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Application Ref: **2017/0316/P**
Please ask for: **Ian Gracie**
Telephone: 020 7974 **2507**

13 March 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Arch 07
Stables Market
Chalk Farm Road
London
NW1 8AH**

Proposal:

Replacement of five existing hot food takeaway outlets (Class A5) with six new hot food takeaway outlets (Class A5); new shopfront and associated alterations within Arch 07 of Stables Market.

Drawing Nos: 01/000; 01/100; 01/101; 02/100; 00/100/01; 04/100; 04/100/01; 05/100.

Reports: Letter prepared by Gerald Eve LLP dated 17/01/2017; Design & Access Statement prepared by Piercy & Company dated February 2017.

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 01/000; 01/100; 01/101; 02/100; 00/100/01; 04/100; 04/100/01; 05/100.

Reason:

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the surrounding area in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of primary cooking within any of the units, details of the odour control and extract equipment shall be submitted to and approved by the local planning authority. 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.

- 6 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.

- 7 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.

Informative(s):

- 1 Reasons for granting permission.

The proposed replacement of the existing five hot food takeaway outlets with six is considered acceptable. There will be no increase in floorspace as the extra unit has been created through a re-ordering of the existing floorspace. The design is in keeping with the stall and shopfront strategy which has been tailored for all of the viaduct arches across the market and which is in keeping with the new stall structures being erected in certain areas of the market. The design is a framework which is deliberately flexible in that it can adapt itself to different configurations of glazing and signage. The design and configuration for Arch 7 also provides a strong precedent for future proposals for other arches, although it is anticipated that most other arches will not contain a pedestrian route through the centre, but will instead have a 100% retail or food outlet use.

The proposed works preserve and enhance the character and appearance of the Regent's Canal Conservation Area, and respect the setting of nearby listed buildings including the Long Stable and Chalk Farm Stable. The works are in keeping with guidance on demolition, new development and shopfront design as set out in guidance in CPG1 and in the Regent's Canal Conservation Area Appraisal and Management Strategy.

It is not considered that the proposed will significantly harm the amenity of any adjoining residential occupiers in terms of outlook, noise or privacy. A condition has been attached to this permission to ensure that noise levels do not reach unacceptable levels. Conditions have also been attached to secure the detail of the odour extraction equipment prior to primary cooking together with a cleaning and maintenance schedule, to be submitted to the Council for approval, prior to the commencement of the use within any of the units.

No objections have been received. 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 been attached to the harm and special attention has also 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 and policies A1, A4, D1 and D2 of the Camden Local Plan Submission Draft 2016. 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

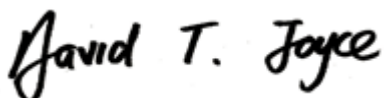
- 5 The emerging Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

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



David Joyce
Director of Regeneration and Planning