

Rolfe Judd Planning
Old Church Court
Claylands Road
The Oval
LONDON
SW8 1NZ

Application Ref: **2009/2273/P**
Please ask for: **Katrina Christoforou**
Telephone: 020 7974 **5562**

22 March 2010

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted

Address:

Thomas Neal's Centre
Basement Floor Units 26, 27, 28
8-24 Shorts Gardens
London
WC2H 9AU

Proposal:

Change of use of shop units 26, 27 & 28 (A1 use class) at basement level to dual/alternative shop (A1 use class) or restaurant/café (A3 use class).

Drawing Nos: Site Location Plan; A3/P1073/EF/02; P3912/ T(10) PE-1 Rev A; P3912/ T(20) P-1 Rev A; Environmental Noise Survey Report 15847/PNA2 by Hann Tucker Associates, dated 9th September 2009.

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

Condition(s) and Reason(s):

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



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

- 2 The use hereby permitted shall not be carried out otherwise than between the hours of 9am and 11pm on Mondays to Saturdays and 10am to 10pm on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6 and R1B/R2/R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 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 SD6 and R1B/R2/R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 No primary cooking shall take place within the A3 (Cafe/Restaurant) hereby approved.

Reason: To safeguard the amenities of the adjoining residents and the area generally in accordance with the requirements of policies SD6, SD7B, SD8 and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment are in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the neighbouring premises in accordance with the requirements of policies SD6, SD7B, SD8 and Appendix 1 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; A3/P1073/EF/02; P3912/ T(10) PE-1 Rev A; P3912/ T(20) P-1 Rev A; Environmental Noise Survey Report 15847/PNA2 by Hann Tucker Associates, dated 9th September 2009.

Reason:

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

Informative(s):

1 Reasons for granting planning permission:

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD6 (Amenity for occupiers and neighbours); SD7 (Light, noise and vibration pollution); SD8 (Noise and disturbance); B6 (Listed buildings); R1 (Location of new retail uses); R2 (Impact of retail and entertainment uses); R3 (Assessment of food and drink uses and licensed entertainment); R7 (Protection of shopping frontages and local shops). For a more detailed understanding of the reasons for the granting of this listed building consent, please refer to the officer's report.

2 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

3 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 are advised to consult the Council's Planning and Public Protection Division (Compliance and Enforcement Team), Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 5613 or by email ppp@camden.gov.uk or on the website www.camden.gov.uk/pollution) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).

5 You are advised that condition 4 has been attached to the permission in the absence of details of how the A3 restaurant use hereby approved shall be ventilated. Planning permission and listed building consent would be required for the installation of such equipment.

6 You are reminded that the property is a Grade II Listed building and that any internal or external works required are likely to require listed building consent.

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