

**VIA PLANNING PORTAL ONLY**

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20<sup>th</sup> January 2016

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990.**

**PLANNING APPLICATION FOR USE CLASS A4 (DRINKING ESTABLISHMENT) AT 171 CAMDEN HIGH STREET, LONDON, NW1 7JY**

We are applying for planning permission on behalf of our client Ruth and Robinson Limited for Use Class A4 at the above address and as shown on the enclosed Site Location Plan. We provide further details on the proposals and background on the site below and enclose the following documentation for your consideration:

- Completed planning application form;
- Existing Location Plan. Ref – 133-00-000;
- Existing Site Plan. Ref – 133-00-001;
- Existing Basement Plan. Ref – 133-00-100;
- Existing Ground Floor Plan. Ref – 133-00-101;
- Existing First Floor Plan. Ref – 133-00-102;
- Existing Second Floor Plan. Ref – 133-00-103 Rev A;
- Existing Third Floor Plan. Ref – 133-00-104 Rev A;
- Proposed Basement Plan. Ref – 133-02-100 Rev A;
- Proposed Ground Floor Plan. Ref – 133-02-101 Rev A;
- Proposed First Floor Plan. Ref – 133-02-102 Rev A;

- Proposed Second Floor Plan. Ref – 133-02-103 Rev A;
- Proposed Third Floor Plan. Ref – 133-02-104 Rev A;
- Servicing and Delivery Management Plan including Waste Collection and Recycling;
- Management and Dispersal Policy;
- Completed CIL Form; and
- The planning application fee of £385 has been paid online.

## **THE SITE**

The site has been a pub since the 19<sup>th</sup> Century and comprises a three storey terraced building located on Camden High Street, which also includes a basement. It is currently vacant and boarded up. The property is within Camden Town Centre and is within the Camden Town Conservation Area where it is noted for its positive contribution to the locality. The surrounding area is mixed use in character with employment, leisure, and other food and drink uses in close proximity. The site has excellent accessibility and is within easy walking distance of Camden Town tube station and numerous bus routes.

The building includes a bar on the ground floor with a bar and restaurant at first floor and ancillary accommodation, storage and office space on the second and third floors. There is also an external terrace area at first floor level. Planning permission is sought for Use Class A4 to remove any ambiguity associated with the use of the building.

The Black Cap is well known for serving the needs of a specific and local community, in this case, the Lesbian, Gay, Bisexual and Transgender (LGBT) community, although the site was also known to welcome the wider community in Camden. In April 2015, the Black Cap was designated as an Asset of Community Value under the Localism Act 2011 due to its cultural heritage, its use as a community venue and its importance to the local community.

## **PLANNING HISTORY**

On 3<sup>rd</sup> October 2005, planning permission (Ref - 2005/2817/P) was granted to extend the site's opening hours by way of a variation of condition of planning permission Ref – 8903652 for use as a restaurant/bar between 10:00 and 03:30 Mondays to Thursdays; between 10:00 and 04:30 on Fridays and Saturdays; and between 10:00 and 02:30 on Sundays.

In December 2006, there was another application (Ref - 2006/4571/P) to vary the opening hours of planning permission Ref – 8903652 which was granted allowing opening between 10.00 and 02.30 Mondays to Thursdays; between 10.00 and 03.30 on Fridays and Saturdays and between 10.00 and 01.30 on Sundays.

More recently, there have been a number of applications seeking to introduce residential units on the upper floors. In May 2012, planning permission (Ref - 2012/1444/P) was refused for the change of use of the first, second and third floors from bar/restaurant use and ancillary accommodation to residential (Class C3) to provide 2 x 2 bedroom units and 1 x 1 bedroom unit with rear roof terraces

at first and third floor levels and a rear balcony at second floor level, alterations to windows and doors on side and rear and creation of refuse and cycle stores for flats at ground floor level. This application was refused due to the loss of the pub and restaurant at first floor level which serves the need of a specific and local community with no replacement facility or evidence to demonstrate that the facility is no longer required; and due to unacceptable parking stress and unacceptable levels of internal noise.

This applicant appealed against the refusal of planning permission and in March 2013 the appeal was dismissed on the grounds that the development would be harmful to the amenities of occupiers in terms of noise and disturbance and through failure to ensure sustainable means of travel. The reason for refusal relating to the loss of a community use was not upheld by the Inspectorate.

In March 2013, a further application (Ref - 2013/0262/P) for the change of use of part first floor, second and third floors from bar/restaurant and ancillary accommodation to residential to provide 2 x 1 bedroom flats and 1 x 2 bedroom maisonette with rear roof terraces at first and third floor levels and a rear balcony at second floor level, alterations to windows and doors on side and rear and creation of refuse and cycle stores for flats at ground floor level was also refused on the ground that the application failed to demonstrate that the flats would experience an acceptable level of internal noise and the absence of a legal agreement to secure car-free housing.

This was followed by another application (Ref - 2013/2301/P) for the change of use of the first, second and third floors to residential, which was withdrawn in September 2013 so that further discussions could take place with the Council's environmental health team regarding noise matters.

## **PROPOSALS**

Planning permission is sought to confirm the use of the building within Use Class A4 (drinking establishment). It is proposed that the site will be operated by Ruth and Robinson Ltd, an independent start-up business and will be run as a drinking establishment with occasional live music and acts.

Ruth and Robinson Ltd intend to create a unique, distinctive and vibrant drinking establishment which is welcoming to the whole community. The plans include a bar area on the ground and first floor with three smaller rooms on the second floor also available for functions. The main kitchen area will be at basement level, along with storage, the cellar and toilets. The existing external terrace area will remain, as will the ancillary accommodation (office and staff rooms) on the third floor. The proposals will also significantly improve step free access and include a disabled bathroom on the ground floor.

Currently, there are numerous plant and extraction installations on the third and first floor roofs. This plant is dated, unsightly and inefficient and it is proposed that a separate application will be made to replace this plant with a more modern and efficient system.

Ruth and Robinson Ltd propose to operate throughout the day and evening. The opening hours would be in line with the existing planning permission and Premises Licence. Approximately 20 to 30 people would be employed in full and part time roles and Ruth and Robinson Ltd is keen to establish links with local suppliers and local businesses including links with local colleges and training institutions. The majority of the jobs created would be entry level and semi-

skilled jobs available to local people.

## **POLICY**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Camden comprises the London Plan 2015, consolidated with alterations since 2011, Camden's Core Strategy (November 2010), Camden's Development Policies (November 2010) and Camden's Supplementary Planning CPG1 Design and CPG6 Amenity, and the Camden Town Conservation Area Appraisal and Management Strategy 2007.

Consideration has also been given to the National Planning Policy Framework, which highlights a presumption in favour of sustainable development. The most relevant policies for the proposal are set out below.

### *Camden Core Strategy*

**Policy CS5** (Managing Growth) seeks to manage the impact of growth and development throughout Camden by giving particular consideration to meeting the needs of Camden's population, providing sustainable spaces of the highest quality and protecting the amenity and quality of life of local communities.

**Policy CS7** (Protecting Camden's Centres and Shops) notes that the council will promote successful and vibrant town centres, such as Camden to serve the needs of residents, workers and visitors. The policy recognises the unique role and character of each centre and the need to provide a range of shops, services, food, drink and entertainment uses. It also seeks to ensure that food, drink and entertainment uses do not result in any harmful impacts.

**Policy CS8** (promoting a successful and inclusive Camden economy) seeks to secure a strong economy where no one is excluded. The policy encourages local employment and training and recognises the concentrations of creative and cultural businesses.

**Policy CS10** (Supporting community facilities and services) seeks to provide an enhance community, leisure and cultural facilities.

**Policy CS11** (Promoting sustainable and efficient travel) encourages the use of sustainable modes of travel to reduce congestion and related environmental impacts.

**Policy CS14** (Promoting high quality places and conserving our heritage) aims to secure the highest standards of design that respect local context and character and which preserve and enhance Camden's rich and diverse heritage assets.

**Policy CS18** (Dealing with our waste and encouraging recycling) states that developments must include facilities for the storage and collection of waste and recycling.

**Policy DP12** (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) is in place to ensure that such uses do not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. Factors such as the cumulative impact of food drink and entertainment uses, any harm caused by such uses and any impact on nearby residential uses and amenity and community safety will be taken into account. The policy also highlights the important of management agreements to ensure that the vicinity of premises are managed responsibly to minimise impact on the surrounding area.

**Policy DP15** (Community and leisure uses) encourages suitable developments to make rooms available for local community groups to use or hire at a discounted rate, particularly where a development displaces or replaces a community facility. It also states that the Council will protect existing community facilities unless a replacement facility is provided or the specific facility is no longer required.

**Policy DP26** (Managing the impact of development on occupiers and neighbours) aims to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

**Policy DP28** (Noise and vibration) states that planning permission will not be granted for development likely to generate noise pollution or in noise sensitive locations unless appropriate attenuation measures are provided.

**Policy DP29** (Improving access) seeks to promote fair access and remove barriers that prevent people from accessing facilities and opportunities with buildings expected to meet the highest practicable standards of access and inclusion and that encourage the use of accessible public transport.

## **JUSTIFICATION**

Ruth and Robinson Ltd will trade as an A4 use across the entire building and will operate a drinking establishment with occasional live music and entertainment. The building is a long established drinking establishment and this application seeks to remove any ambiguity associated with the use of the ground floor space. There will be three rooms on the second floor which would be available for events in accordance with Policy DP15.

The site is currently vacant and boarded up and the proposal from Ruth and Robinson Ltd will bring this site back to life, preserving the existing use and contributing to the vibrancy and vitality of Camden High Street in a sustainable location in accordance with Policy CS7, DP12 and DP15.

Ruth and Robinson Ltd is a responsible operator and a Management Plan and dispersal policy is included with this application setting out the measures which will be in place to ensure that the use does not result in any adverse impacts in accordance with Policy DP26 and DP28. The hours of operation will be in line with the existing Premises Licence.

It is anticipated that there will be two drinks deliveries per week and one or two food daily deliveries, due to the fresh nature of the food, which would be subject to the enclosed Delivery and Servicing Management Plan. The timings and location of these will be determined in consultation with the relevant Council

guidelines, as well as Transport for London. All waste and recycling will be stored internally to prevent any nuisances on the street in accordance with Policy CS18.

In summary, it is considered that the proposal will retain an existing A4 use, make a positive contribution to Camden, creating new job opportunities and bringing a vacant site back to life.

We look forward to discussing the application with you. If you require any further information then please do not hesitate to contact Catherine Stephens on 0207 832 0258.

Yours faithfully

A handwritten signature in cursive script that reads "CgMs".

**CgMs Consulting**  
**For and on behalf of Ruth and Robinson Limited**