

Application ref: 2023/3285/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 21 November 2024

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

Woods Whur 2014 Ltd
St James House
28 Park Place
Leeds
LS1 2SP
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**3-7 Delancey Street
London
Camden
NW1 7NL**

Proposal:

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.

Drawing Nos:

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).

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).

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. Notification to confirm the date of implementation must be sent to the Council and confirmed in writing prior to the implementation date.

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

- 2 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).

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

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).

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).

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

- 4 The use of the premises hereby permitted shall not operate other than within the following times:

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)

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.

- 5 The use of the premises hereby permitted shall not operate other than within the following times on New Year's Eve (31st December) of each year:

08:00 Hours to 03:00 Hours

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.

- 6 No live or recorded music shall be played on the premises outside the approved hours of use.

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.

- 7 The maximum occupancy of the site for the use hereby approved shall not exceed 450 people (including visitors and staff) at any one time.

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.

- 8 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.

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.

- 9 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 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.

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.

- 10 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.

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.

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 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.

- 3 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.
- 4 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.
- 5 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 typed name and title.

Daniel Pope
Chief Planning Officer