

<b>Address:</b>	3-7 Delancey Street London NW1 7NL		<b>1</b>
<b>Application Number(s):</b>	2023/3285/P	<b>Officer:</b> Sam FitzPatrick	
<b>Ward:</b>	Regents Park		
<b>Date Received:</b>	09/08/2023		
<b>Proposal:</b>	Change of use of ground and first floor from café/restaurant (Class E) and music recital hall (Sui Generis), to live music event space with café and restaurant (Sui Generis) with extension of operational hours to play live and recorded music from 08:00-00:00 Monday to Thursday, 08:00-02:00 Friday to Saturday, and 08:00-22:30 on Sunday.		
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
<p>Drawings: Location Plan (TQRQM23011145001151); Ground Floor Plan – Existing (0518/6110 F); First Floor Plan – Existing (NW8_85FS_PP02); Ground Floor Plan – Proposed (NW1_PP01); First Floor Plan – Proposed (NW8_85FS_PP02).</p> <p>Documents: Planning Statement (prepared by Reko Limited); Operational Compliance Manual (prepared by the Forge, dated 30/01/2024); The Forge Dispersal Policy; The Forge Noise Management Policy 2023; Noise Impact Assessment (prepared by Mono Acoustics, dated 04/05/2023); Sound Limiter Calibration (prepared by Mono Acoustics, dated 18/01/2023); Certificate of Installation of Sound Limiter (prepared by Chalset Sound).</p>			
<b>RECOMMENDATION SUMMARY:</b>			
<b>Grant conditional planning permission subject to a Section 106 Legal Agreement- for a temporary period of 12 months.</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Reko Limited Unit F, 37 Princelet Street, London, E1 5LP		Woods Whur Limited St James House, 28 Park Place, Leeds, LS1 2SP	

## ANALYSIS INFORMATION

Land use floorspaces				
Use Class	Description	Existing GIA (sqm)	Proposed GIA (sqm)	Difference GIA (sqm)
Class E (formerly A3) and none (Sui Generis)	Café/restaurant and music recital hall	490	0	- 490

None (Sui Generis)	Live music event space with café and restaurant	0	490	+ 490
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Parking details			
Type	Existing spaces	Proposed spaces	Difference
Car	0	0	0
Cycle	0	0	0

## EXECUTIVE SUMMARY

- i) The application site relates to the ground and first floors of 3-7 Delancey Street, which forms part of a building constructed in 2008. The building consists of a café/restaurant and music recital hall at ground and first floor and residential units on the upper floors. The proposal relates to the change of use of the ground and first floors only, which is currently split between Class E and Sui Generis uses, and would change so the entire unit operates as Sui Generis. Whilst the nature of the proposed uses is quite similar, there would be a material change in operation of the premises from the original permission as the proposed live music venue would be the primary intended use. The different nature of the use is reflected in the longer operational hours which are sought.
- ii) The lawful use of the application site has remained unchanged from that which was established when planning permission was granted in 2007. The operators who opened the venue in 2008 ran it until 2017, when they closed down. The site then became vacant until 2022, when the current occupiers took on the property and reopened it as a live music venue with restaurant/café. Since its reopening there have also been incidences of the premises being operated as something more akin to a nightclub, but following an enforcement investigation it ceased and reverted to being a live music venue.
- iii) The proposal also seeks to introduce new opening hours that are longer than the conditioned hours under the existing use, as well as allow live and recorded music to be played at the site in line with these hours (currently music is required to cease at 23.00 even though the premises can open longer).
- iv) The existing café/restaurant space that was formerly Class A3, would now fall under the Class E use class and technically the proposed development would result in the loss of that Class E space. However, the live music venue still intends to incorporate a café/restaurant (just not as a separate use) that would maintain an active frontage; it would be considered an appropriate use in this location that would protect and enhance the role and unique character of Camden Town Centre, contributing to the success and vibrancy of the area.

- v) The development does not involve any external alterations or extensions, so would not impact the character or appearance of the host building or any part of the Camden Town Conservation Area. No signage or advertisements are proposed as part of this permission, and if advertisements are required then they may require the applicant to obtain express consent for them to be displayed at a future date.
- vi) There were a significant number of objections to the proposal, with many citing the potential for the proposed change of use (and in particular the extended opening hours) to result in and exacerbate any existing issues with noise and disturbance. To alleviate these concerns, the applicant has provided a draft Operational Compliance Manual and agreed to the securing of a final Operational Management Plan by S106 legal agreement. Additionally, the proposed opening hours have been revised from the hours previously requested by the applicant, which were the hours that were indicated during public consultation and on site notices (effectively 02.00 closing Monday to Thursday, 03.00 closing Friday and Saturday and Midnight on Sunday). Officers are satisfied that the proposed development with the amended hours (as set out in the description of development above) and appropriate controls in place, could be operated whilst protecting the amenity of nearby residents and occupiers.
- vii) The existing and proposed uses are functionally quite similar, with the main difference being that with the proposed use the live music is clearly the primary purpose of the use. The existing set-up and arrangement of the venue including capacity would not change – with the extension of hours on Fridays and Saturdays and the allowance of music to be played until close marking the main difference between the existing and proposed uses. These two changes are considered acceptable due to the Operational Management Plan that would be secured by S106 legal agreement, which would alleviate potential amenity concerns such as noise disturbance. However, given the extent of objection, the close proximity of residential accommodation and problems of noise disturbance in the past, it is considered that it would be appropriate in this instance to grant the permission initially on a temporary basis of 12 months so that the effectiveness of the Operational Management Plan can be fully demonstrated.
- viii) Subject to the suggested conditions and an Operational Management Plan, secured by S106 legal agreement, officers are satisfied that the proposed development would be operated without a harmful impact on the Town Centre or the neighbours. The proposed development complies with the development plan as a whole and is acceptable and in accordance with Local Plan policies, so it is recommended that conditional planning permission is granted subject to a Section 106 agreement.

## OFFICER REPORT

**Reason for Referral to Committee: The Director of Economy, Regeneration and Investment has referred the application for consideration by the Committee (Clause 2).**

### 1. SITE AND BACKGROUND

#### *Location*



*Figure 1 – The existing site*

- 1.1 The application site covers the ground and first floors of 3-7 Delancey Street, a purpose-built music venue and restaurant/café granted permission in 2007 and built around 2008. The site has a total gross internal area of 490 sqm and previously operated under the same name 'The Forge' as a café/restaurant and music/recital/practice hall. The site lies on the south side of Delancey Street, between the intersections with Camden High Street and Arlington Road.
- 1.2 The site is located in the designated 'Camden Town' Town Centre and its front elevation is a recognised secondary frontage. It also has an excellent Public Transport Accessibility Level (PTAL) of 6b; the site is approximately halfway between the London Underground Stations of Camden Town and Mornington Crescent, the former of which is approximately 290m to the north, and the latter of which is approximately 340m to the south. Camden Road Overground Station is approximately a ten minutes' walk to the

northeast, and there are numerous bus routes serving Camden High Street and Delancey Street. There are also a number of Santander Cycle docking stations in the vicinity, located on Parkway, Greenland Road, and St Martins Close.

- 1.3 The site is in the Camden Town Conservation Area, although the Camden Town Conservation Area Appraisal predates the construction of the existing building, having been adopted in 2007, a year before the building was completed. However, the buildings that stood at the same address prior to demolition are referenced in the statement as positive contributors, though it is noted that they are due to be replaced with the following text: “*the properties [3-7 Delancey Street] are to be demolished to make way for a replacement building housing a café and music room*”. This is the only mention of the site, and it is not listed or locally listed.
- 1.4 As previously noted, the building was purpose built as a café/restaurant with a music hall to the rear and accommodation at the upper levels following the grant of planning permission in 2008. The various parts of the site were therefore under different use classes, with Class A3 to the front of the site (the café/restaurant), Sui Generis to the rear (the music space), and C3 in the upper levels (the residential units).

## **2. THE PROPOSAL**

- 2.1 The proposal is for the change of use of the building (ground and first floor levels) from a café/restaurant and music recital hall to a live music event space with café and restaurant. The site would continue to be operated by Reko Limited, who are currently operating under the name ‘The Forge’. The proposed change of use would not involve any internal or external changes but would result in the entire site falling under one consolidated use.
- 2.2 This new use would have slightly extended hours compared to the existing permitted hours. The revised hours that are being supported are shown below, with the hours that were originally applied for by the applicant in parenthesis:

Mondays to Thursday: 08:00 – 00:00 (08:00 – 02:00)

Friday to Saturday: 08:00 – 02:00 (08:00 – 03:00)

Sunday and bank holiday: 08:00 – 22:30 (08:00 – 00:00)

## **3. RELEVANT HISTORY**

### ***The site***

#### **Enforcement history**

Following its reopening in 2022, there were incidences of the site being operated in a way that was more similar to a nightclub rather than a live music

venue, which was an unauthorised use. The Council issued an enforcement warning to cease the unauthorised use in response to this.

#### Planning history

- 3.1 **2013/0739/P** – Variation of conditions 2 (opening hours of café/restaurant) and condition 6 (opening hours of music recital hall) of planning permission dated 19/03/07 (Ref:2006/2680/P) for the demolition of existing buildings and redevelopment of the site to provide a cafe/restaurant (Class A3) with an internal courtyard to link with a music/recital/practise hall (Sui Generis), and residential use (Class C3) to provide three 1-bed self-contained units, namely to allow the cafe/restaurant and music recital hall to open from 09.00 to Midnight Monday to Thursday, and 09.00 to 03.00 (the following day) on Fridays and Saturdays. **Refused 25/03/2013.**

#### Reason for refusal:

- 1) The proposed hours of operation would create additional late night activity resulting in noise and disturbance to the detriment of the amenity of the occupiers of nearby residential properties.
- 3.2 **2011/3285/P** – Variation of conditions 2 (opening hours of café/restaurant) and 6 (opening hours of music recital hall) of the planning permission dated 19/03/07 (2006/2680/P) for demolition of existing buildings and redevelopment of the site to provide a cafe/restaurant (Class A3) with an internal courtyard to link with a music/recital/practise hall (Sui Generis), and residential use on upper floors, namely to allow the café/restaurant and music recital hall to open from 08:00 till 00:00 Monday to Thursday, 08:00 till 01:00 Friday and Saturday and 08:00 till 22:30 Sunday and Bank Holidays. **Granted 24/08/2011 with condition to restrict playing of live or amplified music beyond 23:00.**
- 3.3 **2006/2680/P** – Demolition of existing buildings and redevelopment of the site to provide a cafe/restaurant (Class A3) with an internal courtyard to link with a music/recital/practise hall (Sui Generis), and residential use (Class C3) to provide three 1-bed self-contained units. **Granted 19/03/2007.**

#### ***The area***

- 3.4 The Black Heart, 2-3 Greenland Place

**2006/5565/P** – Variation of condition 3 of permission references PL/9200758 and PL/9400150 to allow extended opening hours of public house from 8am until 1am daily (Use Class A4). **Granted 01/02/2007.**

- 3.5 Jazz Cafe, 5-7 Parkway

**PE9700925** – Variation of operating hours of existing jazz cafe until 2:00am (except Sundays). **Refused 03/02/1998 and allowed at appeal 08/07/1998.**

#### **4. CONSULTATION**

##### ***Statutory consultees***

4.1 None.

##### ***Local groups***

###### Camden Town CAAC

4.2 The Camden Town Conservation Area Advisory Committee were consulted, but no objection was received.

###### Delancey Street Residents' Association

4.3 The Delancey Street Residents' Association objected to the application with the following concerns:

- The disturbance from the venue has and continues to be a continual problem, with persistent problems with loitering before and after events;
- Anti-social behaviour is constant with substance abuse and noise disturbance in the street;
- The site is in close proximity to residential units and later hours of opening would impact upon the amenity of these residencies;
- Capacity is a concern – particularly if tables and chairs within are removed as indicated by plans; and
- The operators have applied for many changes to licensing conditions.

###### Officer response:

- *Please refer to section 9 for a full assessment and response to objections relating to impacts on the amenity of neighbouring occupiers.*
- *It is important to note that planning and licensing are separate entities and many of the specified issues are matters that are primarily addressed under the licensing controls, not planning. Planning applications can only be assessed against considerations material to the development.*

###### Designing Out Crime Officer

4.4 The Metropolitan Police's Designing Out Crime Officer objected to the application with the following concerns:

- The venue is a predominantly residential road and Camden High Street has one of the highest crime and anti-social behaviour rates for the borough;

- A later licence will attract other late-night visitors due to extended drinking hours that will increase loitering and risk of crime as they may become targets for criminal gangs and thieves;
- Delancey Passage is adjacent to the site which is a dead end and poorly surveyed alley. Access is not controlled and the area attracts anti-social behaviour. There are no clear safeguarding procedures at the venue to protect against this, particularly with regards to mitigating the risk of violence against women and girls; and
- Although not currently legislation, Martyn's Law should be considered with training and procedures in place for staff.

Officer response:

- *Although there are residential premises in close proximity to the venue, the application site is within the Town Centre, less than 50m from the junction with Camden High Street and thus the immediate vicinity is more mixed use in character than the remainder of Delancey Street, which is more residential. Please refer to section 7 of this report for a full assessment and response to objections relating to land use.*
- *The risk to users from criminals is acknowledged, as is the impact of criminal activities on the amenities of neighbouring residents, but the possibility for users to become victims of crime is not a reasonable or a material consideration in determining the application. It is also not considered that the change of use or its operation for extended hours would necessarily attract crime any more than the venue as it operates at present. The amenity concerns associated with crime or fear of crime are addressed under sections 9.21 to 9.23 of the assessment.*
- *Delancey Passage does not fall within the boundary of the site or form part of this application, and the applicant has no control over this land. However, details of safeguarding and protection measures regarding sexual assault and violence are included in the draft Operational Compliance Manual, but would also be considered to fall under the remit of the licensing regime. As set out in the National Planning Policy Guidance on the use of conditions, "conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning". This is such an instance.*
- *Martyn's Law refers to a part of the Terrorism (Protection of Premises) Bill, which is yet to become law, but would impose requirements to certain premises to increase their preparedness for terrorist attacks and to improve public safety. These may include consideration of risk assessments, undertaking staff training, and employing security systems. With regards to this, the same point as was made in the previous bullet point is relevant; the submitted draft Operational Compliance Manual does include a maximum capacity, which would be secured by condition, and other actions taken to alleviate risk and improve safety could also be*



*secured as part of the final Operational Management Plan. This is also an area where licensing controls would be potentially more appropriate.*

### **Adjoining occupiers**

- 4.5 Multiple site notices were displayed adjacent to and in the vicinity of the site: one outside the front of the property, one on Arlington Road, one on Camden High Street, and one to the entrance of Mary Terrace. These notices were displayed from 06/10/2023 until 30/10/2023. The application was also advertised in the local paper on 12/10/2023 and then re-advertised again on 26/10/2023 (due to a publication error), expiring on 19/11/2023.
- 4.6 [Letters of support were received including a petition signed by 78 individuals, as well as letters from 32 supporters – however it should be noted that these letters were sent to the applicant and not directly to the Council. Additionally, most of the letters refer to ‘the licence application’, rather than this planning application.](#)
- 4.7 Objections were received from Councillor Richard Cotton and at least 88 local households, including a petition of 51 residents. The objections received by the Council have been published on the Council’s website. The key issues raised are as follows:
- The operation of the current venue has resulted in significant disturbance with its current hours and usage, particularly late at night;
  - The existing operation has large crowds spilling onto Delancey Street and poor crowd control and lack of security;
  - There is already anti-social behaviour in this area of Camden Town resulting from late night uses, including littering and noise late at night;
  - The licence granted for this site allows for the venue to open too late;
  - Visitors to the site park in nearby streets and cause disturbance;
  - The current operators of the site have been breaching planning and licensing conditions and impacting the amenity of the local community;
  - There may be Temporary Event Notice (TEN) applications in the future that would extend the licensable activities for the venue to the detriment of residential amenity;
  - There have been new residential properties constructed in the area since the original building was constructed;
  - The venue has yet to hold any LGBTQ+ events, despite a requirement as part of the granting of its extended licence;
  - The venue could host large numbers of up to 800 people;
  - The proposal will negatively impact property values;
  - Delancey Passage would attract anti-social behaviour, especially through the exit door from the venue, and the applicant should be required to secure Delancey Passage if consent were to be granted; and
  - The storing of refuse is poorly managed and leads to accumulation of bins.

Officer response:

- *Please refer to section 7 of this report for a full assessment and response to objections relating to land use.*
- *In addition to the full assessment on land use, it should be noted that, while it is important to consider the mix of uses in this area and the impact this may have, wider anti-social behaviour that may be taking place in Camden Town cannot necessarily be attributed to this specific venue. This assessment can only consider the likelihood that this proposal may contribute to further anti-social behaviour.*
- *Please refer to section 9 of this report for a full assessment and response to objections relating to impacts on amenity.*
- *As previously noted, planning and licensing are separate entities and many of the stated issues are matters that are primarily considered under the licensing controls, not planning. Planning applications can only be assessed against considerations material to the development.*
- *Car parking is not included as part of this proposal, and the site is highly accessible by public transport.*
- *Any conditions included as part of a recommendation to approve can be enforced against, so if the site's operation is in breach of these, enforcement action can be taken. Although not relevant to planning, breaches of licensing conditions can also be actioned, and the licensing regime therefore acts as an additional control. The recommendation for this application is also a temporary grant of planning permission, so if breaches of conditions persist and the operation leads to issues regarding amenity, the Council is able to intervene by take necessary enforcement action and not renew the permission.*
- *Temporary Events Notice do not supersede planning conditions. Even if TENs are approved that specify operation outside of the hours conditioned as part of an approved planning permission, this would not allow for the operation to be lawful if it is contrary to the conditioned hours.*
- *The licensing condition requiring LGBTQ+ events has not yet been complied with as the new licence is not yet in operation. This is because, if the venue were to operate under the new licence, it would be in breach of existing planning conditions.*
- *The proposal and the submitted Operational Compliance Manual state that the site will function with a capacity of 450 visitors. As such, this maximum capacity would be secured by condition.*
- *The value of property is not a material planning consideration.*
- *It is understood that Delancey Passage does not fall within the boundary of the site and the applicant does not control this area. The exit doors onto Delancey Passage are not for public use except in case of emergency, and this would be secured as part of the Operational Management Plan. It would not be feasible to require the applicant to*

*construct secure gating given this is not an area they have ownership or control over.*

- *The construction of the original building was granted permission and deemed to have acceptable storage for waste. The proposed change of use would not substantially alter the use of the building, so it is not expected that there would be any significant change in waste arrangements.*

## 5. POLICY

### ***National and regional policy and guidance***

[National Planning Policy Framework 2023 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[London Plan 2021 \(LP\)](#)

[London Plan Guidance](#)

### ***Local policy and guidance***

[Camden Local Plan \(2017\) \(CLP\)](#)

[Policy G1 Delivery and location of growth](#)

[Policy C2 Community facilities](#)

[Policy C3 Cultural and leisure facilities](#)

[Policy C5 Safety and security](#)

[Policy C6 Access for all](#)

[Policy E1 Economic development](#)

[Policy E2 Employment premises and sites](#)

[Policy E3 Tourism](#)

[Policy A1 Managing the impact of development](#)

[Policy A4 Noise and vibration](#)

[Policy D1 Design](#)

[Policy D2 Heritage](#)

[Policy D3 Shopfronts](#)

[Policy TC2 Camden's centres and other shopping areas](#)

[Policy TC4 Town centre uses](#)

[Policy T2 Parking and car-free development](#)

[Policy DM1 Delivery and monitoring](#)

[Supplementary Planning Documents and Guidance](#)

*Most relevant Camden Planning Guidance (CPGs):*

[Access for All CPG - March 2019](#)

[Amenity - January 2021](#)

[Community uses, leisure and pubs - January 2021](#)

[Developer Contribution CPG - March 2019](#)

[Employment sites and business premises - January 2021](#)

[Town centres and retail - January 2021](#)

[Transport - January 2021](#)

*Other guidance:*

[Camden Town Conservation Area Appraisal and Management Strategy \(2007\)](#)

### Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for which consultation has now ended (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

## **6. ASSESSMENT**

6.1 The principal considerations material to the determination of this application are considered in the following sections of this report:

<b>7</b>	<b>Land use</b>
<b>8</b>	<b>Design and conservation</b>
<b>9</b>	<b>Amenity</b>
<b>10</b>	<b>Transport</b>
<b>11</b>	<b>Community Infrastructure Levy (CIL)</b>
<b>12</b>	<b>Conclusion</b>
<b>13</b>	<b>Recommendation</b>
<b>14</b>	<b>Legal comments</b>
<b>15</b>	<b>Conditions</b>
<b>16</b>	<b>Informatives</b>

## **7. LAND USE**

7.1 The application site is in the ‘Camden Town’ Town Centre, where Policy TC2 (Camden’s centres and other shopping areas) of the Local Plan seeks to promote and ensure successful and vibrant centres throughout the borough to serve the needs of residents, workers, and visitors. The policy aims to protect and enhance the role and unique character of each of Camden’s centres by providing for a range of shops including “*food, drink, and entertainment and other suitable uses to provide variety, vibrancy, and choice*”.

7.2 Policy TC4 (Town centre uses) of the Local Plan seeks to ensure that the development of shopping, services, food, drink, entertainment, and other town centre uses does not cause harm to the character, function, vitality, and

viability of a centre, the local area, or the amenity of neighbours. To this end, the Council will consider the effect of development on shopping provision and the character of the centre in which it is located, as well as the cumulative impact of food, drink, and entertainment uses, taking into account the number and distribution of existing uses.

- 7.3 The Camden Planning Guidance 'Town centres and retail' details the character of the 'Camden Town' town centre, which is characterised by its diversity of uses, popularity as a vibrant tourist destination, and its music and entertainment venues. The site itself is located on a secondary frontage within the Town Centre, where there is typically a varied character and range of uses – including potentially food, drink, and entertainment uses. However, it is also noted that there may be residential uses in or near these locations, so proposals will only be allowed where it can be ensured that proposals do not harm residential amenity.
- 7.4 The London Plan identifies 'Camden Town' Town Centre as a Major Town Centre with a strategic night-time function, important for a mix of activity during the evening and night, including culture, entertainment, and food and drink. It is classified as the most important type of night-time economy centre – as an area with international or national significance (classification NT1), with a high potential for commercial growth (Ref 23 in [Table A1.1 of the London Plan](#)).
- 7.5 The application site currently operates as a single unit comprising a restaurant/café referred to as 'Jungla' and a music event space referred to as 'the Forge'. These two elements are technically under different use classes, though operating as one site. The proposed use would mean that both the ground floor and first floor would fall under one use as a single music event space with restaurant/café. As such, the proposed use is very similar to the current lawful use, apart from effectively consolidating the site as a single planning unit as a mixed (Sui Generis) use.
- 7.6 Although it is noted that the application site forms part of a secondary frontage, a use characterised by food, drink, and entertainment would be considered appropriate at this location. The application site falls within the town centre and would be providing an appropriate evening use that would keep the centre vibrant and attractive. Whilst it is in close proximity to residential buildings, it is also less than 50m from Camden High Street, and situated at the east end of Delancey Street, where the character is more commercial than the remainder, which is far more residential. It should also be accepted that residents in this part of the borough are going to be subject to different amenity impacts than residents in areas more typically residential in nature.
- 7.7 The application site was vacant for a period of time following the music venue's closure in 2017 and there was concern that this would be yet another

small music venue lost in London. The fact that the premises have found a new occupier providing a similar offering that encourages and promotes Camden Town's reputation as a vibrant centre, home to music and entertainment venues is to be welcomed, particularly in the wider context of declining music and entertainment venues nationally. Therefore, this mix of food, drink, and entertainment offering would be considered an appropriate town centre use that would attract locals, families, and tourists to the Town Centre, contributing to the success and vibrancy of the area. The proposal would provide a cultural and leisure facility at a site that has a recent history of vacancy that could otherwise harm the function, vitality, and vibrancy of the centre and local area if this situation is returned to.

7.8 Notwithstanding the above, it is important that residential amenity is protected and that the proposed change of use would not cause harm. This is particularly noteworthy given the large number of objections that raise concerns relating to the exacerbation of reported issues around noise and disturbance. This is detailed further in section 9 of this report, but it should be noted that the change of use would only be considered appropriate if these issues can be managed. For this reason, it is considered that any approval should be on a temporary basis and subject to a Section 106 agreement that would secure an Operational Management Plan to be adhered to. These measures would ensure that the proposed change of use does not result in unacceptable harm to the amenity of nearby residents and that it would continue to be acceptable in land use terms.

7.9 Overall, the proposed use is considered to protect and enhance the role and unique character of 'Camden Town' town centre, providing variety, vibrancy, and choice for residents and visitors. The use would support the character, function, vitality, and viability of the Town Centre and as such is considered to be in accordance with Policies TC2 and TC4 of the London Borough of Camden Local Plan and is acceptable in terms of land use. Further details on the impact on local amenity are discussed in section 9 of this report.

## **8. DESIGN AND CONSERVATION**

8.1 The Council's design policies are aimed at achieving the highest standard of design in all developments; Policy D1 (Design) of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area, while Policy D2 (Heritage) states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Camden's Local Plan policies are supported by the Camden Planning Guidance 'Design' and the Camden Town Conservation Area Appraisal and Management Strategy.

8.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provides a statutory presumption in favour of the

preservation of the character and appearance of Conservation Areas and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

- 8.3 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 8.4 The National Planning Policy Framework (NPPF) requires its own exercise to be undertaken as set out in Chapter 16 – ‘Conserving and enhancing the historic environment’. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 193-196 requires consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm.
- 8.5 The proposal involves a change of use at the ground and first floor levels and does not involve any external alterations or extensions, and there would be no significant internal alterations (although these would also not be subject to planning control given that the building is not listed).
- 8.6 Should any external alterations be required in the future, these would be the subject of a separate application, as required. This includes any changes to the building’s signage, which would require an advertisement consent application. Whilst land use can to some degree affect the significance of a heritage asset be it a building or conservation area, in this case the proposed development involves a subtle change to an existing use and its hours of operation, and is not considered to affect the significance of the Camden Town Conservation Area.
- 8.7 As such, the development would not impact the character or appearance of the host building or the Camden Town Conservation Area and so would be in accordance with Policies D1 and D2 of the London Borough of Camden Local Plan.

## **9. AMENITY**

- 9.1 Policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the Local Plan seeks to protect the amenity of Camden’s residents by ensuring that the impact of development is fully considered and does not harm the amenity of neighbouring residents. This includes light, privacy, outlook, and noise disturbance. The thrust of the policies is that the

quality of life of current and occupiers should be protected and development which causes an unacceptable level of harm to amenity should be refused.

- 9.2 The proposals do not include any external alterations or extensions and, as such, would not increase opportunities for overlooking of neighbouring residential properties or impact their outlook, daylight, or sunlight. The principal consideration would be the potential impact of noise and disturbance arising from the proposed use itself and from customers entering and leaving the premises.
- 9.3 As detailed earlier in the report, there were a significant number of objections received relating to this application. Primarily, these raised issues surrounding the increased disruption for visitors to the site, the poor management of visitors and events, and the proposed operating hours increasing into unsociable hours.
- 9.4 The nearest residential properties and noise-sensitive receptors are located in most directions around the site, including along Delancey Street, Arlington Road, Camden High Street, and Mary Terrace. The closest of these properties are approximately 10m away (across Delancey Street), as well as the residential units in the upper floors of the building. This should be considered in the context of a busy London town centre, and the largest town centre in the borough.
- 9.5 Camden Town centre also serves as the main centre for the Borough's night-time economy, with some nationally and even internationally renowned venues such as the Jazz Café, Koko, and Electric Ballroom – alongside various smaller pubs and bars, which are in many cases also known for their live music offerings. However, given that Camden Town is home to a large residential community, the local amenity impacts of such a concentration of venues needs to be managed carefully. It is also needs to be borne in mind that whilst the site falls inside of the designated Town Centre boundary, Delancey Street is notably quieter than Camden High Street on which most of the main entertainment venues are sited, and therefore a more cautious approach which balances the need to support the night-time economy and the need to safeguard the amenities of residents is required.
- 9.6 One of the main tools for managing night-time entertainment venues is through the licencing regime, and although this sits separately from the need for planning permission and any controlling conditions, it is nevertheless relevant to consider the licencing context – especially with a site like this which has undergone considerable scrutiny by Camden's Licencing team.

#### Licencing Regime

- 9.7 The current operator of the Forge has recently applied for the variation of the existing licence at the site on separate occasions, all of which were reviewed



and subsequently granted. Whilst the existing planning conditions at the site may contradict proposed variations to the licence, the licensing regime only considers the proposed variations from a licensing perspective, and as such, planning conditions did not influence the decision(s) to vary the licence.

- 9.8 The first of these variations was reviewed on the 19<sup>th</sup> January 2023, and involved the extension of the licensed trading hours (APP\PREMISES-VARY\112614). The replacement opening hours, hours for alcohol, and hours for recorded music would be as follows:

Mondays to Thursdays: 08:00 – 02:00

Fridays to Saturdays: 08:00 – 03:00

Sundays: 08:00 – 00:00

- 9.9 This variation of the licence as above was approved by the sub-committee, subject to 99 licensing conditions. These conditions were sought to ensure that the venue could run with minimal disruption to residents and included controls in various areas such as visitor dispersal, the sale of drinks, and incident logging. The extended hours were considered appropriate provided that these conditions were adhered to.

- 9.10 A second application to vary the premises licence was reviewed on 12<sup>th</sup> April 2023 (APP\PREMISES-MVARY\114456). This application sought to attach a new condition to the licence to prevent the new hours and additional conditions from coming into effect until the Premises Licence confirmed in writing that all conditions have been complied with. Prior to the new hours and conditions coming into effect, the premises would operate as it did prior to the granting of the varied licence. This second licence variation was granted and a new condition (condition 96) added, which reads:

“The extended hours and additional conditions granted on the 19<sup>th</sup> January 2023 will not come into effect until the Premises Licence holder confirms in writing that all conditions imposed on the 19<sup>th</sup> January 2023 have been complied with and until that time the premises will operate on the hours and conditions on the licence prior to the 19<sup>th</sup> January 2023 hearing and decision.

- 9.11 A third application to vary the premises licence was reviewed on the 30<sup>th</sup> November 2023 (APP\PREMISES-VARY\116373). This application specifically sought to remove condition 46 of the premises licence, which was added after the hearing on the 19<sup>th</sup> January of the same year, and read:

“There shall be no vertical drinking. Alcohol will only be sold by waiter/waitress service to customers seated at tables. Alcohol sales will be ancillary to a substantial table meal”.

- 9.12 The condition was requested to be removed as it prevented the operation of the site as a live music venue, and the failure of the applicant to object to the

inclusion of the condition at the January hearing was a mistake on the part of the applicant's team. The variation of the licence as above was approved by the sub-committee, and the aforementioned condition was therefore removed from the license, subject to the applicant demonstrating compliance with condition 96, detailed above. Two additional licensing conditions relating to the maximum capacity of 450 and the requirement to hold meetings with local residents on a quarterly basis were also added following this application to vary the licence.

9.13 Proposed operating hours

9.14 The hours as proposed by the applicant (matching those on the granted licence) and advertised on site notices when this application was out for consultation were considered by officers including those from the Council's Enforcement and Environmental Health teams, and not deemed to be appropriate. Whilst the proposed use is appropriate in this location (as outlined in section 7 of this report), the risk that amenity impacts are negatively impacted would be unacceptable with the applicant's proposed hours. As such, officers have recommended alternative hours that would allow for longer opening periods on the busiest days when the venue is likely to generate the most business, but prevent unreasonable hours the rest of the time. The table below shows the hours permitted by the existing planning conditions, the hours permitted by the approved licence of January 2023 and the hours proposed by the applicant as part of this application (which are the same), and the hours recommended for approval by officers.

	<b>Hours as conditioned by existing planning permission</b>	<b>Hours proposed by applicant / licence approved Jan 23</b>	<b>Hours proposed by officers as part of recommendation to approve</b>
Mondays to Thursdays	08:00 – 00:00	08:00 – 02:00	08:00 – 00:00
Fridays to Saturdays	08:00 – 01:00	08:00 – 03:00	08:00 – <b>02:00</b>
Sundays and bank holidays	08:00 – 22:30	08:00 – 00:00	08:00 – 22:30

9.15 As shown above, the applicant proposed that the new use would be open from 08:00 to 02:00 on Mondays to Thursdays, from 08:00 to 03:00 on Fridays to Saturdays, and 08:00 to 00:00 on Sundays. These hours were reviewed by Officers and, following communication with the Council's Planning Enforcement and Environmental Health teams, would not be considered appropriate. As such, this recommendation would permit the hours of opening from 08:00 to 00:00 on Mondays to Thursdays, 08:00 to

02:00 on Fridays to Saturdays, and 08:00 to 22:30 on Sundays and Bank Holidays (excluding New Year's Eve – which would allow opening until 03:00). This would allow for slightly extended hours on Fridays and Saturdays than are currently permitted at the site, but would otherwise match the existing permitted hours.

- 9.16 Currently, the existing use of the site is also subject to a condition restricting the playing of live or recorded music to 23:00. The new proposed use would include a similar condition (condition 6), but this would allow the playing of live and recorded music until the closing of the venue. Currently, the lack of continuity between the opening hours and the playing of live music is likely to be leading to issues surrounding departure from the site, as many guests will leave immediately at 23:00 once an event has ended, as there is no subsequent music offering. By extending the hours within which music is played, so there is recorded music on after a live artist, it is likely that there would be a more steady departure of guests from the venue, rather than most leaving at the same time; when a scheduled music event finishes, some guests may choose to leave, whilst others may stay for longer if music continues. The Operational Compliance Manual states that there would also be a wind-down period prior to closing, with lighting gradually increased, music volume lowered, and sales of alcohol ceasing. This would also help ensure a slower, managed departure of visitors from the venue.
- 9.17 The above hours would be secured by condition (condition 4), and there would be an additional condition that would allow for an exemption on New Year's Eve, where hours would be extended from 08:00 – 03:00 (condition 5). These hours are considered to be appropriate for the proposed use.
- 9.18 The applicant has raised the issue that they would be unable to apply for temporary event notices for one-off events throughout the year if these extended beyond the hours as set out in the planning conditions. If the applicant did wish to apply for a temporary event notice, they could do so, but if it were granted and an event held that was in breach of the conditioned hours set out in the planning conditions, they would be subject to enforcement action. There is no planning mechanism by which exemptions could be conditioned for temporary event notices without giving up planning control, so this is not a reasonable or feasible option.

#### Noise disturbance

- 9.19 As previously noted, the proposed change of use would be functionally similar to the existing use. As such, it is expected that the noise generation would be very similar in terms of noise levels and noise outbreak – though it is noted that the extended hours for opening and playing of music would result in additional noise generation when it is currently limited.

- 9.20 It should be noted that the majority of objections to the application refer to disturbance from visitors leaving/arriving at the venue, rather than noise breakout from the building itself – however this issue is raised by a number of objectors and is an important factor for consideration when assessing potential amenity impacts.
- 9.21 As a result of the fact that the building was purpose-built with the intention of playing live music, there is already heavy masonry walls, a heavy boarded roof, and acoustically insulated glazing that would help manage any kind of noise outbreak from the proposed use, which is not materially different from the existing use. The original permission that approved the construction of the venue also included conditions to limit disturbance resulting from noise, and the existing license for the site includes a number of licensing conditions designed to reduce the impact of noise, including but not limited to:
- Preventing loudspeakers from being used at any entrance lobbies or outside the premises;
  - The closure of all windows and external doors after 21:00 or at any time that regulated entertainment takes place;
  - The installation of a noise limiter on equipment used for amplifying regulated entertainment;
  - The installation of a sound limiting device where music is provided, set and sealed at a level approved by the Council, with all audio and musical equipment to be played through the installed sound limiting device;
  - No noise generated on the premises, or by its associated plant or equipment to emanate from the premises nor vibration transmitted in such a way as to give rise to a nuisance; and
  - A full scheme of sound insulation and noise control measures to be submitted to and approved by the Council prior to implementation, to include details from a noise consultant and ensuring that persons in the neighbourhood would not become unreasonably disturbed by noise or music from the premises.
- 9.22 Irrespective of the existing structure of the building and the extensive licensing conditions that have been attached to the current operating licence at the site, the applicant has also provided details to demonstrate that the proposed use would not result in unacceptable noise levels and can comply with planning policy. These include a noise impact assessment, noise management policy, dispersal policy, and relevant certification. This acoustic information has been reviewed by the Council's Environmental Health Officer, who has confirmed that appropriate noise guidelines have been followed, such as the Noise Policy Statement for England, National Planning Policy Framework, Planning Practice Guidance on Noise, BS 8233 Guidance on sound insulation and noise reduction for buildings, and Camden's Local Plan. What the information shows is that the proposed use could increase the background noise level by up to 3dB, which is essentially what the

licensing conditions permit – this is LOAEL (Amber) in terms of the noise thresholds set out in the Local Plan. However, the information sets out noise mitigation measures including soundproofing of windows, soundproofing curtains, and sound limiter devices which would reduce music or noise breakout sufficiently for it to be in line with the noise thresholds set out in LOAEL (Green), Table D of Appendix 3 of the Camden Local Plan. It is considered that subject to the noise mitigation measures and together with the assurances from the existing structure and the licensing conditions, noise breakout would be controlled to an acceptable level, and as such, the proposal is considered acceptable in environmental health terms, subject to conditions (conditions 8-10).

### Crime and Community Safety

- 9.23 The proposed change in use would not be considered to have a significant impact on the likelihood of the site to attract criminal activity to the area. Although it is acknowledged that individuals and groups may be drawn to venues and sites such as this, this is a problem that exists more widely in the area and would not be specific to or exacerbated by the use of the site as proposed.
- 9.24 The applicant has also demonstrated in the submitted draft Operational Compliance Manual that steps will be taken to ensure that criminal activity is discouraged at the site, and necessary action will be taken to prevent and remove any such activity. This would include actions such as mandatory searches of guests, a zero-tolerance to substance use, and process for handling and reporting suspected criminal activity. Steps would be taken to undermine the potential for criminality or anti-social behaviour as far as possible in areas near the site that may otherwise attract this, such as Delancey Passage; there will be no exit into this area, and customers will not be permitted re-entry if they attempt to access the alleyway. Lighting will also be used to ensure that there is limited space away from public visibility.
- 9.25 Ultimately, the actual impact on residents in terms of crime would not be significant, and there would be no substantial harm to community safety. It may be that residents do experience occurrences that can be associated with late night uses such as this, including general loitering or disturbance, however with proper venue management, these elements can be suitably controlled and the impacts mitigated against. The submitted Operational Compliance Manual helps detail how this and the other above issues such as noise disturbance, operating hours, and entry into and dispersal from the site would be managed.

### ***Operational Management details***

- 9.26 A draft Operational Compliance Manual has been prepared by the applicant in support of the application, which covers the management and operation of

the site. A final Operational Management Plan would be secured by a Section 106 legal agreement to ensure compliance, and should ensure that the following details are covered:

- Details of opening and operating hours;
- Details of measures to manage expected occupancy levels;
- Details of measures to manage customer queuing and dispersal in and out of the site;
- Evidence of consultation with community groups;
- Statement summarising representations from local community and local groups including actions that may have been taken in response to representations;
- Details of code of conduct shared with all visitors to the development setting out expected standards both within and in the immediate vicinity of the site;
- Information about the owner's representative (including name and contact details) that are to be made available to the Council and all local residents at all times to ensure any issues or concerns are dealt with in an efficient and effective manner;
- Details of a formal complaints procedure to be adopted so that all complaints can be formally logged and dealt with within a set timeframe;
- Details of the mechanism for dissemination of information relating to the on-going management of the development;
- A review mechanism that allows for reviewing and updating the Operational Management Plan as reasonably required by the Council.

9.27 The draft Operational Compliance Manual (along with other documents submitted with the application) already provides a good level of detail about the measures to manage the proposed use. The document states that the venue would operate with a capacity of 450 guests with an appropriate number of staff to manage the number of visitors, including licensed door supervisors and a designated premises supervisor. The document states that customers tend to leave the premises over a 15-30 minute period following the end of an evening show, and that the venue's aim is to clear the street outside the premises within 15 minutes of closure. Although, as previously noted, Delancey Passage falls outside of the site's boundaries, efforts are also made to keep it clear and prevent customers from entering. The applicant has also installed lighting to Delancey Passage to avoid attracting anti-social behaviour.

9.28 The maximum occupancy of the site at any one time would be secured as a condition (condition 7), and details of how the occupancy levels would be managed, as well as the specific details regarding arrivals and dispersal, would be secured within the Operational Management Plan. This would help alleviate concerns from residents surrounding the impact of the use on

amenity, as well as prevent the proposal exacerbating any potential for noise disturbance or anti-social behaviour.

- 9.29 There will also be a designated contact number so that any noise complaints can be reported and formally logged so as to be dealt with. This would be secured as part of the Operational Management Plan, secured as an obligation as part of a Section 106 legal agreement
- 9.30 As mentioned earlier in the report, licensing can also impose further controls under the licensing regime. It is not deemed necessary or desirable to impose conditions that would require compliance with other regulatory regimes, as this would not meet the test of necessity and may not be relevant to planning. Similarly, it would not be suitable to seek to secure the same controls that are already achieved through the approved licence.
- 9.31 It is fully appreciated that the proposal has generated a large amount of opposition, and there are many reasonable concerns stemming from disturbance that have been reported as resulting from the existing use. However, it is considered that the recommended conditions, securing of the aforementioned Operational Management Plan, and controls imposed through the licensing regime would provide satisfactory assurance that the proposed use would not result in unreasonable impacts on residential amenity, and that any impacts would, when balanced with the need to support Camden's night-time economy and the town centre, be acceptable. Indeed, the granting of this permission would allow greater control beyond the existing planning conditions. The recommendation of officers is therefore to grant temporary planning permission of a period of 12 months. The proposed use would then be able to be reassessed at the end of this period should the applicant wish to continue with the proposed use. If the applicant has been consistently failing to adhere to conditions and causing a nuisance to residents, then a further permission is unlikely to be granted and the applicant would need to revert to their pre-existing consent.
- 9.32 As a result of the location of the site within the context of the Camden Town 'town centre', the entertainment style use, and the details secured as part of the Operational Management Plan, it is considered that the potential disturbance arising from the proposed use, and specifically the customers entering and vacating the site, would be limited. It is recommended that this application for planning permission is approved subject to a Section 106 agreement securing a full Operational Management Plan which must demonstrate consideration of the potential for the use to cause disruption to the amenity of nearby residents and the area more generally. It is considered appropriate to secure this plan via a Section 106 as this will be a live document that will allow for review and modification as appropriate if any issues do arise. As such, it is not considered that the proposal would negatively impact the character of the area or unduly impact neighbouring

amenity; the proposals are therefore considered to accord with Policies A1 and A4 of the London Borough of Camden Local Plan.

## 10. TRANSPORT

- 10.1 The Council's transport policies are aimed at promoting sustainable methods and means of transport so as to improve the health of the borough's residents, improve air quality, and strengthen communities. Policy T1 (Prioritising walking, cycling, and public transport) of the Local Plan requires developments to promote sustainable transport by prioritising walking, cycling, and public transport through methods such as improving the pedestrian environment and creating a safe and accessible environment for cyclists. Policy T2 (Parking and car-free development) seeks to limit the availability of parking and require all new developments to be car-free, including by using legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. The Camden Planning Guidance 'Transport' supports these policies.
- 10.2 The existing site does not include any car parking spaces, and none are proposed. As such, all visitors to the site would need to travel via sustainable modes of transport. Business permits are also only permitted where there is a demonstrable business need (a certain trade business for example), which is unlikely in this case, and not proposed by the applicant. In any event, the development would need to be secured as car-free, which involves limiting the availability of both off-street and on-street parking, in line with Policy T2. This development would be **secured as car-free by a Section 106 legal agreement** if planning permission were to be granted and would prevent future occupiers from obtaining on-street parking permits. Given that both staff and visitors have no alternative to travelling to the site beyond public transport (or walking or cycling if they live in reasonable proximity) due to the lack of parking available, there is no requirement for a Travel Plan for this particular development.
- 10.3 The proposed use is almost identical to the existing use, and as such the waste and refuse would be able to be accommodated within existing waste disposal arrangements. There are no proposed changes to the methods of access.
- 10.4 Given that the application is for the change of use and there are no construction works, it is not considered that a Construction Management Plan, delivery and servicing plan, or travel plan would be required given the scope of development works. The existing and proposed uses are functionally similar and would have the same capacity. The level of attraction of the site is not expected to have a significant impact on the local public transport network or surrounding area.



## **11. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 11.1 No new floorspace is proposed at this stage so it will not be CIL liable. The CIL applies to all proposals which add 100m<sup>2</sup> of new floorspace or an extra dwelling.

## **12. CONCLUSION**

- 12.1 In conclusion, the proposed use is considered appropriate in this town centre location, and would enhance the vitality, function, and viability of the 'Camden Town' town centre. Although the proposal would involve the loss of a Class E unit, the replacement Sui Generis use would still maintain an active frontage and would continue to contribute to the town centre. The development does not involve any external alterations, and would not cause harm to the character and appearance of the building or wider Camden Town Conservation Area. Subject to the conditions and obligations secured by legal agreement, the proposed development could be operated without harmful disturbance to neighbouring amenity. It would also bring the specific public benefit of providing ongoing economic support for the Town Centre.
- 12.2 As such, the proposed development is considered acceptable and in accordance with Policies E1, E2, A1, A4, D1, D2, TC2, TC4, T1, and T2.

## **13. RECOMMENDATION**

- 13.1 Grant temporary conditional Planning Permission subject to a Section 106 Legal Agreement with the following heads of terms:
- Car-free development
  - Operational Management Plan with review mechanism

## **14. LEGAL COMMENTS**

- 14.1 Members are referred to the note from the Legal Division at the start of the Agenda.

## 15. CONDITIONS

1	<p><b>Three years from the date of this permission</b></p> <p>The development hereby permitted must be begun not later than the end of three years from the date of this permission. Notification to confirm the date of implementation must be sent to the Council and confirmed in writing prior to the implementation date.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p><b>Temporary permission</b></p> <p>The use hereby permitted is for a temporary period only and shall cease on or before twelve months from the date of implementation, at which time the premises shall revert to their former lawful use which is a café/restaurant (Class E) and a music/recital/practice hall (Sui Generis).</p> <p>Reason: In order that the long term use of the premises may be properly considered in accordance with Policies A1, A4, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
3	<p><b>Approved drawings</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <p>Drawings: Location Plan (TQRQM23011145001151); Ground Floor Plan – Existing (0518/6110 F); First Floor Plan – Existing (NW8_85FS_PP02); Ground Floor Plan – Proposed (NW1_PP01); First Floor Plan – Proposed (NW8_85FS_PP02).</p> <p>Documents: Planning Statement (prepared by Reko Limited); Operational Compliance Manual (prepared by the Forge, dated 30/01/2024); The Forge Dispersal Policy; The Forge Noise Management Policy 2023; Noise Impact Assessment (prepared by Mono Acoustics, dated 04/05/2023); Sound Limiter Calibration (prepared by Mono Acoustics, dated 18/01/2023).</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
4	<p><b>Hours of use</b></p> <p>The use of the premises hereby permitted shall not operate other than within the following times:</p> <p>08:00 Hours to 00:00 Hours – Monday to Thursday 08:00 Hours to 02:00 Hours – Friday to Saturday 08:00 Hours to 22:30 Hours – Sundays, Bank Holidays, and Public Holidays (excluding New Year’s Eve)</p>

	<p>Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with Policies A1, A4, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
5	<p><b>Hours of use (NYE)</b></p> <p>The use of the premises hereby permitted shall not operate other than within the following times on New Year's Eve (31<sup>st</sup> December) of each year:</p> <p>08:00 Hours to 03:00 Hours</p> <p>Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with Policies A1, A4, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
6	<p><b>Live music</b></p> <p>No live or recorded music shall be played on the premises outside the approved hours of use.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with Policies A1, A4, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
7	<p><b>Maximum capacity</b></p> <p>The maximum occupancy of the site for the use hereby approved shall not exceed 450 people (including visitors and staff) at any one time.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with Policies A1, A4, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
8	<p><b>Noise mitigation – Glazing</b></p> <p>Prior to commencement of the use hereby permitted, full details of soundproofing to windows and the glass roof of the building shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall not commence until the approved details are fully implemented. The soundproofing shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
9	<p><b>Noise mitigation – Curtains</b></p> <p>Prior to commencement of the use hereby permitted, sound restricting devices shall be installed to all windows of the venue and the side exit onto</p>

	<p>Delancey Passage. These shall include curtains consisting of multi-layer wool/felt mix with a sound reduction index of 10-15dB to all windows and periodic groove structure foam tiles with an NRC rating of 0.8 to the side exit onto Delancey Passage. The use hereby permitted shall not commence until the measures outlined are fully implemented, and these measures shall thereafter be retained and maintained for the duration of the use.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
10	<p><b>Noise mitigation – Sound Limiter</b></p> <p>Prior to commencement of the use hereby permitted, automatic volume control units (sound limiters) must be installed to all amplified sound sources so that entertainment noise (LAeq) is controlled to 10dB below the background noise level (LA90) without the entertainment noise present, in each octave band at the nearest noise sensitive locations. The use hereby permitted shall not commence until sound limiters are fully implemented and a Compliance Certificate has been submitted to and approved in writing by the local planning authority. The sound limits shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>

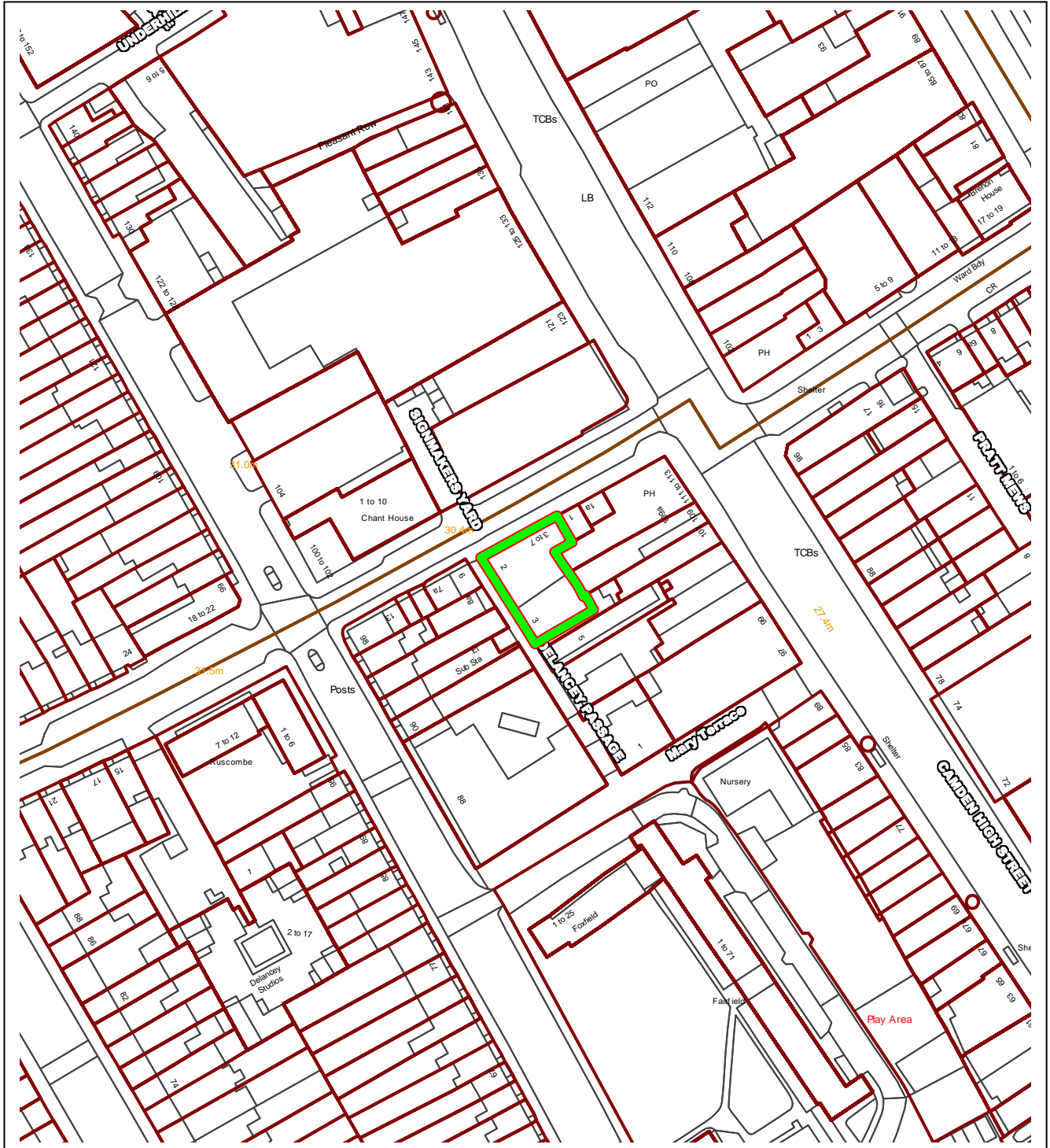
## 16. INFORMATIVES

1	<p>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).</p>
2	<p>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 <a href="http://www.camden.gov.uk">www.camden.gov.uk</a>) 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).</p>
3	<p>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 &amp; Compliance Team London Borough of</p>

	<p>Camden 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.</p>
4	<p>Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.</p>
5	<p>Your attention is drawn to the fact that there may be separate licencing controls which relate to the application site, for which there may be separate licensing conditions that need to be complied with.</p>

# Location Plan

## 3-7 Delancey Street – 2023/3285/P

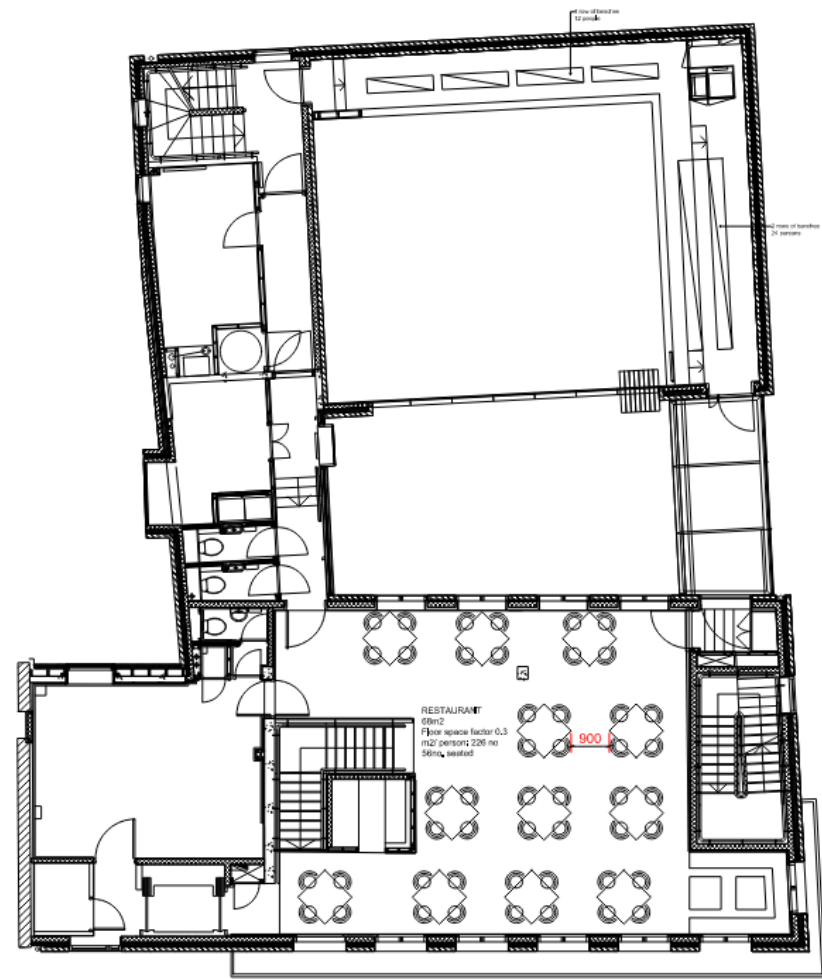
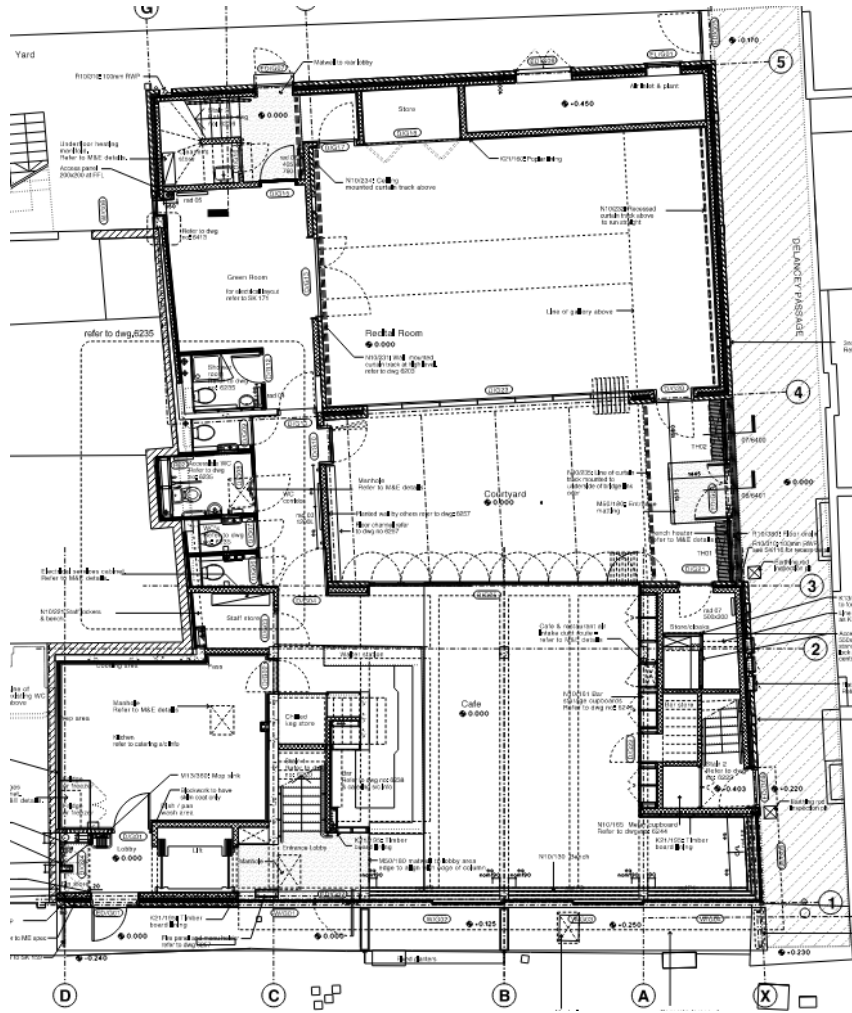


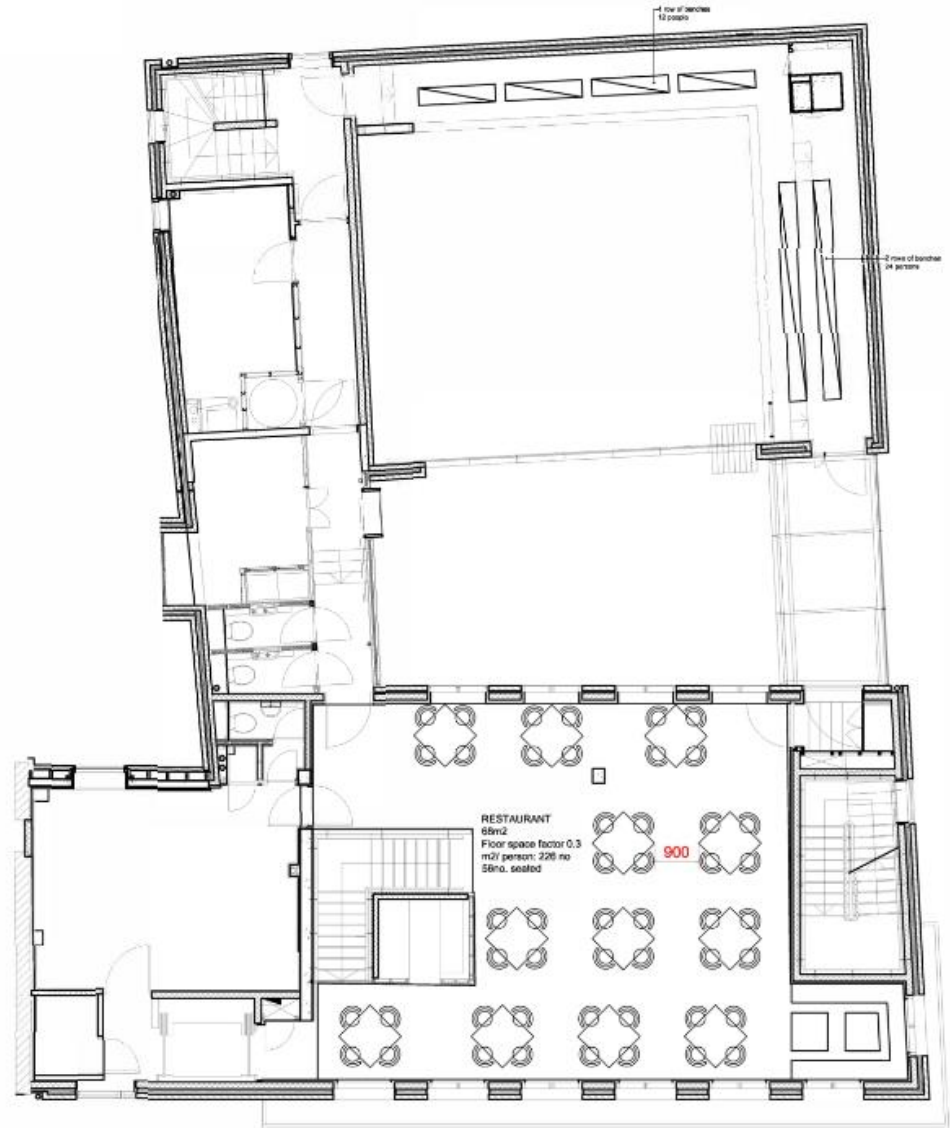
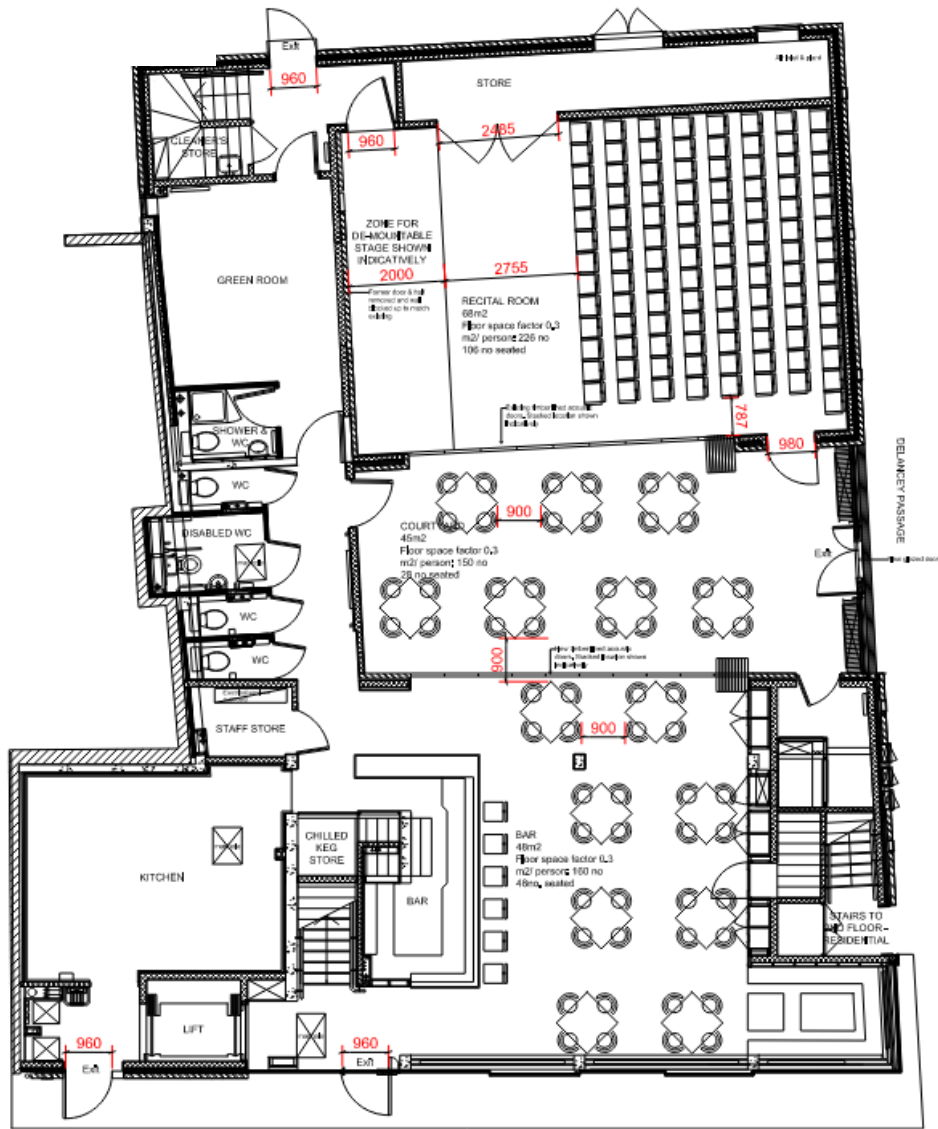












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