

DISCLAIMER

Decision route to be decided by nominated members on Monday 30th November 2009. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	01/12/2009
		N/A	Consultation Expiry Date:	09/11/2009
Officer			Application Number(s)	
Eimear Heavey			2009/4444/P	
Application Address			Drawing Numbers	
Jewish Museum London Raymond Burton House 129-131 Albert Street London, NW1 7NB			Refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of Condition 4 pursuant to planning permission dated 22/11/2001 ref: PEX0100406/R1 to extend hours of operation on Thursdays until 21.00, from 08.30 until 22.15 daily for private/ticketed events only and to allow Saturday opening from 10am until 6pm.				
Recommendation(s):		Grant Permission		
Application Type:		Variation or Removal of Condition(s)		

Relevant History

2009/2007/P – Withdrawn following officer advice on 13/07/2009

Removal of Condition 4 pursuant to planning permission dated 22/11/2001 (Ref: PEX0100406/R1) for change of use from offices (Class B1) to museum (Class D1) and associated offices to enable expansion of the existing museum at 129-131 Albert Street into the adjacent premises to allow the museum to open from 08:00 to 23:30 Monday to Saturday and from 08:00 to 22:30 on Sundays.

2006/5403/P – Granted 02/02/2007

Alterations to front entrance and erection of new poster box on Albert Street, erection of a 2 storey extension and removal existing open fire escape and replacement with an enclosed fire escape to the south west elevation of No. 79 Parkway for the Jewish Museum (Class D1).

PEX0100406 – Granted 22/11/2001

Change of use from offices (Class B1) to museum (Class D1) and associated offices to enable expansion of the existing museum at 129-131 Albert Street into the adjacent premises.

Condition 1 of this permission stated:

The Museum use shall only operate between the hours of 10.00am and 6.00 pm Sundays to Fridays except for evening lectures and exhibitions by private invitation/ticket holders only and these shall cease by 10.15 pm, unless prior consent is obtained in writing.

9003578 – Granted 11/04/1991

Extension of the proposed hours of operation of the Jewish Museum to 10.00am - 6.00pm Sundays to Fridays only as a variation of Condition 1 of the permission granted 07.08.89 (Reg No. 8903070 R1) and Condition 2 of the permission granted 07.11.90(Reg No. 9003128 R1)

Condition 1 of this permission stated:

The use hereby permitted shall not be carried out otherwise than between the hours of 10am and 4pm Sundays to Thursdays.

Condition 2 of this permission stated:

The museum use of the additional accommodation hereby permitted shall not be carried out otherwise than between the hours of 10.00am to 4.00pm. Sundays to Thursdays only.

9003128 – Granted 23/08/1990

The erection of a roof extension and a rear extension on three floors to provide additional exhibition space and ancillary office accommodation for use as part of the Jewish Museum.

8903070 – Granted 24/07/1989

Change of use from Class B1 to museum within Class D1(e) of the Town and Country Planning (Use Classes) Order 1987.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden Replacement Unitary Development Plan 2006

- SD1 Quality of life
- SD6 Amenity for occupiers and neighbours
- B6 Listed Buildings
- B7 Conservation Areas
- C5 Tourism Uses
- T9 Impact on parking

Camden Planning Guidance 2006

Camden Town Conservation Area Appraisal and Management Strategy 2007

Supplementary Planning Guidance for Camden Town 2008

Assessment

Proposal

Planning permission is sought for the variation of Condition 4 pursuant to planning permission dated 22/11/2001 ref: PEX0100406/R1 to extend hours of operation on Thursdays until 21.00, daily from 08.30 until 22.15 daily for private /ticketed events only and Saturday opening from 10am until 6pm.

8 letters of support were submitted with the application. All of these letters, apart from one from the Council's Engagement and Diversity officer, are dated in 2005. A supporting statement from the Jewish Museum was also submitted.

Differences between this application and the application which was withdrawn in July 2007

The previous application which was withdrawn (2009/2700/P) proposed to extend the opening hours of the museum so that it could open from 08:00 to 23:30 Monday to Saturday and from 08:00 to 22:30 on Sundays. This application was withdrawn following officer advice, as it was considered that the proposed hours would have had a detrimental impact on the amenity of neighbouring properties. This application seeks to extend the opening hours of the museum so that it can open daily from 08.30 to 22.15 for private/ticketed lectures/exhibitions only, and can have late opening on Thursdays until 9pm. It is also proposed to open the museum on Saturdays from 10am until 6pm.

Main Planning Considerations:

- Impact of the proposal on the amenities of neighbouring properties;
- Impact of the proposal on character and appearance of the listed building; and
- Transport issues

Neighbour Amenity

Condition 4 of the permission (PEX0100406/R1) states that the Museum use shall only operate between the hours of 10.00am and 6.00 pm Sundays to Fridays only except for evening lectures and exhibitions by private invitation/ticket holders only and shall cease by 10.15 pm, unless prior consent is obtained in writing of the Local Planning Authority.

Condition 5 of the that permission states that the use hereby permitted shall be used only for museum, art galleries and exhibitions only and for no other purpose including any other purpose within Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

It is noted that this application proposes a variation to Condition 4 of the original planning permission only.

Given that the Jewish Museum has a specialist focus which attracts visitors from outside the Borough, Policy C5 of the UDP would apply. This policy states that the Council will only grant planning permission for tourism-related development that it considers will not harm residential amenity, the environment or transport systems. Policy SD6 is also relevant and it states that the Council will not grant planning permission for development that it considers causes harm to the amenity of neighbours and occupiers.

The supplementary planning guidance for Camden Town identifies Albert Street as a predominantly residential area where new, extended or expanded food, drink and entertainment uses are unlikely to be acceptable. The Jewish Museum is not considered to be an entertainment use; however it is proposed to have private late night lectures/exhibitions in the museum and therefore the likely impact of such a use on the street requires to be assessed.

Opening hours of businesses on Albert Street

Fitness First Gym (opposite museum): 0630 – 2200 (Mon to Thurs), 0630 – 2100 (Fri) and 0800 – 2000 (Sat and Sun)

ORT House conference centre (opposite museum) : 0630 – 2030 (Sunday to Friday)

Spread Eagle Pub (30 metres from museum): 1030 – 2300 (Mon-Thurs), 1030 – 2400 (Fri and Sat), 1200 – 2230 (Sun)

Earl of Camden Pub (45 metres from museum): 1100 – 2300 (Mon- Sat), 1200 – 2230 (Sun)

Saturday opening from 10am until 6pm

The museum does not currently have permission to open on a Saturdays; this is mainly due to religious reasons as Saturday is recognised as a day of rest in the Jewish faith. The proposed opening of the museum on Saturdays from 10am until 6pm is considered to be acceptable in planning terms and would not result in an unreasonable impact on neighbouring residential properties. The opening times would coincide with what has previously been approved from Sundays to Fridays at the museum and, given that these opening hours are considered to protect neighbour amenity from Fridays to Sundays, they are also considered to be appropriate in protecting the residential amenity of neighbouring properties on Saturdays.

Early morning opening for private/ticketed events

The museum currently has permission to open at 10am Sundays to Fridays. The proposed opening of the museum on any day of the week at 0830, for private/ticketed events only, is considered to be broadly acceptable in terms of neighbour amenity. It is noted that early morning openings would not be the norm and would only apply to private/ticketed lecturers or exhibitions. 'Fitness First' gym (see above for opening times) is located across the road from the application site at 128 Albert Street and given that people would be arriving for early morning classes, a certain amount of disturbance arising from this would be noticed on the street.

It is also noted that the museum is directly opposite 'ORT House', a conference centre, where people would be attending for meetings and conferences on a daily basis from early morning (see above for opening times). Furthermore, the supporting statement from the Jewish Museum states that the new reconfigured entrance to the building will enable visitors to wait inside the building as opposed to outside, therefore further minimising the impact on neighbouring properties. Consequently, the occasional opening of the museum at 0830 for private lecturers/exhibitions is not considered to result in significantly more disturbance in Albert Street at this time of the morning.

Objections have been received regarding loss of parking as a result of the early morning openings; the Councils Transport officers have no objection to the proposal, as it is considered that the vast majority of people would come to the museum via public transport. It is also noted that an independent study undertaken by the Jewish Museum found that 78% of visitors came to the museum via public transport, only 4% travelled by car, and the remainder either walked or got taxis. Hence a loss of parking as a result of occasional early morning openings is not considered to be of a level that is likely to give rise to concern.

Cllr Naylor has requested that early morning openings be restricted to 30 persons and only be allowed to take place on Wednesdays, Thursdays and Fridays of each week. It is not considered necessary to restrict the early morning openings to specific days of the week, as this is not something which is expected to occur every day but will only be for occasional private/ticketed events. Furthermore, it would be very difficult under the planning and enforcement regime to restrict the museum to allow only 30 people to the proposed early morning events.

It is noted that the museum would open at 0830 for private/ticketed events only; the official opening time of the museum does not change and remains at 10am.

Late evening opening on Saturdays for private/ticketed events

The museum currently has permission to open until 2215 from Sundays to Fridays for private/ticketed events

and extending this to include Saturdays is not considered to cause an adverse impact on neighbour amenity. It is noted that late opening would not be the norm and would only be in cases of private lecturers or exhibitions. The museum is situated approximately 30 metres from the 'Spread Eagle' pub and approximately 45metres from the 'Earl of Camden' pub (see above for opening hours). It is noted that both pubs have outdoor seating which would add to noise levels on the street. Given that a certain amount of disturbance would be expected from people entering and leaving the pubs and from the outdoor seating areas, especially at weekends, the occasional opening of the museum until 2215 for private/ticketed events on Saturdays is not considered to be to the detriment to neighbouring properties.

It is noted that the museum would close at 2215 for private/ticketed events only; the official closing time of the museum does not change and remains at 6pm.

Late opening on Thursday evenings

The official opening time of the museum is 10am until 6pm Sunday to Friday. The proposed late opening on Thursday evenings is considered to be acceptable and would not detrimentally impact on neighbouring properties. The museum currently has permission to open for private/ticketed events until 2215 from Sunday-Friday and, given that most museums now have at least one day during the week for late evening access, it is considered that this request is not unreasonable. As stated above, the Councils Transport officers have no objection to the proposal as it is considered that most people travel to the museum by public transport; therefore late openings would not be likely to result in a loss of parking on street.

Noise levels from museum

It is noted that no objections were received from the residents with regards to noise levels from the venue during private or late night events; however it is noted that the Council's standard noise condition was added to the planning permission granted in 2007 for alterations to the front entrance of the museum (ref: 2006/5403/P) and this is still relevant and would require to be adhered to under all circumstances.

Other issues

Residents have raised concerns regarding the private hire of the museum; however it is noted that condition 5 of the original permission states that the building cannot be used for any other purpose other than for a museum, art gallery or exhibition. Therefore any use outside of this is a breach of the planning permission.

Objections have also been received with regards to an increase in accidents and heavy handed security guards outside the museum. The proposal is not considered likely to result in an increase in car accidents and the Councils Transport officers have no objection. Issues with regards to the museums security personnel are not considered to be material planning considerations.

In light of the above, it is considered that the proposed variation from the hours of operation previously granted by the Council, would not impact adversely on the amenity of the neighbouring properties given the relationship of the museum to the surrounding public houses, conference centre and gym. The proposal therefore accords with the provisions of Policies SD6 and C5 of the UDP 2006.

Impact on the Listed Building

The proposed variation of the existing opening hours is not considered to adversely impact on the special character of the listed building or on the surrounding Conservation Area as no external alterations are proposed.

Transport Issues

The Council's transport officers have no objection to the proposed extension of the hours of opening of the museum, and do not consider there to be an impact on the flow of traffic or pedestrians through the area or that the proposal would have an impact on the surrounding transport network.

Conclusion

The proposed variation from the hours of operation previously granted to include Saturday opening and early morning opening/late evening closing for private/ticketed events only is not considered to impact adversely on the amenity of the neighbouring properties or on the special character of the listed building. The proposal is also considered to be acceptable in transport terms and therefore accords with the relevant policies of the UDP (2006) and Camden Planning Guidance 2006.

Recommendation: Grant permission.