are given in **Appendix B**.

Anti-vibration mounts will be used to provide isolation from vibration and noise via high resilience rubber. These isolation products provide high levels of reduction in vibration.

4.2. Measurement equipment

A description of the equipment used for the noise survey are given in the Table 1.

Table 1: Description of the equipment used for measurements

Equipment	Description	Quantity	Serial No
Norsonic SLM	Type 1 sound level meter, NOR140	1	1402815
Norsonic	½ inch microphone	1	1225
Norsonic	Preamplifier	1	1209
Norsonic Calibrator	Class 1 Calibrator (114 dB)	1	Nor-1251-32462

4.3.Parameters measured

BS4142:2014+A1:2019 gives a method for assessing the impact of specific sounds based upon the amount, in dB, that a specific sound level exceeds the background sound level, taking into account the context of the situation. The standard requires measurement of the **specific sound level**, in $L_{Aeq,T}$ over a period of 1 hour (daytime) and 15 minutes (night time), and the **background sound level**, L_{AF90}, when the specific sound is not in operation, the **residual sound level**, L_{Aeq}, when the specific sound is not in operation, and the background and residual sound should be measured at times which are **representative of and similar to** those at which the specific sound is in operation. Noise parameters were measured using a calibrated system over a period of the time that is representative of the worst-case condition. Ambient, background, and maximum noise levels were measured in 1/3 octave bands throughout the noise survey.

Weather conditions were noted to be 18 degrees Celsius with partly-cloudy skies at the beginning of the measurements with a light wind, which was less than 3 m/s, and 19 degrees Celsius at the end of the measurements with a cloudy sky and a wind, which was less than 4 m/s. These weather conditions were checked against and confirmed using the Meteorology Office mobile application available on smart phone technology.

The noise monitoring equipment was calibrated before and after the measurements. No significant drift was recorded during calibration as shown in Table 2.

Table 2: Calibration details

Measurement	Calibrator Ref Level (dB)	Level Before (dB)	Deviation Before (dB)	Level After (dB)	Deviation After (dB)
Day	114.0	114.1	0.10	114	0.00

4.4.Measurements

To undertake a BS4142:2014+A1:2019 assessment, it is necessary to measure the noise levels at the site to determine day noise levels. Day residual noise levels and background noise levels were measured at the rear of the site. The sound level meter was positioned at minimum 3.5 metres away from nearby walls/fences. The sound level meter was mounted onto a tripod at 1.4 metre above the rear terrace of the site as shown in **Appendix D**.

5. Noise survey results and observations

5.1 Results

A noise survey was carried out in the rear garden of the site. Detailed day noise level results are given below.

5.1.1 Day noise levels

Measured residual ($L_{Aeq,1h}$), and background ($L_{AF90,1h}$) levels are 51.9dB, and 49.2dB respectively. Highest L_{AMax}, was 76dB that was observed at 16:25 during measuring background noise levels. A comparison of L_{Aeq}, L_{AMax}, L_{A10} and L_{A90} results for day is given numerically in Table 3, and they are given graphically for day levels in Figure 1.

Table 3: Day Residual and Background Noise Levels measured at the rear of the site.

Recorded time	L_{Aeq}	L_{AFmax}	$L_{AF,10}$	$L_{AF,90}$
07:15	47.5	69.6	47.8	42.8
07:30	46	60.1	47.1	41.5
07:45	46.8	56.3	48.9	42.1
08:00	46.1	63.4	47.5	43.5
08:15	45.1	56.3	46.9	43.3
08:30	45.3	56.4	49.6	42.4
08:45	44.2	54.2	45.5	41.9
09:00	44.9	59.3	44.1	42.3
09:15	52.1	73.4	55	45
09:30	49.2	65.5	51.5	47.3
09:45	45	57.3	46.9	43.3
10:00	50	70.8	51.1	45.1
10:15	48.6	69.3	51.1	45.5
10:30	46.7	60.4	50.2	45.4
10:45	45.8	60.3	49.5	44.1
11:00	48.3	64.3	50.5	45.4
11:15	52.7	70.5	50.9	49.1

11:30	53.7	67.3	56.1	51
11:45	54.5	69.2	57	51.5
12:00	54.3	68.6	56.6	51.3
12:15	53	62.7	54.6	51.2
12:30	53.2	65.7	56	50.1
12:45	52.4	63.8	53.6	51
13:00	52	63.9	53	50.6
13:15	52.5	65.1	53.2	51.3
13:30	51.2	60.9	51.8	50.4
13:45	52.1	63.3	53.3	50.2
14:00	52.5	64.1	53.7	51
14:15	54.3	66	56.3	50.9
14:00	52	58.5	53.4	50.7
14:45	52	63	53.1	50.7
15:00	52.2	65.1	53.6	50.6
15:15	51.5	57.5	52.8	50.3
15:30	52.3	57.4	53.4	51.2
15:45	52.5	63.9	53	51
16:00	53.4	73.4	54.9	50.4
16:25	53.4	**76**	53.2	51.2
16:40	53	70	53.7	51
16:55	52.6	63.6	54.3	50.5
17:10	53.3	62.8	55	51.4
17:25	54.3	68.4	55.6	51.3
17:40	55.4	70.5	59	47.2
17:55	56.3	67.3	60.1	47.3
18:10	53.5	67	56.9	48.1
18:25	53.2	66.7	55	48.7
18:40	53.8	64.9	55.6	51.7
18:55	55.4	69.2	58.1	51.4
19:10	54.5	67.9	56	50.8
19:25	52.8	65.9	53.8	51.4
19:40	52.5	65.1	53.2	51.1
19:55	52.3	62.7	53.8	49.5
20:10	49	69.3	50.5	44.6
20:25	48.6	57.3	50	46.4
20:40	52.6	65	54	48.6
20:55	52.6	65.3	53.7	51
21:10	52.5	62.5	53.7	50.7
21:25	51.3	65.6	53.6	47.7
21:40	50.9	65.5	52.4	48
21:55	50.7	63.1	52	47.9
22:10	51.7	72.3	52.7	47.5
22:25	48.4	58.6	49.2	47.4
22:40	50.6	60.9	52.1	47.6
22:55	49.2	54.3	50.4	48
23:10	47.1	58.5	49.2	48.3
Average	**51.9**	**67**	**53.8**	**49.2**

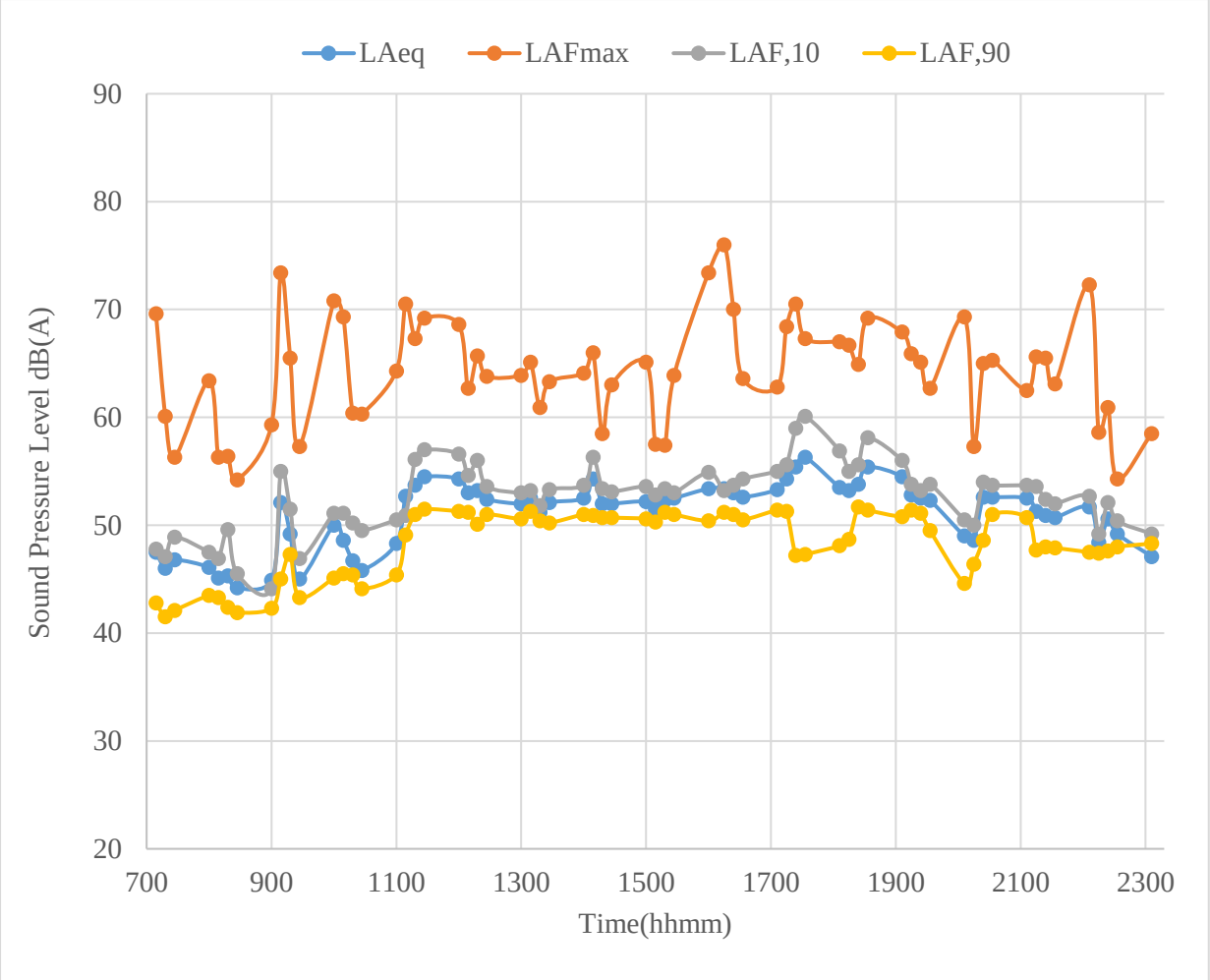


Figure 1: Day Sound Pressure Levels measured at the rear of the site.

5.1.1.1 Objective method to determine noticeable characteristics

Section B.2.1.1 of BS4142:2014+A1:2019 states "Establish whether standing waves/interference patterns are present by considering the nature of the source and the influence of any nearby sound reflecting surfaces. This can be carried out subjectively by listening in several places around the measurement location, or by measuring any change in sound pressure levels with a sound level meter at different locations in the immediate locality when traversing the measurement location".

Section 9.3 of BS 4142:2014+A1:2019 states that if the subjective method is not sufficient for assessing the audibility of tones in sound or the prominence of impulsive sounds, use the one-third octave method in 9.3.2.

Annex C of BS 4142:2014+A1:2019 states that the test for the presence of a prominent, discrete-frequency spectral component (tone) typically compares the $L_{Zeq,T}$ sound pressure level averaged over the time when the tone is present in a one-third-octave band with the time-average linear sound pressure levels in the adjacent one-third-octave bands. For a prominent, discrete tone to be identified as present, the time-averaged sound pressure level in the one-third-octave band of interest is required to exceed the time-averaged sound pressure levels of both adjacent one-third-octave bands by some constant level difference.

The level differences between adjacent one-third-octave bands that identify a tone is:

- ***15 dB in the low-frequency one-third-octave bands (25 Hz to 125 Hz);***
- ***8 dB in the middle-frequency one-third-octave bands (160 Hz to 400 Hz); and***
- ***5 dB in the high-frequency one-third-octave bands (500 Hz to 10 000 Hz).***

The proposed extractor fan system is a brand-new system. Therefore, no acoustic features (tonality, impulsivity, and intermittency) are expected from the new extractor fan system.

5.2 Observations

Attended environmental noise measurements were carried out at the site. Observations and detailed notes were made of the significant noise sources, which contribute to each of the measured levels.

Road traffic noise: Road traffic noise from Fortess Road was audible at the monitoring locations but it was not subjectively loud during the measurements.

People noise*:* The noise from people shopping and walking by was not audible at measurement location.

Site sound sources: The noise from sound sources of the site was not audible at measurement location.

Neighbourhood s*ound sources*: The noise from mechanical units of neighbour shops (extractor fan from 151 Fortess Road) was audible at measurement locations and it was subjectively loud during the measurements.

5.3 Uncertainty

The levels of uncertainty in the data and calculations are low given the robust measurements undertaken in noise monitoring and the confidence in the data statistical analysis.

6 Noise Impact Assessment

6.1 BS4142:2014+A1:2019

BS4142:2014+A1:2019 provides guidance on the assessment of the likelihood of complaints relating to noise from industrial sources. The key aspects of the BS4142:2014+A1:2019 are summarised below. The standard presents a method of assessing potential noise impact by comparing the noise level due to industrial sources (the Rating Level) with that of the existing background noise level at the nearest noise sensitive receiver in the absence of the source (the Background Sound Level). The Specific Noise Level - the noise level produced by the source in question at the assessment location - is determined and a correction applied for certain undesirable acoustic features such as tonality, impulsivity or intermittency. The corrected *Specific Noise Level* is referred to as the *Rating Level*.

The significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific sound source exceeds the background sound level and the context in which the sound occurs.

a) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.
b) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.
c) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact.
d) Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

BS4142:2014+A1:2019 criteria are given below.

Difference between the rating level and the background level	Assessment (All dependant on the context)
Around 10 dBA or more	*Indicates a significant adverse impact*
Around 5 dBA	*Indicates an adverse impact*
Below 5 dBA	*Lower the adverse impact*
Below 0 dBA	*Low adverse impact likely*

6.2 BS8233: 2014 Noise Assessment Criteria

For desirable internal and external noise levels to be maintained, given in BS8233:2014 as:

- 35dB $L_{Aeq,16hr}$ within living rooms (07:00 – 23:00).
- 30dB $L_{Aeq,8hr}$ within bedrooms (23:00 – 07:00).
- 45dB L_{Amax} should not be regularly exceeded within bedrooms (23:00 – 07:00).
- <55dB $L_{Aeq,16hr}$ within external amenity spaces.

6.3 Assessment

6.3.1 Day noise impact

Specific noise level from the proposed extractor fan that will be installed on the rear wall of the site is 44dB(A) as calculated in **Appendix B**. No tonality and impulsivity are expected from brand new extractor fan. The rating level $L_{Aeq\ Tr,1h}$ is equal to the specific noise level.

Day rating level $L_{Aeq\ Tr,1h}$ = 44 dB(A)

6.4 Distance attenuation

The noise sensitive receptors to noise sources were noted to be window of top floor of 153 Fortess Road (top floor flat above the site) and window of top floor bedroom of 155 Fortess Road (top floor flat above the site). The noise levels at window of the noise sensitive receptors can be predicted using outdoor sound propagation equation given below.

$$L_{\text{Aeq,Tr}} - L_{\text{Receptor}} = 20\log\left(\frac{r_2}{r_1}\right)$$

- Distance attenuation at 2 metres (window of top floor bedroom of 153 Fortess Road) from discharge of noise sources is 6 dB(A) using a 1 metre distance from the noise source.
- Distance attenuation at 3 metres (window of top floor bedroom of 155 Fortess Road) from discharge of noise sources is 9.54 dB(A) using a 1 metre measurement distance from the noise source.

6.5 Barrier attenuation

Screening of the noise units to prevent line of sight to the sound source would reduce noise levels at the receivers. *Theory of outdoor sound propagation suggest that if the line-of-sight is significantly cut by a barrier/wall then a 10 dB(A) reduction can be expected.*
If the line-of-sight is just cut by a barrier/wall, then a 5 dB(A) reduction might be expected.

6.6 Sound Insulation

6.6.1 Sound Insulation Assessment

The floor above the site is used for residential purpose. A visual inspection of the building and shop was conducted. Sound insulation performance of the proposed ceiling scheme is given in Appendix E.

The Approved Document E states that "**The scheme shall achieve a minimum airborne sound insulation value of 43 dB(A) (D_{nTw} + C_{tr} dB) for all floors. Following approval and implementation of the scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out as part of the approved scheme are effective and achieve the specified criteria. All works, which form part of the approved scheme, shall be completed before the use commences**". $D_{nT,w}$ is the standardised level difference measured on-site.

With the regard to noise emanating from the shop to noise sensitive flat above the site, BS 8233:2014 states "Airborne sound insulation is mainly considered for intermediate floors between spaces containing either noise sources or noise-sensitive occupants. For a ground floor where there is neither an appreciable noise source nor a noise-sensitive occupant below the floor, the floor is only of interest if it could contribute to flanking transmission".

It is predicted that the highest internal ambient noise level generated inside seating area of proposed shop will be 85dB(A) during busiest times of operation. This specific internal ambient noise level is considered for worst-case noise level in the shop.

The assessment based on the predictions, using the properties of proposed multi-layer ceiling as showing in Figure 2, has demonstrated that the sound insulation value of multi-layer ceiling scheme is significant. Proposed multi-layer ceiling scheme will reduce noise level by 60 dB(A) that is higher than required minimum sound insulation value of 43 dB(A) which is set by Approved Document E. This will contain noise from the private dining areas and non-dining areas within the premises. See the details of the prediction method given in Appendix E.

To control the transfer of noise from the shop to the flat above the site, a multi-layer ceiling build up shown in Figure 2 has been suggested. Existing air cavity, timber batten, and plasterboard should be covered using 30 mm acoustic dense plasterboard. Multi-layer ceiling should be finished with 20mm fire rated dense plasterboard separated from acoustic panel by 50mm air cavity as shown in Figure 2.

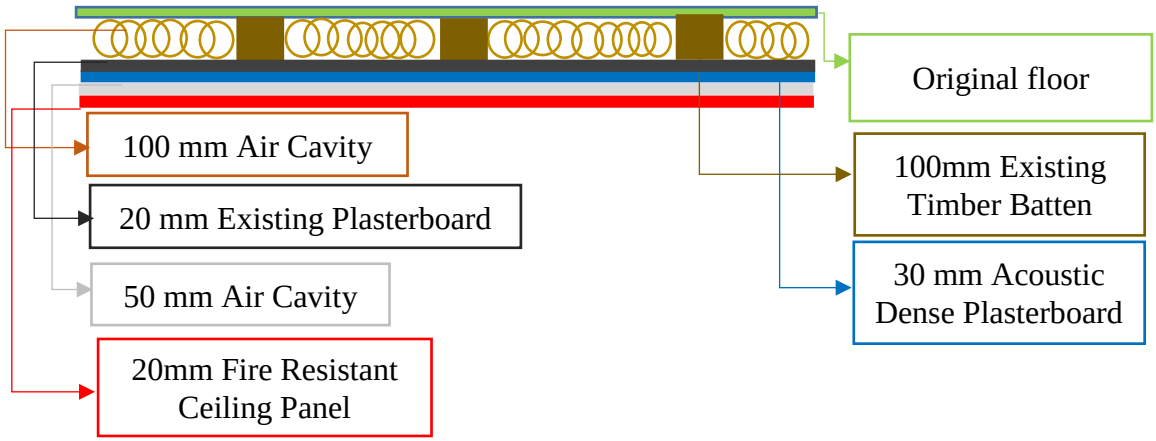


Figure 2: Suggested multi-layer ceiling scheme for additional sound insulation.

6.6.2 Sound Insulation Assessment Outcome

It is determined that by applying the mitigation as specified above for the building ground floor (shop) ceiling, the outcome summarised in the following Table 4 is achieved.

Table 4: Noise Assessment Outcome

Internal Space	Noise Parameter	Internal Noise Level	BS8233 Limit	Within Desirable Limit (BS8233)
Flat above the shop (Living Room)	Daytime $L_{Aeq,16hr}$ (dB)	25	35	**Yes**
Flat above the shop (Bedroom)	Daytime $L_{Aeq,16hr}$ (dB)	25	30	**Yes**

6.7 BS 4142:2014+A1:2019 Assessment for nearest noise sensitive receptors

6.7.1 153 Fortess Road (Top floor flat, bedroom)

The predicted Rating Level $\boldsymbol{L_{Aeq,Tr}}$at the receptor is 14.2 dB(A) below background noise level at the top-floor window level of noise sensitive receptor for day as calculated in table below. In accordance with BS4142:2014+A1:2019 guidance and criteria, ***the rating level does not exceed the background sound level. This is an indication of the specific sound source having a low adverse impact (low adverse impact likely)***.

BS4142:2014+A1:2019 Assessment- Daytime	**dB(A)**
Specific Sound Level	**44**
Characteristic penalty	0
Façade correction	-3
Distance attenuation at 2m	-6
Line-of-site cut (barrier attenuation)	0
Rating Level at receptor point	35
Daytime background level, L_{A90}	**49.2**
Difference between rating level and background level	**-14.2**

6.7.2 155 Fortess Road (Top floor flat, bedroom)

The predicted Rating Level $\boldsymbol{L_{Aeq,Tr}}$at the receptor is 17.74 dB(A) below background noise level at the top-floor window level of noise sensitive receptor for day as calculated in table below. In accordance with BS 4142:2014+A1:2019 guidance and criteria, ***the rating level does not exceed the background sound level. This is an indication of the specific sound source having a low adverse impact (low adverse impact likely)***.

BS4142:2014+A1:2019 Assessment- Daytime	**dB(A)**
Specific Sound Level	**44**
Characteristic penalty	0
Façade correction	-3
Distance attenuation at 3	-9.54
Line-of-site cut (barrier attenuation)	0
Rating Level at receptor point	31.46
Daytime background level, L_{A90}	**49.2**
Difference between rating level and background level	**-17.74**

6.7.3 External Noise levels (153 Fortess Road, first floor flat rear terrace)

BS8233:2014 provides a desirable guideline of 50dB $L_{Aeq,16hr}$ for external amenity spaces and an acceptable guideline of 55dB $L_{Aeq,16hr}$ for noisier environments. Nearest external amenity space is rear terrace of first floor of 153 Fortess Road, which is approximately 12 meters from the discharge of the extractor fan unit. The predicted daytime Rating Level $\boldsymbol{L_{Aeq,Tr}}$ at the external amenity space of 153 High Street, first floor flat is 19.4 dBA. Therefore, Rating Level $\boldsymbol{L_{Aeq,Tr}}$ at the external amenity space is in the desirable category of BS8233:2014.

BS8233:2014 Assessment- Daytime	dB(A)
Specific Sound Level	**44**
Characteristic penalty	0
Façade correction	-3
Distance attenuation at 12 metres	-21.6
Line-of-site cut by the wall (barrier attenuation)	0
Rating Level at receptor point	**19.4**

7. Vibration

In addition to the control of airborne noise transfer, it is important to consider the transfer of noise as vibration to adjacent properties as well as any sensitive areas of the same building. The proposed extractor fan at the site will be installed with proper vibration dampening connections and with rubber anti-vibration mounts with extractor fan mounting feet and flanges on the rear wall of the site. Vibration isolation products provide high levels of reduction in vibration.

8. Control of odour from commercial kitchen exhaust system

The café is proposing the installation of an extraction system and flue. Surrounding properties include residential and commercial properties. The kitchen extract flue discharges at a height of approximately 1.1 metre above the edge of the roof. The design given in Figure 3 currently show the flue terminating with extract duct curved at the outlet grill.

The first stage of odour control is to use an Electrostatic Precipitator model ESP 1500E unit for oil, grease and smoke removal. More detail for ECP could be found in **Appendix C**.

The second stage of odour control is to use Carbon Filters 605 x 750 x 1200 from Purified Air Ltd. Carbon filters use panels of activated carbon to remove the malodourous gases within the commercial kitchen extract duct through the process of chemical adsorption.

By installing ESP units before carbon filters, the carbon life span is greatly increased, allowing it to nullify malodours at optimum efficiency for much longer.

It is advised that a service maintenance contract should be taken out to enable engineers to carry out the necessary services. Internals of the maintenance depend on how aggressive the cooking is. We would probably advise every 12 weeks to start with, it could be increased or decreased depending on engineer's recommendation. In addition, we would advise the carbon filters could be replaced with a new filter every 26 weeks, based on engineer's recommendation.

The proposed kitchen ventilation system Helios GBW 560/4 fan through ductwork discharging vertically at least 1 metre above the edge of the roof that has ESP followed by carbon filtration will be able to control odour from commercial kitchen exhaust systems.

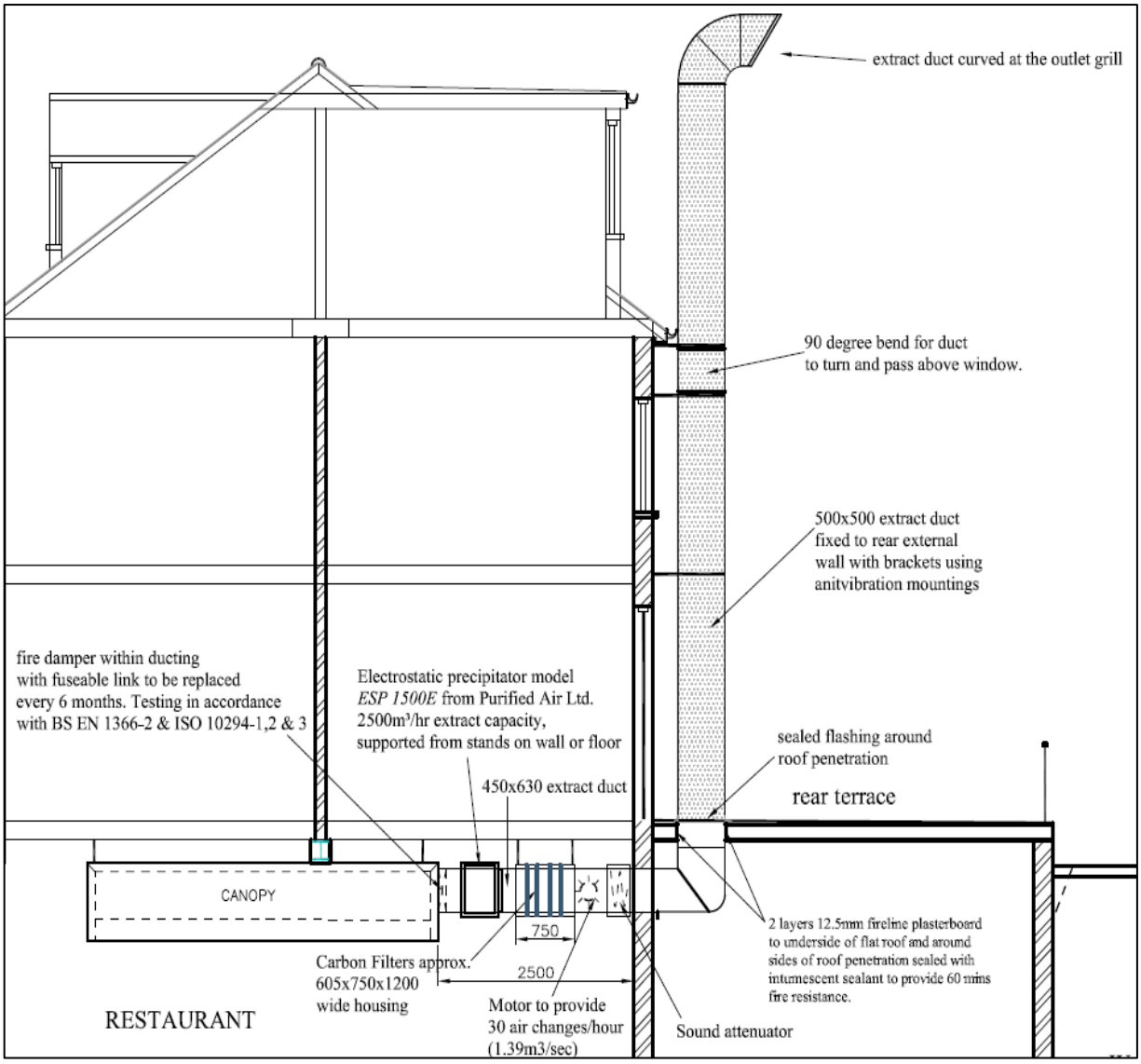


Figure 3: The design of proposed ventilation system for the kitchen.

9. Conclusion

An environmental noise survey was undertaken at the site in order to determine prevailing day noise levels that are representative of the nearest noise sensitive neighbouring residential receivers. A BS4142:2014+A1:2019 noise assessment was carried out at the site. All worst-case situations were considered for the assessment.

The summary of the difference between the Rating Level and Background Noise Level of noise sensitive receptors, and also external noise levels is given in table below.

Noise sensitive receptor	**Difference between The Rating Level and Background Level**
	Day
153 Fortess Road (Top floor bedroom)	– 14.2dB(A)
155 Fortess Road (Top floor bedroom)	– 17.74dB(A)
	External Noise levels
153 Fortess Road, First Floor, Rear Terrace	19.4dB(A)

In accordance with BS4142:2014+A1:2019 guidance, the day Rating Level at nearest noise sensitive receptors does not exceed the background sound level as shown in Table above. Therefore, the operation of the proposed extractor fan indicates the specific sound source having a low adverse impact during daytime.

The predicted daytime Rating Level $\boldsymbol{L_{Aeq,Tr}}$ at the external amenity space, rear terrace, of First Floor of 153 Fortess Road is 19.4 dB(A). The Rating Level $\boldsymbol{L_{Aeq,Tr}}$ 19.4 dB(A) at the external amenity space does not exceed 50 dB(A) $L_{Aeq,16hr}$ of desirable category of BS8233:2014.

It can be confirmed that the Rating Levels of the proposed extractor fan is expected to comply with BS4142:2014+A1:2019 guidance.

A rigorous calculation method that is given in BS8233: 2014 was applied to determine interior noise levels of the flat above the shop by using predicted internal noise level 85 dB(A) in the shop, measured environmental noise levels, and suggested multi-layer ceiling. Calculations show the ceiling scheme reduces sound transmission by 60 dB(A), which achieves minimum airborne sound insulation value of 43 dB(A) (D_{nTw} +C_{tr}).

In accordance with BS8233:2014 guidance; the predicted daytime internal noise level in the flat above the shop is 25 dB(A**)** $L_{Aeq,16hr}$ and it is within the desirable category of 35 dB(A) for living rooms and 30 dB(A) for bedrooms.

10. References

- BS4142:2014+A1:2019 “Methods for rating and assessing industrial and commercial sound”.
- BS8233:2014 “*Guidance on sound insulation and noise reduction for buildings*”.

11. Appendix A: Acoustic Terminology

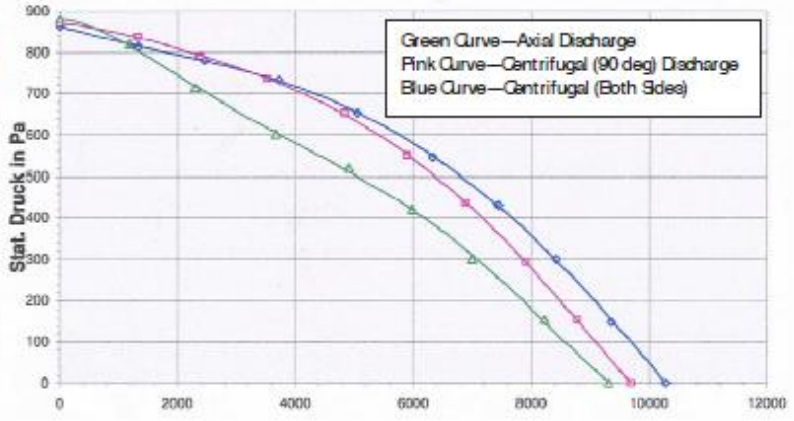
Parameter	**Description**
Decibel (dB)	A logarithmic scale representing the sound pressure or power level relative to the threshold of hearing ($20x10^{-6}$ Pascals).
Ambient noise level	The totally encompassing sound in a given $L_{Aeq,T}$ situation at a given time, usually composed of sound from many sources near and far.
Background noise level	The A-weighted sound pressure level of the $L_{A90,T}$ residual noise at the assessment position exceeded for 90% of a given time interval T, measured using the fast response and reported to the nearest whole dB.
Rating level $L_{Ar,T}$	The specific noise level plus any adjustment for the characteristic features of the noise.
Residual noise level	The ambient noise level at the assessment $L_{Aeq,T}$ position in the absence of the noise source under investigation.
Specific noise level	The equivalent continuous A-weighted noise $L_{Aeq,T}$ level produced by the source over a given reference time interval.
$L_{Aeq,T}$	The A-weighted equivalent continuous noise level over the time period T (typically T= 16 hours for daytime periods, T = 8 hours for night-time periods). This is the sound level that is equivalent to the average energy of noise recorded over a given period.
$L_{n,T}$	The noise level exceeded for n% of the time over a given period T. e.g., L90, the noise level exceeded for 90% of the time (background noise) level.
L_{Max}	The maximum noise level measured.

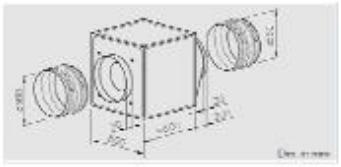
12. APPENDIX B: Details of extractor fan system, its sound power level and attenuator.

GigaBox centrifugal fan 560 mm ø

Helios

GBW 560/4





$\Delta p_{stat.}$ Pa

Frequency		Hz	Total	125	250	500	1k	2k	4k	8k
L_{WA}	Case breakout	dB(A)	64	64	64	48	50	46	43	37
L_{WA}	Intake	dB(A)	77	57	66	69	74	70	64	55
L_{WA}	Extract	dB(A)	81	62	74	75	75	74	70	61

Self supporting frame construction from aluminium hollow profiles. Double-walled side panels from galvanised sheet steel. Intake cone for ideal airflow, spigot and flexible connector for duct connection. With discharge adapter (square to circular) on the pressure side for low-loss discharge and flexible sleeve to reduce vibration transmission. Simple positioning by standard crane hooks. Installation must be carried out with condensation discharge showing downward. Flexible assembly by three possible centrifugal discharge directions via discharge adapter. Outdoor installation is possible using outdoor cover hood and external weather louvres (accessories).

Impeller:
Smooth running backward curved aluminium centrifugal impeller highly efficient and direct driven. Energy efficient with a low noise development. Dynamically balanced together with the motor to DIN ISO 1940 Pt.1 - class 6.3

Motor:
Maintenance free external rotor motor or IEC standard motor protected to IP44 and 54. With ball bearings and radio suppressed as standard.

Electrical Connection:
Standard terminal box (IP54) fitted on the motor support plate.

Motor Protection:
Motors have thermal contacts wired to the terminal block and must be connected to a motor protection unit.

Speed Control:
Speed controllable by voltage reduction using transformer controller.

Type	Ref. No.	R.P.M.	Sound Level	Motor power (nominal)	Current Full Load	Maximum air flow temp.	Nom. weight (net)	5 step trans. controller	
		min^{-1}	dB(A) at 1 m	kW	Amps	+°C	kg	Type	Ref.
GBW 560/4	5508	1370	44	2.0	8.7	60	90	TSW 10	1498

Volume Flow m3/s against static pressure

0	50	100	150	200	250	300	400	500	600	700	800
2.77	2.72	2.55	2.48	2.41	2.31	2.22	2.0	1.72	1.44	1.00	0.36

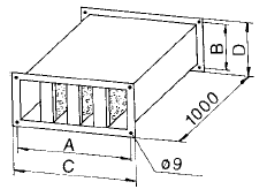
Type Ref.

Helios

Rectangular duct silencer KSD
Flexible cross talk silencer FSD

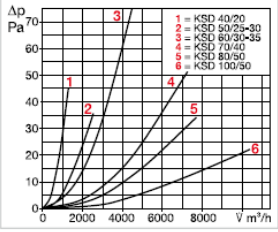
KSD

Dimensions KSD



Dim. in mm see table

Pressure loss KSD



Reference	Page
Selection - noise calculation	494

Rectangular duct silencer KSD

Design – Installation
Casing made of galvanised steel sheet, with connection flanges, dimensionally matched to the rectangular duct fans, for insertion on the inlet and outlet side of the rectangular duct system. The silencers upstream or downstream of the fan must be provided with a flexible connector (VS or VS Ex) to the further duct system to prevent structure-borne noise transmission.

Pressure loss
Rectangular duct silencers cause flow resistances (adjacent diagram) which must be taken into account for the design. These values apply for uniform flows. In case of non-uniform flows (e.g. for the outflow from rectangular duct fans), a straight duct piece at least 1 m in length must be used or allow for higher resistances.

Type	Ref. no.	Nom. duct size in cm	No. links	Dimensions in mm A	B	C	D	Weight approx. kg	Insertion loss D_e dB at Hz 125	250	500	1000	2000	4000	8000	Average loss
KSD 40/20	08728	40/20	3	420	220	443	240	13	8	11	23	31	31	26	18	17
KSD 50/25-30	08729	50/25-30	3	520	270/320	540	340	16.5	6	9	19	25	25	20	15	14
KSD 60/30-35	08730	60/30-35	4	620	320/370	640	390	20	7	10	21	28	28	23	16	12
KSD 70/40	08731	70/40	4	720	420	740	440	25	6	8	18	24	24	20	14	12
KSD 80/50	08732	80/50	5	820	520	840	540	31	7	9	19	26	26	21	15	14
KSD 100/50	08733	100/50	5	1020	520	1040	540	35	5	7	16	21	21	17	12	11

Sound pressure level of the fan extractor system at façade level.

$$L_P = L_W - 20\log(r) - 11 - L_{Attenuator}$$

Fan noise	**125**	**250**	**500**	**1000**	**2000**	**Overall (dB)**
Exhaust L_W dB(A)	62	74	75	75	74	
2x Attenuator dB(A)	14	20	42	56	56	
L_P dB(A) 1m from the façade using the equation given above	37	43	22	8	7	**44**

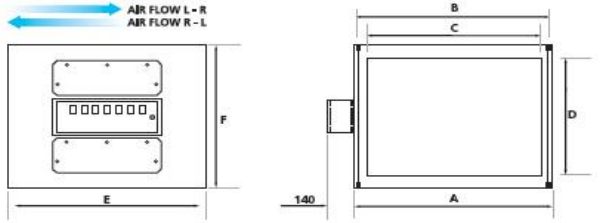
Appendix 2

13. APPENDIX C – Electrostatic Precipitation (ESP) Filter Unit & UV-C Odour Control Technology

Technical Specifications

Six ESP and Three UV-C modules installed as an integrated system.

The Purified Air system modular is designed to be able to incorporate up to three racks of six lamps. The unit can be stacked as with our ESP range to accommodate higher airflows.



UVC 3000				UVC 4500			
A - Width	950mm	D - Height	530mm	A - Width	1400mm	D - Height	530mm
B - Width	900mm	E - Depth	810mm	B - Width	1350mm	E - Depth	660mm
C - Width	800mm	F - Height	630mm	C - Width	1250mm	F - Height	630mm

Electrical Supply	220/240v 50Hz 1ph	Weight Per Rack	16 Kg.
Power Consumption	500w (Per rack of Six lamps)	Min/Max Working Temperature	4/56°C
Weight Unit	105 Kg.	Maximum Relative Humidity	75%

The design of cooking exhaust control systems varies. Different types of cooking and location have separate requirements and may require additional equipment. The equipment in this brochure is designed to be used in conjunction with other items of our manufacture. Purified Air Limited offer a free consultation service and will assist you with design, please discuss your project with us before selecting equipment.

Installation of grease smoke and odour equipment must be made on the negative side of the fan and the systems must be switched via an interlock to ensure they are only operational when the extract fan is operational. If there is ductwork inside the premises on the positive side of the fan please ensure that it is completely sealed so as not to let fumes or odour control compounds back into the premises. In certain instances some equipment can be installed on the positive side of the fan but please discuss this with our technical department and ask them to provide a design statement to confirm that it can be done.

purified air®
providing a better environment

Purified Air Limited, Lyon House,
Lyon Road, Romford, Essex RM1 2BG England
Tel: (01708) 755414 Fax: (01708) 721488
Email: enq@purifiedair.co.uk
www.purifiedair.co.uk

JULY 2009

UV-C Odour Control Technology

purified air®
providing a better environment

Appendix 2

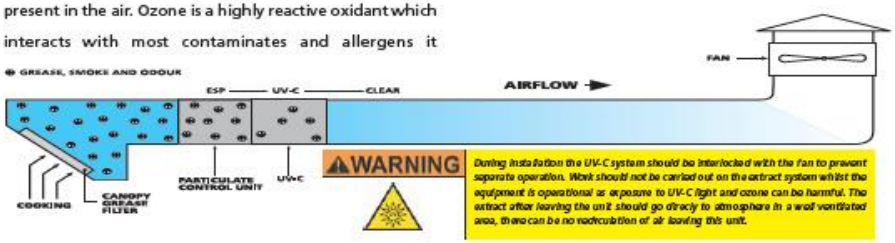
Purified Air Systems...

...market leaders in odour control for the food service industry

The emission of cooking odours from commercial kitchens is becoming an increasingly important environmental issue, as well as having a significant influence on the granting of planning permission for new restaurants. UVC Technology from Purified Air uses UV-C (ultra-violet light) to eliminate cooking odours and alter the make up of grease to a better-managed compound.

How UV-C Technology Works

UV-C technology is based on the synergy, which occurs when ozone and ultra-violet light are combined and the Purified Air modular system features six to eighteen high output UV-C lamps. These lamps act to oxidise odours and grease permanently destroying and altering the compounds. Some of the lamps are designed to produce UV light at 185nm, which converts ozone from the oxygen present in the air. Ozone is a highly reactive oxidant which interacts with most contaminates and allergens it encounters rendering them harmless, and at the same time removes odours. The remaining lamps in the system combine to produce UV light at 254nm, the most efficient UV-C wave length, which converts the ozone to hydroxyl free radicals. Purified Air's UV-C odour control system also features a photo catalytic liner, which enhances the production of hydroxyl free radicals. Free radicals are natural air cleansing agents and are strong oxidants. They are significantly more powerful than plain ozone.



Safety

Band C ultra-violet light is the most powerful of the three bands, so to ensure the safety of customer's employees the UV-C technology is secured behind locked panels. The system has also been engineered to shut down automatically when the panel is unlocked. However, since the lamps typically have a life of twelve months and with the system able to operate even if one lamp fails at optimum efficiency it is unlikely that, apart from routine servicing by experienced engineers, the system will ever need to be opened. As an option Purified Air's UV-C system can also be fitted with a self-diagnostic module, which constantly monitors the unit to ensure no installation or component failure

Electrostatic Precipitator (ESP)

UV-C technology cannot remove smoke, for instance where there is a lot of smoke produced due to the cooking style, for example char-grilling. Then Purified Air recommends that the UV-C system be used in conjunction with a filtration system such as their Electrostatic Precipitator (ESP).

Purified Air's highly efficient ESP range cleans the kitchen extract emissions of both smoke and grease and can remove particulate down to sub-micron (0.01 micro) size. Filter efficiency of 98% is attained during a single pass through the ESP, based on the charging of particles. These particles are then trapped on the earthed plates in the collector cell with larger particulate in the air stream removed by the pre-filter. Lastly the air stream passes through an after-filter to prevent re-entrainment and provide good air distribution.

Main Features

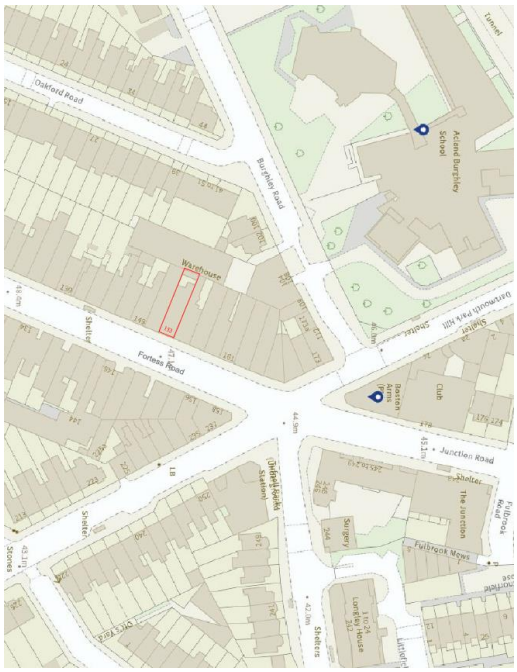
- **High efficiency UV-C technology**
- ***Cooking odour's reduced by up to 95%**
- **Grease altered to better managed compound**
- **Robust, compact construction**
- **Twelve month lamp life**
- **Minimum maintenance**
- **High security - UV-C lamps locked behind panels**
- **Optional self-diagnostic system**

This unit's tried and tested UV-C technology allows for the siting of commercial kitchens in locations such as residential areas and shopping centres, where previously planning permission would not have been granted.

After extensive research and development Purified Air devised the best combination of lamps at different wave lengths, which when combined with the photo catalytic liner provides the most effective odour control.

*Odour reduction is dependant on type and volume of cooking

14. Appendix D: Measurement set-up and images of equipment used for environmental noise survey

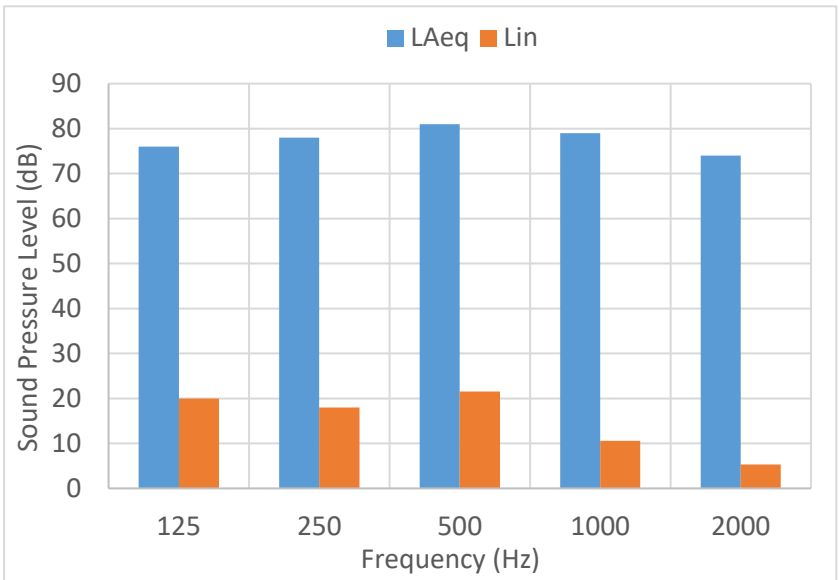


15. APPENDIX E - BS8233:2014 Specification Calculations / Construction Details

BS8233: 2014 Specification Calculation Summary;

Flat above the proposed shop, FLOOR/CEILING

		Sound Insulation Properties					
Room Width (m)	5.4	Frequency, Hz	125	250	500	1k	2k
Room Depth (m)	13	Wall, Rw,Ctr (dB)	48	53	53	62	62
Room Height (m)	2.8	Shop Ceiling , Rw,Ctr (dB)	48	53	53	62	62
Glazed Area (m2)	4.5	Glazing, Rw,Ctr (dB)	27	29	36	41	52
Is dwelling on top floor?	Yes	Vents, Dnew,Ctr (dB)	42	43	43	49	64



External Level (Inside flat above the shop)	25 dB L_{Aeq}
Internal Level (shop)	85 dB L_{Aeq}
Insertion Loss	60 dB L_{Aeq}

Sound Insulation Requirement

Minimum Sound Insulation Requirement Approved Document E			Suitable Systems
Ceiling/Floor	**43**	dB (D_{nTw} + C_{tr})	Original floor of the flat, 100 mm Mineral Wool Quilt, 30mm Acoustic Dense Plasterboard, 50mm Air Cavity, 20mm Fire Resistant Floating Panel.

	Transmission coefficients				
Frequency, Hz	**125**	**250**	**500**	**1k**	**2k**
Vents	0	0	0	0	0
Glazing	0	0	0	0	0
Wall	0	0	0	0	0
Ceiling (Shop)	1.58489E-05	5.01E-06	5.01E-06	6.31E-07	6.31E-07
Internal/Shop, L_{Aeq} (dB) A	76	78	81	79	74
External (inside flat), L_{Aeq} (dB)A,	20	18	21.5	10.5	5

Calculations are conducted in accordance with BS8233: 2014 rigorous calculation method:

$$L_{eq,2}=L_{eq,ff}+10\log\left(\frac{A_0}{S}10^{\frac{-D}{10}}+\frac{S_{wi}}{S}10^{\frac{-R_{wi}}{10}}+\frac{S_{ew}}{S}10^{\frac{-R_{ew}}{10}}+\frac{S_{rr}}{S}10^{\frac{-R_{rr}}{10}}\right)+10\log\left(\frac{S}{A}\right)+3$$

Camden

Contact Camden

Representation for application reference no. APP\PREMISES-NEW\122484

Representation	
Premises name	Haylaz Brasseria
Application reference number	APP\PREMISES-NEW\122484
Last date for representation	14/08/2024

Making a representation as As an individual

Your details

First name Monika

Last name Szczygiel

Telephone number (optional)

Email address [redacted]

Address
Flat 2
153 Fortess Road
London
NW5 2HR

Remain anonymous No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

As a long time resident of number 153 (over 10 years) I request denial of granting premises licence to the establishment called "Haylaz Brasseria". The place is currently a cafe called "Little Bear", it's been a child friendly place for many years and they still have children there often. There was no notice that they're planning to

replace the cafe with a place that serves alcohol other than the request for premises licence, hidden between other pieces of paper stuck to their front window. The house faces the street directly with narrow pavement in front of it which is right under our (residents of the house) windows. The front door of the cafe is less than 2 metres away from our front door. The pavement is narrow, less than 3 m wide and made narrower by a street light in front of the door to the cafe. Alcohol licence will mean people going outside to smoke and drink and spreading to the sides due to limited amount of space, and I do not appreciate having to come home through a crowd of drunken people blocking our front door and clouds of smoke floating upstairs through the hallway. As a single woman I would fear for my safety every time I come home in the evening - there is already a place with late night licence on the other side of the street (called Aces & Eights) and it's been a nuisance for years, with multiple incidents involving police and their customers harassing local residents, including my upstairs neighbour a few months ago: she's a student and was coming home in the evening and was opening the front door when some drunken guy tried to follow her inside the house by force. Having drunken people right on our doorstep will not make it any better. Most of the residents of the house are female (4 out of 5 persons living here) so this would affect the whole house. The house is located very close to the junction and tube station (only a few houses away) so crowd and disruptive behaviour would affect a lot of people walking home in

the evening to houses further down the street. It's also just around the corner from Acland Burghley school and we have lots of school children in the street during the day. The current owners are not considerate of their neighbours - which is already a problem because they put tables outside and their customers loiter in front of our door or leave buggies/bicycles/scooters outside which resulted in me getting hurt on more than one occasion when leaving the house. When I complained to the owner about this, he got very aggressive and attacked me claiming he can do whatever he wants. This makes me feel they would not be considerate in the future either. The establishment also has a partially covered back garden (only partially covered without any soundproofing, and part of it is completely open) which I'm quite sure they'll want to use to host parties and make a lot of noise as they have no regard for neighbours. This is especially frustrating for my downstairs neighbours who have their bedroom overlooking that back garden so the noise would make it hard for them to sleep but affects me too as I have a window directly above - the coverings used on part of the back garden are transparent so there will be a lot of light pollution in the evenings. One thing that doesn't concern me personally but I am aware of from conversations with my first floor neighbours is that the ceiling of the ground floor premises is not soundproofed so they can hear all loud noise from there in their whole flat and if the "brasseria" stays open until 23:00 they will not have any place to get any rest in the evenings. As far as I know

owners of the previously located here establishment called "Bear + Wolf" once applied for a licence and were denied. I would like you to take the reasons why their request was rejected into account when you consider licensing this place.

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444

Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

From: Paru Bhudia
To: Samina Khan
Subject: FW: License application 153 Fortess Road
Date: 16 August 2024 08:56:04

FYA

-----Original Message-----
From: Zoe Waterman [redacted]
Sent: Tuesday, August 13, 2024 11:01 PM
To: Licensing Representation <licensing.representations@camden.gov.uk>
Subject: License application 153 Fortess Road

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Hello,

I am writing to state my opposition to the premises license application for 153 Fortess Road. This will have a big impact on noise pollution - the sound proofing is terrible and every time they have music on it has a big impact on surrounding residents. Previous tenants of the cafe were responsive to requests to turn music down etc but current cafe owner is very uncooperative and it's suspected he will run his bar with similar lack of consideration.

He also lets his customers queue over the whole pavement and one can only imagine that he will do similar with his patrons outside drinking and smoking until 11:00pm.

We don't have many businesses that are serving alcohol open to this time under residences, for good reason. Both the drunk people they'll attract and the noise will cause disruption. The cafe is a child friendly cafe and play area - why do they need a license till all hours? noise in the back garden on a nice day when it is in use is absolutely overwhelming and ruins use of properties nearby, and this would be extended into the evening making it impossible to sleep or enjoy our flats. We have plenty of pubs nearby for those that need them, and you can see that everyone hangs around outside them we don't want this outside our front doors. Not only that but it's a safety issue and the police have been called numerous times to drunk men misbehaving and terrifying female residents, we don't need to bring them closer. Would like to strongly oppose this application.

Very best.

From: Paru Bhudia
To: Samina Khan
Subject: FW: License Application 153 Fortess Road
Date: 16 August 2024 08:56:13

FYA

Paru Bhudia
Licensing Officer

Telephone: [redacted]

From: Johnny White [redacted]
Sent: Tuesday, August 13, 2024 11:07 PM
To: Licensing Representation <licensing.representations@camden.gov.uk>
Subject: License Application 153 Fortess Road

Hello, we live above 153 Fortess road

Our floors are thin. We can routinely hear people downstairs in the cafe, and the music that's played through the speaker system. The previous cafe owners (bear and wolf) would be receptive to calls for the music to be turned down. I have no such faith that the present owners would be, and also the fact that the noise from downstairs has only thus far been audible between 8 -5 has meant that it has been more or less manageable. However if we're talking about people drinking down there until 11pm, the idea that this won't be a deep disturbance to our established way of life, is quite absurd. Also the garden outside the back of the building is mere feet from our bedroom, which overlooks it. If people are out there till the late hours this will be a marked change from the level of comfort we have been experiencing. Not only from the noise - you can hear essentially everything that happens in the garden, and more so if people will be socialising and drinking in a more adult, evening capacity - but also from the electric light that will have to be on down there.
It's always been a quiet, peaceful place to live - this is not a case of moving somewhere next to an established nightspot and deciding to take umbrage with it. Put simply, this is like somebody opening a pub in the room underneath your bedroom that spills out into your back garden. This will seriously impact our quality of life and I think this is not something that should be allowed to happen.

Best Wishes,

Johnny

Officers summary of conditions consistent with the operating schedule

1. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public

2. a) cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
   b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
   c) All staff who may work front of house shall be trained to operate the cctv system and download images.
   d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public.

3. Challenge 25 shall be operated as the proof of age policy.

4. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.

5. An incident book shall be kept at the premises, and made available to the police or authorized council officers, which will record the following:

   A) All crimes reported, B) Lost property, C) All ejections of customers, D) Any complaints received, E) Any incidents of disorder, F) Any seizure of drugs or offensive weapons, G) Any faults in the cctv, H) Any refusal in the sale of alcohol. I) Any visit by a relevant authority or emergency service

6. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers: A) That cctv & challenge 25 are in operation; B) Advising customers of the provisions of the licensing act regarding underage & proxy sales; C) Of the permitted hours for licensable activities & the opening times of the premises; D) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

7. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

8. The front of the premises shall be kept tidy at all times and be swept at close.

9. Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)

10. No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.

11. An incident book shall be kept at the premises and made available to the police or authorised council.

12. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

13. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.

14. All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorized council officers on request –see section b condition 5 for full details.

15. Relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details.

16. All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.

17. All alcohol shall be ancillary to the operation of the premises as a Restaurant. Alcohol may only be supplied with a substantial food order.

18. All alcohol will be displayed and kept and will be sold from behind the counter and to be dispensed by a member of staff only

19. The delivery of alcohol to be made only to a residential or business address, where it is clearly evident that the customer is a resident or occupies the business.

20. The delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc.

21. Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years

22. ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure

23. All serving and delivery staff shall receive regular training, a minimum of twice a year on the prevention of underage sales and on Challenge 25 scheme.

24. Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals.

25. Should the premises remain open for non-licensable activities customer shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.

Section 1: Background comments of the Borough Solicitor

1.1 The purpose of Camden's Statement of Licensing Policy is to make it clear to applicants that wider considerations will be taken into account when determining applications. It is intended to guide the Licensing Panel when considering licence applications. However, the Licensing Panel must always consider each application on its own merits and allow exceptions to the normal policy where the circumstances of the application justify allowing an exception. The burden is on the applicant to show that they comply with the policy.

1.2 Members should only address those matters that have formed the subject matter of relevant representations. Matters that arise that are not the subject of relevant representations fall outside the function that the Panel is exercising when it holds a hearing

1.3 Members must determine, having regard for the evidence, whether granting the application for a premises licence will impact adversely on the policy criteria listed in paragraph 3 of this report.

1.4 In accordance with the provisions of Part 1 of Schedule 5 of the Act, where a Licensing Authority rejects in whole or in part, an application for a new premises licence, the applicant may appeal against the decision, to a magistrate's court within 21 days of being notified of the decision.

1.5 Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted, or that different or additional conditions should have been imposed on the licence, he may appeal against the decision to a magistrate's court within 21 days of being notified of the decision.

1.6 **The Human Rights Act 1998** incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently, Members of the Panel must be aware of the rights contained in the Convention (particularly those set out below) when making licensing decisions.

(a) **Article 6: Right to a fair trial**
In the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(b) **Article 8: Right to respect for private and family life**
Everyone has a right to respect for his or her private life, his home and correspondence.

(c) **Article 1 of the First Protocol: Protection of property**
Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including a licence. No one shall be deprived of his possession except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

(d) **Article 10: Freedom of Expression**
Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

The exercise of these freedoms since it carries with it duties and responsibilities may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

(e) **Article 14: Prohibition of discrimination**
The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

1.7 When formulating policy local authorities must have regard to the **Equality Act 2010**. The Act provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including licensing powers. Members of the panel must be mindful of this duty when determining all licensing applications.

The section 149 Public Sector Equality Duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and
(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

1.8 In determining any application, the Council must comply with the public sector equality duty in s.149 of the 2010 Act. This is a duty to have regard to the need to achieve the statutory goals of s.149, rather than to achieve a particular result. The s149 duty sits alongside and does not override statutory requirements in relation to determining licensing applications, including the duty to consider all evidence on its merits and the legislative criteria listed at paragraphs 3 & 4.

1.9 When members have before them representations or other material on issues relevant to s149, even outside the scope of “standard” licensing considerations such material must still be specifically assessed in the context of s149. However, because s149 creates a requirement to “have regard” the fact a matter raised is relevant to s149 will not automatically translate into a reason for refusing an application that would be sustainable in any subsequent appeal, given the legal requirement to determine applications in compliance with licensing legislation.

Section 2: Financial Comments

2.1 Following consideration there are no financial implications concerning this application. The Executive Director Corporate Services has been consulted in the preparation of this report and has no further comments to add.