

JD/P3176
8th February 2007

Director of Planning
London Borough of Camden
Development Control
Argyle Street Entrance
Euston Road
London WC1H 8ND

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Dear Sir

Town & Country Planning Act 1990
42 Gloucester Avenue, London NW1

ENV 4TH POSTROOM
- 9 FEB 2007
LBC RECEIVED

On behalf of the applicant, Sardo Canale we are applying to vary the operating hours of the restaurant at the above property. Planning permission was granted in June 2000 for the *'redevelopment of the site by the erection of two three/ four storey linked buildings to provide B1 offices, residential, retail and café floorspace with the retention of the accumulator tower and horse steps and tunnel.'* PE9900623/R1.

The granting of the above permission was subject to condition (12) which required *'no food or drink shall be consumed on the premises outside the hours of 8.00am and 11.00pm on Mondays to Saturdays and 8.00am to 10.30pm on Sundays and Bank Holidays. No customers or members of staff shall be on the premises outside the hours of 8.00am to 11.30pm on Mondays to Saturdays and 11.00pm on Sundays and Bank Holidays.'*

This application proposes to vary the above condition as follows:

'no food or drink shall be consumed on the premises outside the hours of 8.00am and 11.30pm on Mondays to Saturdays and 8.00am to 11.00pm on Sundays and Bank Holidays. No customers shall be on the premises outside the hours of 8.00am to 11.30pm on Mondays to Saturdays and 11.00pm on Sundays and Bank Holidays. No members of staff shall be on the premises outside the hours of 8.00am to 12.30pm on Mondays to Saturdays and 11.30pm on Sundays and Bank Holidays.'

When the planning permission was granted, the occupier of the restaurant was unknown and therefore a generic condition restricting the hours of operation for the restaurant was added. Also since the date of permission, changes in the planning Use Class Order have further tightened the use of Class A3 uses, which means that the current use of the premises as a restaurant cannot change to a bar or take away without a further planning application for a change of use.

Sardo Canale is a quality 'low key' restaurant, which positively impacts on the type of clientele the restaurant attracts. Diners normally spend the majority of their evening at the restaurant and the

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restaurant's last sitting begins at 9.30pm. The current condition allows diners to remain on the premises until 11.30pm, however prevents diners from finishing their meals after 11pm, without the restaurant operating in breach of the current permission. Given this practice causes staff at the restaurant to hurry diners to finish their meals, this inevitably is impacting on the reputation of the business and undermines the attraction of the restaurant to diners.

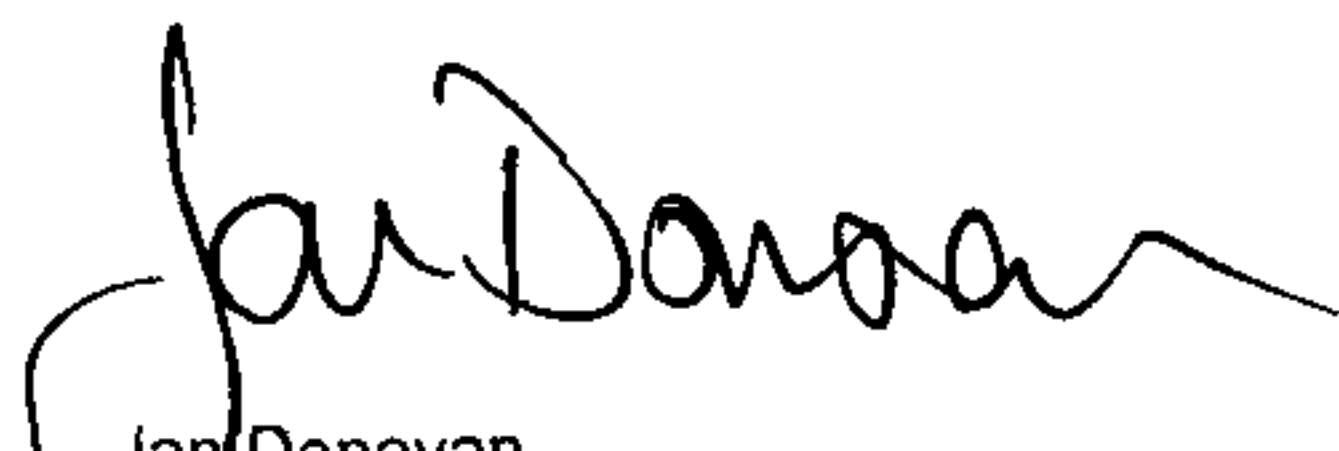
The variation to the hours of operation will not in practice result in an increase of late evening diners nor a later time for customers leaving the restaurant, but will allow diners to finish their meals in a calmer less hurried environment. The alternative for the restaurant is to amend the menu creating a quicker turnaround of patrons, enabling a greater number of patrons and shorter dining periods. This is not a solution the applicant wishes to do and as a consequence is seeking a variation of the current permission.

The restaurant currently uses a small outdoor terrace for diners to use. The applicant is willing to restrict the use of the outdoor seating area of the restaurant to 11pm, currently this area can be used by patrons until 11.30pm albeit without consuming food or beverages after 11pm. In addition to the minor changes in the use of the restaurant for patrons, the applicant is also seeking additional time at the end of the day for staff to clean the restaurant. The current condition does not allow any additional time for staff to remain on the premises after 11.30pm, as a result it is a rush for staff to make ready the restaurant at the end of a working day.

In support of the application, we enclose a plan of the restaurant, a copy of the planning permission, schedule of covers for an average week and a letter from the landlord of the property, as well as the application forms and a cheque for the sum of £135 to cover the requisite planning fee.

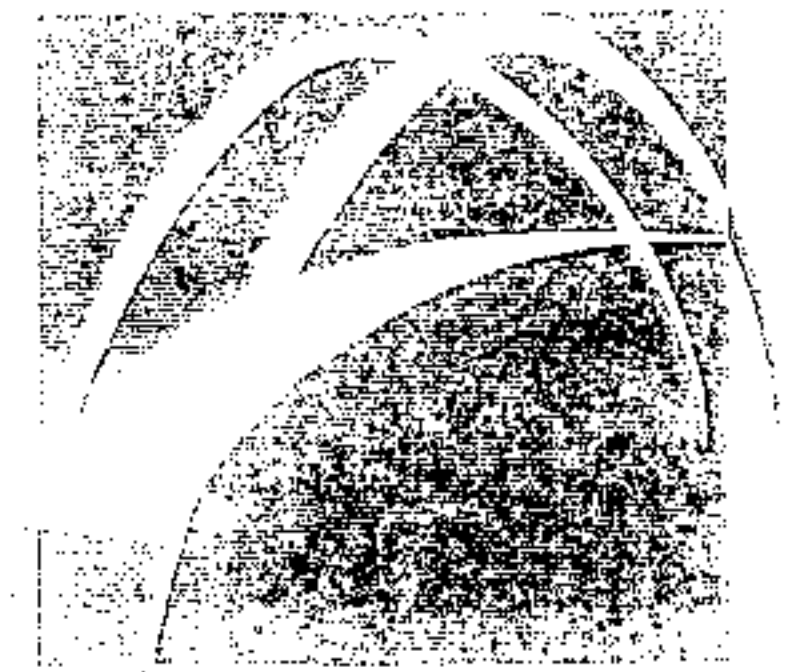
We trust the information enclosed is sufficient for the application to be made valid, should you have any queries, please do not hesitate to contact the undersigned.

Yours faithfully



Jan Donovan
Rolfe Judd Planning

Span Group



**Newquest
Properties Ltd**

11 December 2006

Dear Sir/Madam,

RE: 42 Gloucester Avenue, London NW1

I am writing to you as the Landlord and Developer of the above building and in connection with Sardo Canale Restaurant's planning application to extend their opening hours.

Since Sardo Canale signed a lease with us on the 29th October 2003 they have not only been model tenants in respect to observing the covenants and clauses of their lease but have also enhanced the building and surrounding area by their presence.

I have never had any complaints from residents in the development building or the surrounding area with respect to their opening hours or noise from customers using the inside or outside eating areas or when customers have been leaving the premises.

We are not only the Landlords but we are also the Developers of the building and as such due to the building's close proximity to the railway we employed acoustic engineers to assist in the design and build of the property. As a result of the heavy concrete construction of building, along with the high levels of insulation and acoustic glazing there has been no evidence of any noise transfer from the restaurant premises to the residential flats above. However, I also believe that this is assisted by the type of restaurant business that is being run by the tenant, which is a high quality and respectably run operation.

As the Landlord we always include obligations within tenant's leases not to cause noise or disturbance to neighbouring properties. The restaurant lease at Gloucester Avenue is no exception and I enclose an extract from it. We have never had reason to enforce these obligation however they are in place should there ever be a noise issue, which I do not envisage.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Monty Gershon'.

Monty Gershon

Handwritten notes in the bottom right corner, including the word 'enclosure' and other illegible text.