

OBJECTION TO PLANNING APPLICATION 2024/1055/P

Change of Use to Residential (including roof extension) at Centenary House, 96-98 Camden High Street, London NW1 0LQ

Introduction

We act on behalf of the owner and operator of the Camden Head PH, at 100 Camden High Street, London NW1 0LU, which is a long established and much cherished traditional public house within the local community, as well as being a live music and comedy venue.

The pub is well renowned as an important community facility and cultural venue within the local area; its value and significance making a major contribution to defining Camden's cultural and leisure offer.

Camden Council has clear objectives and policies, as set out in their adopted Local Plan, that seek to ensure that such existing cultural and leisure attractions are both sustained and protected. These are based upon the 'agent of change' principles.

The Plan properly recognises that any noise sensitive uses (such as residential) that are built adjacent to an established facility, do not compromise or adversely affect the continued successful operation of the premises.

Camden Head PH is an immediate adjacent neighbour in this case, located on a prominent corner site, directly to the north of the application site, separated from it only by the width of Pratt Street.

Objection points

Our client wishes to object to the above planning application on the following grounds:-

- The applicant has offered no protection to the Camden Head PH, or other similar local venues, in terms of putting forward appropriate planning conditions and/or Section 106 clauses to ensure that their existing operations remain completely unaffected and fully safeguarded into the future.
- Due to the importance placed on such venues within both Camden's adopted Local Plan and the Mayor's London Plan, the '*Agent of Change*' principle must be a key consideration in the Council's decision making process. The Council's policy C3 (Protection of cultural & leisure facilities) states:-

*'The Council will seek to protect cultural and leisure facilities and **manage the impact of adjoining uses where this is likely to impact their continued operation**' (Our emphasis in bold)*

- In this regard, it is vital that any future occupiers of the proposed development are made fully aware of the existing Camden Head PH and other local music venues; and that robust noise attenuation measures are secured and maintained throughout the life of the development.

- This approach is also fully supported by national planning policy as set out in the NPPF (see paragraph 193) which states, inter-alia, that:-

*‘Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) **should be required to provide suitable mitigation before the development has been completed**’* (Our emphasis in bold)

- The Noise Assessment report (undertaken by KR Associates) that accompanies the planning application does not reflect the important ‘agent of change’ principles, and contains insufficient information, particularly in respect of the Camden Head and other live music venues. A more detailed Assessment should be requested by the Council to consider the specific noise impacts involved and to determine whether further noise mitigation measures (over and above those set out in the report) are required.
- In this regard, and in line with the ‘agent of change’ policy, the Council must determine whether the introduction of the sensitive residential use in this location will be harmful to the Camden Head PH’s continued operation (and other venues nearby), noting that paragraph 6.93 of the Local Plan, inter-alia, states:- *‘In some cases the Council may require the developer to be responsible for future costs of soundproofing, secured by a legal agreement.’*
- The Local Plan policy requirement (Policy A4) for a construction management plan (including how the applicant intends to deal with noise and vibration during construction), should be prioritised and brought forward as a pre-planning (rather than post-planning) matter on this occasion due to the operational implications involved, both to our client and other interested parties.

Recommendation

Our client fully endorses the recommendation made by another nearby operator (ie. The Blues Kitchen) that there should be a specific ‘agent of change’ obligation included within a Section 106 agreement. This should cover the following items:-

- i) The owner must provide information to any occupier or potential occupier of the development that they are situated near a music and night time entertainment venue;
- ii) An appropriately detailed sound-proofing scheme within the development, as assessed and approved by the Council, must be retained for the lifetime of the development; and
- iii) The developer and/or owner will be responsible for future costs of sound-proofing if required.
- iv) A Construction Management Plan to be submitted and approved by the Council; and implemented accordingly, consistent with Policy A4.

Conclusion

Until such details, together with S106 safeguarding measures, are put forward by the applicant, and approved by the Council, our client strongly opposes this planning application.

Given the important operational implications, and in the nature of the potential conflicts involved, we would urge the Council to re-consult when/if the above details/clauses are drafted so that they can be reviewed by our client, and other interested parties, prior to any decision being made.

We trust that these comments are of assistance to the Council in determining this application, and should the proposals advance, will help to ensure that robust measures can be implemented by the applicant that will protect the continued successful operations of Camden Head PH (and other nearby venues) going forward.