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Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
W1CH 8ND

24<sup>th</sup> January 2017

Dear Seonaid,

**ERECTION OF A MANSARD ROOF EXTENSION TO NOS. 3, 5 AND 7 BAYHAM STREET AND TWO STOREY REAR EXTENSION TO NO.3.**

**AT: 3-7 BAYHAM STREET AND 46 BAYHAM PLACE, LONDON NW1 0EY (LPA REF: 2016/6394/P)**

On behalf of our client, Obar Camden Ltd, we write in response to the above planning application consultation. Obar Camden Ltd operate the premises at 1A Camden High Street which is a landmark Grade II listed building. Formerly the Camden Palace Theatre, the premises now trades under the name 'KOKO'.

We have reviewed the above application and whilst the client is supportive of development and improvements to the existing buildings in principle, in the absence of a noise assessment to allow suitable consideration regarding amenity of future residents, Obar Camden Ltd Group object to the above application.

The application proposes a new internal configuration and additional residential windows in the proposed extension and mansard roof which may be sensitive to noise arising from KOKO and other surrounding leisure uses. The proposed changes are materially different to the current residential configuration and could raise new impacts that need to be considered.

In its current form, the application does not take into account the proximity of KOKO and other nearby leisure venues. By definition, nightclub uses generate noise at anti-social hours, and on occasions queuing along Bayham Street, and it is crucial that the Council is satisfied that the application proposals include appropriate mitigation measures to ensure that this will not impact the amenity of future residents of the proposed scheme.

We request the application is not determined until a Noise Impact Assessment has been submitted in accordance with the Council's Local Validation requirements. Until this information is submitted, we consider that Officers have insufficient information to make an informed decision over the acceptability of the proposed residential accommodation.



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The Council's local validation list does states:

*'If your proposal is for a noise sensitive development...a noise assessment should be submitted'.*

Residential use is defined as a noise sensitive development. Whilst the use is not changing, by virtue of the fact that the layout is changing and the alterations require planning permission, the development as a whole needs to be considered and a noise sensitive use is being proposed adjacent to noise generating uses and a main road. The submitted Noise Impact Assessment should identify the required mitigation measures and suitable and adequately robust conditions which will ensure the long-term protection of future residents of the scheme from noise generated by KOKO and other surrounding uses, and the subsequent protection of this long-term local business.

We are aware of a number of examples of previous residential developments within London which have resulted in the closure of long-standing nearby leisure uses due to the impact on amenity of the residents within these new schemes. We are keen to avoid a similar situation happening here. We also note that this issue has been raised by Mayor Sadiq Khan, who has stated a clear intention to prevent this from happening in the future using the 'agent-of-change' principle. We are keen to see the Council adopt aspects of this approach when determining this application.

The importance of this issue has been highlighted by the recent decision at the Hope and Anchor site where the decision was challenged on the grounds that the assessment of noise impact was flawed, and the approach to planning conditions was irrational as they could not achieve their stated objective. Clearly this sets a useful precedent but is not a desired approach for any party and the matters raised in this case can be addressed through appropriate noise assessment, consideration of the impacts and appropriate mitigation secured by condition.

The above case highlights the conflicts which can arise from the applicant not adequately considering the noise impacts of existing uses within the locality of the development site. The client is extremely keen to avoid any such conflicts arising as a result of this application, which therefore justifies the comments which are stated in this letter. Whilst recognising the associated benefits of redevelopment within the area, such development should not prejudice the future of this long established business and role as a significant local employer and contributor to the local economy.

The recently approved application at 48-56 Bayham Place included an acoustic survey with proposed noise mitigation measures and conditions requiring internal noise levels to be met. Furthermore, the application being prepared for the adjacent Hope and Anchor site will include a noise assessment. A similar approach should be taken here.

The requirement for a noise assessment is one of the Councils own validation requirements – the local validation list states 'If your proposal is for a noise sensitive development and is next to an existing noise source for example it is the upper floor of a pub or night club, next to an industrial site, a busy road, or a railway line.... You must submit a noise and vibration impact assessment prepared by a qualified acoustician'. As such, arguably the application should not have been validated without this and should not be determined until this information is submitted.

For the reasons outlined above, we consider the applicant should be required to submit a noise assessment prior to the determination of the application so the impacts can be fully considered. We would be grateful if you could fully consider the above comments and keep us informed regarding the progress of the application.

Yours Faithfully,

A black rectangular redaction box covering the signature of Laura Webster.

LAURA WEBSTER  
ON BEHALF OF CBRE LTD

cc. Mr L Seymour – Obar Camden Ltd