

Application ref: 2022/4942/P  
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Date: 28 March 2023

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

Phone: 020 7974 4444

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nineteen47  
Unit B  
Ryedale House  
58 - 60 Piccadilly  
York  
YO1 9NX

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**34-38  
Eversholt Street  
London  
Camden  
NW1 1DA**

Proposal:

Change of use of the existing nightclub at ground and basement levels to provide a public house (Sui Generis) to include the replacement of the existing shopfront and signage, the installation of plant equipment, and the provision of an external customer seating area.

Drawing Nos: Location Plan & Site Plan, prepared by DV Architects, dwg. no. 300, rev C, dated 21.10.22; Basement Floor: Existing Floor Plan, prepared by DV Architects, dwg. no. 100, rev A, dated 24.03.2022; Ground Floor: Existing Floor Plan, prepared by DV Architects, rev A, dated 24.03.2022; Existing Elevations, prepared by DV Architects, dwg. no. 102, rev A, dated 22.09.2022; Basement Floor: Proposed Floor Plan, prepared by DV Architects, dwg. no. 200, rev J, dated 24.03.2022; Ground Floor: Proposed Floor Plan, prepared by DV Architects, dwg. no. 201, rev L, dated 24.03.2022; Proposed Section A-A, prepared by DV Architects, dwg. no. 203, rev B, dated 13.10.2022; Proposed Elevations, prepared by DV Architects, dwg. no. 202, rev E, dated 26.09.2022; Ground Floor: Planter Detail, prepared by DV Architects, dwg. no. 500, dated 05.01.2023; Option 2 Non Fried Kitchen Mechanical Layout Plan, prepared by APL Mechanical Services dwg. no. 7618-01, rev A, dated 28-10-22; Mechanical Elevation, dwg. no. 7618-01, rev A, prepared by APL Mechanical Services; Energy &

Sustainability Statement, prepared by The PES, dated 8 November 2022, Built Heritage Statement, prepared by Wessex Archaeology, dated October 2022; Premises Management Plan 34-38 Eversholt Street, London, prepared by JD Wetherspoon plc, dated March 2023.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans Location Plan & Site Plan, prepared by DV Architects, dwg. no. 300, rev C, dated 21.10.22; Basement Floor: Existing Floor Plan, prepared by DV Architects, dwg. no. 100, rev A, dated 24.03.2022; Ground Floor: Existing Floor Plan, prepared by DV Architects, rev A, dated 24.03.2022; Existing Elevations, prepared by DV Architects, dwg. no. 102, rev A, dated 22.09.2022; Basement Floor: Proposed Floor Plan, prepared by DV Architects, dwg. no. 200, rev J, dated 24.03.2022; Ground Floor: Proposed Floor Plan, prepared by DV Architects, dwg. no. 201, rev L, dated 24.03.2022; Proposed Section A-A, prepared by DV Architects, dwg. no. 203, rev B, dated 13.10.2022; Proposed Elevations, prepared by DV Architects, dwg. no. 202, rev E, dated 26.09.2022; Ground Floor: Planter Detail, prepared by DV Architects, dwg. no. 500, dated 05.01.2023; Option 2 Non Fried Kitchen Mechanical Layout Plan, prepared by APL Mechanical Services dwg. no. 7618-01, rev A, dated 28-10-22; Mechanical Elevation, dwg. no. 7618-01, rev A, prepared by APL Mechanical Services; Energy & Sustainability Statement, prepared by The PES, dated 8 November 2022, Built Heritage Statement, prepared by Wessex Archaeology, dated October 2022; Premises Management Plan 34-38 Eversholt Street, London, prepared by JD Wetherspoon plc, dated March 2023.

Reason:

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

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

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

- 4 Before the use commences, details of secure and covered cycle storage area for 4 long-stay cycle spaces shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its

entirety prior to the first opening of the public house, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 5 The use of the outdoor front area on Eversholt Street and Doris Way hereby permitted, shall not be open to members of the public other than within the following times:

07:00 Hours to 22:00 Hours - Monday to Sunday

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 All tables and chairs and other non-permanently fixed outdoor paraphernalia, shall be removed from the outdoor front area by 22:30 hours, and shall not be reinstated before 07:00 hours each day.

Reason: To safeguard the amenity of the adjoining premises and the area generally and minimise transport impact of the development in accordance with policies A1, A4 and T1 of the London Borough of Camden Local Plan 2017.

- 7 Deliveries of goods and collections of waste and recycling, shall not occur between the hours of 22:00 hours and 06:00 hours Monday - Sunday.

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, DM1, TC2, TC4 of the London Borough of Camden Local Plan 2017.

- 9 The consented public house shall be operated in accordance with the approved Premises Management Plan (PMP) referenced in condition 2.

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no boundary enclosures or fencing, other than the two planter boxes authorised by this permission, shall be constructed on the site, unless approved in writing by the local planning

authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies G1, D1 and A1 of London Borough of Camden Local Plan 2017.

- 11 Prior to commencement of the development, the applicant will have constructed and implemented all the measures contained in the Energy & Sustainability Statement, prepared by The PES, dated 8 November 2022, and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to commencement of the development, full details of the planting to be planted within the planter boxes to be installed on Eversholt Street, shall be submitted to and approved in writing by the local planning authority. The details shall include:
- i. a detailed scheme of maintenance
  - ii. full details of planting species and density

The planting shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, and D1 of the London Borough of Camden Local Plan 2017.

- 13 Prior to commencement of use, a cycle ramp shall be installed on the external steps serving as ingress/egress for cyclists between ground level and the basement floor.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 14 The external noise level emitted from plant, machinery or equipment at the development with any specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 'Methods for rating and assessing industrial and commercial sound' at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 15 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators, and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 The proposal is for a public house within an existing commercial premises, with an established use as a nightclub, operating at ground level and basement levels. The proposal involves extensive internal and external works as part of the conversion of the unit to a public house, notably the existing internal layout will be reconfigured to accommodate main bar area at ground level, and back-of-house, service areas and other ancillary uses at the basement level. At ground level at the exterior of the locally listed building, the existing commercial frontage features and finishes would be removed, and replaced with a new entranceway, flanking large bi-folding windows including a new window on the side elevation, with the remainder of the façade finished with traditional tiling and featuring shop frontage pilasters, supporting a timber fascia above. Fascia signage and a projecting, vertical oriented sign will be installed. The installation of replacement plant equipment will also take place at basement level. The public house would have an external seating area located at ground floor level at the front of the building on Eversholt Street. Retractable awnings are proposed to serve the external seating area. The public house is to be operated as a JD Wetherspoon's establishment, with the hours of 06:30 - 00:00 Monday to Thursdays, 06:30 - 01:00 Fridays and Saturdays, 07:30 - 23:00 Sundays.

With regard to the principal of use of the existing unit as a public house, the location of the site as a public house is considered appropriate, due to its positioning within a Town Centre, and amenity effects arising from the public house being more easily absorbed within a busy, mixed-use area. Through the removal of the defensive, visually unappealing façade elements, notably the large roller doors and replacement with windows, a large entrance door and

outdoor seating, the proposal will activate the corner of the intersection and improve streetscape outcomes. Similarly, in contrast to the established nightclub, operating as a strip club, which is understood to principally operate during night-time hours only and caters to a more select clientele; the establishment of the public house, will add to the mix of amenities available in the local area, represent a more effective use of the prominent site adjacent to Euston Station, being a more inclusive use catering to a broader spectrum of the community and operating at daytime as well as night-time hours, encouraging visitors to the local area throughout the day and into the evening.

As discussed, the proposed works will remove existing unsympathetic alterations and finishes to the principal elevation and reinstate traditional aspects of the locally listed building previously lost. The proposed internal changes will not affect the significance of the locally listed building. The projecting sign will be commensurate with the scale of the building's façade, is an established feature, and would be seen in conjunction with a number of similar projecting signs, albeit generally of a smaller scale, already existing in the locality. The retention and reuse of the existing projecting sign will assist in giving visibility to the public house from Euston Station. Overall, the new façade treatments will improve the appearance of the building as well as the historic streetscape along Eversholt Street and Doric Way.

The proposed use of the property as a public house will have a limited impact on neighbourhood amenity, particularly when considered in the context of the site's existing established use as a nightclub/strip club. The applicant's Noise Impact Assessment indicate that at the residential windows overlooking Eversholt Street, directly above the seating area, patron noise levels will be comfortably lower than the existing ambient noise levels. At other windows, overlooking Doric Way and to the rear of the site, patron noise levels would be well below accepted criterion.

The report also confirms noise from the mechanical plant, with the specified mitigation in place, would be at least 10dB below the background sound levels during kitchen trading hours, late trading hours, and overnight. As traffic movements are expected to be generally similar to the number which service the established nightclub use, noise from traffic movements is not considered to be materially different compared to the existing situation. Council's Environmental Health Officer has reviewed the submitted Noise Assessment Report, and considers the proposal to be acceptable, subject to the implementation of appropriate conditions of consent intended to control and limit operational noise. These conditions have been agreed to by the applicant.

Taking into account the findings of the report and considering the existing established use of the site, which results in a number of comings and goings from the site, in particular at night-time hours, the noise impacts are considered acceptable.

The applicant has prepared a Premises Management Plan (PMP), which outlines measures operational measures which the public house is to operate in accordance with, specifically relating to the management of customers, management of external areas, smoking arrangements, arrangements to prevent queuing on the street, taxi protocol, deliveries and

collections, liaison with neighbours, handling of complaints, and safety and security. Implementation of the PMP will minimise and mitigate neighbourhood and streetscape amenity impacts arising from the operation of the public house. In summary, the PMP will be an appropriate tool for effectively managing, and consequently minimising and mitigating, the external amenity effects associated with the ongoing operations of the public house.

With regard to transportation effects, the site is located within a highly accessible location with access to a number of sustainable modes of transport. The number of vehicles associated with servicing (an average of two heavy goods vehicles per day) will be similar to the existing use of the site as nightclub. The proposed 4 x staff cycle spaces to be provided in the basement, will be secure and conveniently accessible, and meet London Plan bicycle parking standards. Despite no facilities for visitor cycle parking being provided on-site, it is expected the majority of customers will visit the site either by walking or using public transport. Furthermore, publicly accessible Sheffield stands are provided on Eversholt Street in the vicinity of the site and 37 x Transport for London Santander docking stations are situated opposite to the site on Doris Way, therefore a range of cycle facilities are already available in proximity to the site. The shortfall in visitor cycle facilities is therefore considered acceptable.

The submitted Energy & Sustainability Statement demonstrates how the proposed development has been designed to achieve the highest of environmental performance standards. The Statement confirms the development achieves an overall improvement in regulated emissions of and a reduction in overall emissions when taking into account unregulated energy use, through the adoption of high standards of insulation, super-efficient variable refrigerant flow heating/cooling, domestic hot water generated by heat pump technology and localised ventilation systems. The proposal will also help to improve local air quality, through the replacement of the former high-level kitchen extraction with a new bespoke system.

Two letters of support have been received prior to making this decision. One objection, highlighting particular aspects of the application relating to noise, including the assertions made and data presented in the applicant's Noise Impact Assessment, has been received.

- 3 As discussed above, Council's Environmental Health Officer has reviewed the applicant's Noise Impact Assessment report and considers it to be acceptable, and has concluded noise effects will be acceptable subject to the implementation of appropriate conditions of consent, which have been agreed to by the applicant.

As such, the proposed development is in general accordance with policies G1, A1, A4, C2, C4, E1, TC4, D1, D2, D3, T1, and CC1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant

licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 6 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 7 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 8 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk).



In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on the page.

Daniel Pope  
Chief Planning Officer