

Application ref: 2023/1172/P
Contact: Elaine Quigley
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Date: 23 October 2023

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

DP9
100
Pall Mall
London
SW1Y 5NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
67 Whitfield Street
London
W1T 4DE

Proposal:
Use of the undercroft area as outdoor seating in association with the restaurant use at 67 Whitfield Street for a temporary period of 18 months.

Drawing Nos: AL3355; AL7500; Covering letter from DP9 dated 24/03/2023; External seating note prepared by DP9; Noise Management Plan; Outdoor Seating Noise Impact Assessment prepared by Hann Tucker Associates dated 31/07/2023; Outdoor Seating Noise Impact Assessment Addendum prepared by Hann Tucker Associates dated 18/09/2023.

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

Condition(s) and Reason(s):

- 1 The use of the undercroft as an external seating area hereby permitted is for a temporary period only and shall cease 18 months from the date of this decision at which time the premises shall revert to their former lawful use.

Reason: In order that the long term use of the site may be properly considered

in accordance with policies DM1 and A1 of the London Borough of Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans-

AL3355; AL7500; Covering letter from DP9 dated 24/03/2023; External seating note prepared by DP9; Noise Management Plan; Outdoor Seating Noise Impact Assessment prepared by Hann Tucker Associates dated 31/07/2023; Outdoor Seating Noise Impact Assessment Addendum prepared by Hann Tucker Associates dated 18/09/2023.

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

- 3 The use hereby permitted shall not be carried out outside the following times: 11:00 hours to 21:00 hours with no serving of food and drink beyond this time with all customers off-site and cleaning and clearing of area by staff completed by 22:00 hours on Monday to Saturdays and 11:00 hours to 17:00 hours with no serving of food and drink beyond this time with all customers off-site and cleaning and clearing by staff of area completed by 18:00 hours on Sundays.

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

- 4 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 D1, A1, A4 and TC2 of the London Borough of Camden Local Plan 2017.

- 5 The noise management plan for the external seating area hereby approved shall be adhered to throughout the period of its use.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1 and A1 of the London Borough of Camden Local Plan 2017.

- 6 The external seating area hereby approved shall not comprise of more than 16 customers at any one time and shall not be used by a single group of more than 16 customers.

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

- 7 The ground floor sliding doors in the southern rear elevation of the unit shall not be opened and shall remain locked between the hours of 22:00 to 09:00.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1 and A4 of the

Informative(s):

- 1 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.
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 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) 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.

- 4 You are advised that condition 3 means that no food or drink shall be served to customers after 21:00 hours (Monday to Friday) and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out after 22:00 hours (Monday to Friday) otherwise than within the permitted time.

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

You can find advice about your rights of appeal at:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer