

Ms Hannah Murray  
Gerald Eve LLP  
72 Welbeck Street  
London  
W1G 0AY

Application Ref: **2016/3874/P**  
Please ask for: **Ian Gracie**  
Telephone: 020 7974 **2507**

22 September 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Land to the north of the Gin House  
Stables Market  
Chalk Farm Road  
London  
NW1 8AH**

Proposal: Erection of four single storey structures to provide 8 x hot food takeaway units (Use Class A5) following demolition of existing four units (Use Class A5).

Drawing Nos: 001 Rev PL1; 000 Rev PL1; 100 Rev PL1; 000 Rev PL1 (Existing side elevation); 000 Rev PL2; 001 Rev PL2; 100 Rev PL2; 101 Rev PL2; O.N. 100 Odour Neutralizer details.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 001 Rev PL1; 000 Rev PL1; 100 Rev PL1; 000 Rev PL1 (Existing side elevation); 000 Rev PL2; 001 Rev PL2; 100 Rev PL2; 101 Rev PL2; O.N. 100 Odour Neutralizer details.

Reason:

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

- 4 The units shall not be used for the sale of hot food takeaway outside the following times 10:00 to 22:00 (Monday to Sunday incl. Bank Holidays).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to commencement of primary cooking within any of the units, details of a cleaning and maintenance schedule and/or maintenance contract for the extract and odour control systems shall be submitted to and approved in writing by the local planning authority. The extract and odour control systems shall not be operated other than in accordance with the maintenance and cleaning schedule thus approved.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development.

- 6 Prior to the commencement of primary cooking within any of the units, the odour control and extract equipment shall be installed and made operational in accordance with the details hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

No hot food cooking shall take place in the units unless the odour control and

extracts are operational.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development.

Informative(s):

1 Reasons for granting permission.

The proposed replacement of the existing hot food takeaway (A5) units on site with 8 new design-led units is welcomed by officers. It is considered that the existing units, which comprise four A5 stalls of a more informal appearance, are considered to detract from the character and appearance of the Regent's Canal conservation area. The proposal, which proposes to install 4 huts (each split into 2 units) (Use Class A5) each made from a mild steel shell with timber panelling, is considered a significant improvement which both preserves and enhances the character and appearance of the conservation area. The timber sliding folding panel is considered an appropriate method of securing the stalls outside of opening hours and is considered to continue the appearance of the stalls both during and outside of opening hours. The additional depth of the units of approximately 1m is considered acceptable whilst the use of flues on the roof is considered to contribute to the overall design appearance. It is not considered that the additional depth of the structures will have a significant impact on pedestrian flows through the market. It is considered that the proposal both preserves the setting of the listed Gin Store building to the south and the character and appearance of the Regent's Canal conservation area in accordance with policies CS14 and DP25 of Camden's Local Development Framework.

It is not considered that the proposal will have any significant impact on the amenities of both the public using the market stalls or any nearby residential occupiers. It is considered that the use of flues as a means of ventilation is an improvement on the existing situation where there is no formal means of ventilation or odour control.

One objection was received and duly taken into account prior to making this decision. The site's planning history was taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight has also been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the National Planning Policy Framework (2012).

- 2 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
- 3 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 6941).
- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

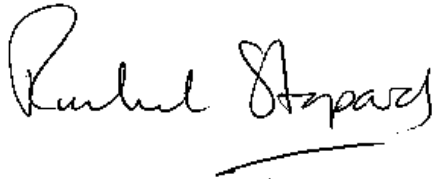
Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Executive Director Supporting Communities