

<b>Address:</b>	<b>St.Giles Circus (WC2) site including:</b> <ul style="list-style-type: none"> <li>• 138-148 (even numbers only) Charing Cross Road</li> <li>• 4, 6, 7, 9, 10, 20-28 (all) Denmark Street</li> <li>• 1-6 (all) and 16-23 (all) Denmark Place</li> <li>• 52-59 (all) St.Giles High Street</li> <li>• 4 Flitcroft Street</li> <li>• 1 Book Mews</li> </ul>		<b>3</b>
<b>Application Number:</b>	2016/5690/P	<b>Officer: Jonathan McClue</b>	
<b>Ward:</b>	Holborn & Covent Garden		
<b>Date Received:</b>	18/10/2016		
<b>Proposal: Variation of Conditions 33 (hours of operation for A1, A3 and A4 uses) and 34 (hours of operation for urban gallery and basement venues) of planning permission 2012/6858/P dated 31/03/15 (for redevelopment of site including 2895sqm of basement Event Gallery space; a 678sqm urban gallery, exhibitions and events; 884sqm of flexible retail and restaurant floorspace; 2404sqm of restaurant floorspace; 385sqm of drinking establishment; a 14 bedroom hotel and changes of use to provide 4,308sqm of office floor space; 2,959sqm of private housing; 239sqm of affordable housing and 2540sqm of retail); CHANGES ARE to vary condition 33 to allow A1 (retail), A3 (cafe/restaurant) and A4 (drinking establishment) uses to operate between 08:00 to 01:00 Monday to Sunday and to vary condition 34 to allow the Sui Generis uses (the urban gallery and basement venues) to operate between 09:00-23:30 Monday to Thursday, 09:00 - 00:00 Friday and Saturday and 09:00 - 22:30 on Sundays with the ability to operate until 02:00 on 104 occasions per year.</b>			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b> 1793 PL001-01 Rev P2; Covering Letter dated 13/10/2016; Design Note - Extension of hours noise assessment dated 02/02/2017; St Giles Circus Event Gallery Crowd Flow Study (032930) Rev 03 dated 01/02/2017 and Fire Strategy (032930) Rev 05 dated 29/11/2016.			
<b>RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Consolidated Developments Ltd c/o Agent		Iceni Projects Flitcroft House 114-116 Charing Cross Road London WC2H 0JR	

### ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace

Approved under 2012/6858/P	<i>A1 Shop</i> <i>A3 Restaurants and Cafes</i> <i>A1/A3 Shop or restaurant</i> <i>A4 Drinking Establishments</i> <i>B1a Business – Office</i> <i>C1 Hotel</i> <i>C3 Dwelling House</i> <i>Sui Generis urban gallery</i> <i>Sui Generis basement venue</i> <i>Plant</i>	2,540m <sup>2</sup> 2,404m <sup>2</sup> 884m <sup>2</sup> 385m <sup>2</sup> 4,308m <sup>2</sup> 936m <sup>2</sup> 3,198m <sup>2</sup> 678m <sup>2</sup> 2,895m <sup>2</sup> 2,020m <sup>2</sup>
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**Residential Use Details:**

	Residential Type	No. of Bedrooms per Unit					
		Studio	1	2	3	4	Total
Approved under 2012/6858/P	<i>Flat/Maisonette</i>	1	9	11	2	0	23

## **OFFICERS' REPORT**

**Reason for Referral to Committee:** This application is reported to the Planning Committee as it was referred for consideration after briefing Members [Clause 3(VII)]

### **1. SITE**

- 1.1 The wider site is located close to the junction of Oxford Street, New Oxford Street, Tottenham Court Road and Charing Cross Road within the Denmark Street Conservation Area. It contains a number of listed buildings including 59 St Giles High Street; 6, 7, 9, 10, 20, 26 and 27 Denmark Street and is adjacent to the grade I listed St Giles in the Fields Church. St Giles High Street and Charing Cross Road to the lie to the east and west and the wider site contains properties on the northern and southern sides of Denmark Street.
- 1.2 The main site is split into Zones 1 and 2 and Zone 3. Zones 1 and 2 include the area north of Denmark Street bounded by Charing Cross Road, Andrew Board Street and St Giles High Street and 20-28 Denmark Street (north). Zone 3 includes the area south of Denmark Street (Nos 4,6,7,9 and 10 Denmark Street and 1 Brook Street and 4 Flitcroft Street). It is located within the Seven Dials Special Policy Area in the Camden's Statement of Licensing Policy (2011).
- 1.3 The wider area around the site is characterised by many of London's most popular visitor attractions, including the British Museum, Covent Garden and Oxford Street. Interspersed within the above are residential and other small and large-scale retail uses.
- 1.4 This area has been subject to, and will be the subject of, considerable change with several major redevelopment proposals taking place including the enlargement of the Tottenham Court Road Underground Station ticket hall; implementation of Crossrail; redevelopment of the two Tottenham Court Road station over site developments in Westminster at 135-155 Charing Cross Road and 1-23 Oxford Street/157-165 Charing Cross Road and the conversion of Centre Point Tower from office to residential and associated affordable housing and retail/restaurant uses at Centre Point House.
- 1.5 This application is submitted in the context of a series of related permissions for the redevelopment of the wider St Giles Circus area including 2012/6858/P and others mentioned below under relevant history.

### **2. THE PROPOSAL**

- 2.1 Planning permission is sought to vary conditions 33 (hours of operation for A1, A3 and A4 uses) and 34 (hours of operation for urban gallery and basement venues) of planning permission 2012/6858/P dated 31/03/15. As explained under Relevant History (above) this application relates to a major redevelopment scheme which includes 2895sqm of basement Event Gallery space (Sui Generis); a 678sqm urban gallery with 1912sqm of internal LED screens (Sui Generis); 884sqm of flexible retail and restaurant floorspace (Class A1/A3); 2404sqm of restaurant

floorspace (Class A3); 385sqm of drinking establishment (Class A4) and 2540sqm of retail floor space (Class A1).

2.2 Condition 33 currently states that none of the A1, A3 or A4 uses permitted shall occur outside of 08:00 to 23:30 Monday to Saturday and 11:00 until 22:30 on Sundays. The proposal is to vary this condition to allow the uses to operate until 01:00 seven days a week.

2.3 Condition 34 requires the Sui Generis uses within the urban gallery and basement venue to occur between 09:00 - 23:30 Monday to Wednesday; 09:00 - midnight Thursday, Friday and Saturday; and 09:00-22:30 Sunday. The proposal is to vary the condition to allow the urban gallery and basement venue to operate until 02:00 on 104 occasions per year.

2.4 The proposed variations to condition 33 and 34 are outlined below:

*33) None of the A1, A3 or A4 uses hereby permitted shall occur outside of 08:00-01:00 Monday to Sunday. No customers shall be permitted within these premises outside of the approved hours of use.*

*34) None of Sui Generis uses (the urban gallery and basement venue) hereby permitted shall occur outside of the following times: 09:00-23:30 Monday to Thursday, 09:00 – midnight Friday and Saturday; and 09:00–22:30 Sunday. On 104 occasions per year the Sui Generis uses may operate within the following times: 09:00–02:00. No customers shall be permitted within these premises outside of the approved hours of use.*

2.5 The hours of operation for the A1, A3 and A4 uses have been approved under licensing applications (ref: APP\PREMISES-PROV\000018 and APP\PREMISES-PROV\000023) for the supply of alcohol, recorded music, late night refreshment and opening hours. The decision notices can be found within Appendix 1 and 2 (below).

2.6 The hours of operation for the urban gallery and basement venue were approved under licensing applications APP\PREMISES-PROV\000020 and APP\PREMISES-PROV\000022 (decision notices attached as Appendix 3 and 4). These align with the hours sought as part of this permission. The event gallery/basement venue licensing permission (ref: APP\PREMISES-PROV\000022) allows the hours of operation to occur until 02:00 on 104 occasions per calendar year. Each occasion must be notified to the Police and Licensing Authority 14 days prior.

### **Revisions**

2.7 Officers from Planning and Environmental Health met with the applicant, planning agent and their crowd flow expert on 18/01/2017 to go through the proposals and justifications in detail and walk around the application site. Further details on the cumulative impact of crowd flow from other operating nearby venues, the impact of Crossrail development at the time of the venue opening, calculations used to assess crush levels and the use of the urban gallery to manage queues for the large events space were requested.

2.8 On 16/02/2017 the applicant submitted the following additional/revised documents:

- Event Gallery Fire Strategy;
- Event Gallery Crowd Flow Study (updated);
- Noise Impact Assessment.

2.9 The Noise Impact Assessment was undertaken by Burohappold Engineering with the author being a Chartered Engineer and a corporate member of the Institute of Acoustics. The proposed extension in licensable hours was not found to have a significant impact on the noise.

2.10 The qualifications/competency of the authors for the Crowd Flow Study was confirmed. The report was written by 4 authors with a variety of engineering, architecture and planning qualifications and a vast level of experience.

### 3. RELEVANT HISTORY

3.1 Planning permission was granted on 31 March 2015 under **2012/6858/P** for redevelopment of the wider site including:

- erection of three buildings (5 and 7 storey buildings facing Centre Point Tower and a 4 storey building on Denmark Place)
- demolition of 1-6, 17-21 Denmark Place and York and Clifton Mansions with retained facades at 1-3 Denmark Place and York and Clifton Mansions
- 2895sqm of basement Event Gallery space (Sui Generis)
- a 678sqm urban gallery with 1912sqm of internal LED screens (Sui Generis)
- 884sqm of flexible retail and restaurant floorspace (Class A1/A3)
- 2404sqm of restaurant floorspace (Class A3)
- 385sqm of drinking establishment (Class A4)
- 14 bedroom hotel (Class C1) between Denmark Place and Andrew Borde Street
- change of use 4, 6, 7, 9, 10, 20-28 Denmark Street, 4 Flitcroft Street and 1 Book Mews to provide 4,308sqm of office floor space (Class B1a)
- 2,959sqm of private residential floor space (Class C3)
- 239sqm of affordable housing (Class C3)
- 2540sqm of retail floor space (Class A1)
- new pedestrian route from Andrew Borde Street to Denmark Street at ground floor level and associated partial demolition at 21 Denmark Street

3.2 In addition to the above approval, a number of associated applications were approved including Conservation Area Consent (ref: 2012/6860/C); Advertisement Consent (ref: 2012/6863/A); planning permission at 71 Endell Street for change of use from office to affordable housing (ref: 2012/6861/P) and various listed building consents ref: 2012/6872/L, 2012/6864/L, 2012/6867/L, 2012/6868/L, 2012/6869/L, 2012/6870/L, 2012/6871/L.

3.3 A Minor Material Amendment was granted on 08/08/2016 under **2015/3900/P** for changes to 4 Flitcroft Street, 1 Brook Mews and 4 Denmark Street. The approved amendments include alterations to design and materials and changes to approved

layout of the development including the internal reconfiguration of Buildings A,B,C and D, alterations to internal layout and shopfronts in Denmark Street (north) and alterations to 4 Flitcroft Street including changes to roof pitch of approved rear extension.

- 3.4 A Minor Material Amendment has a resolution to grant subject to a Section 106 legal agreement (agreed at Development Control Committee on 17/03/2016) under **2015/6939/P** and **2015/6937/L** for repairs and restoration to 22 Denmark Place and 26 Denmark Street; the demolition and rebuilding of 23 Denmark Place; the temporary removal of 22 Denmark Place and a lower ground floor and basement extension to create additional venue space.
- 3.5 A Minor Material Amendment has been submitted under **2016/5692/P** to amend condition 49 (capacity of urban gallery and basement venue) and remove condition 50 (number of events per month in urban gallery and basement venue) of planning permission 2012/6858/P. This application is currently under consideration.

#### 4. **CONSULTATIONS**

##### **Statutory Consultees**

Transport for London (TfL) on 10/11/2016, comment:

- 4.1 *'TfL have no objections to the proposals.'*

##### **Local Groups**

Covent Garden Community Association (CGCA) on 21/11/2016, objection:

- 4.2 *'The CGCA objects to the proposed variation of conditions 33 and 34, which would extend the hours of operation, because of the negative impact on residential amenity and the local area. The area includes a large number of residents and permitting entertainment use late into the night will result in noise, disturbance, antisocial behaviour and other impacts. The conditions were imposed on the development specifically "to safeguard the amenities of the adjoining premises and the area." Nothing has changed to warrant varying these conditions, as the amenity of local residents remains paramount.'*

**Officer Comment:** The proposed amendments would ensure that the planning conditions accord with the controls granted under licensing. Residential amenity would still be protected by the additional controls attached through the licenses, other planning conditions and through S106 obligations including site-specific Venue Management Plans and event-specific Event Management Plans. The development involves the surrender of a number of licences for other premises in the area with a significant reduction in trading hours. Therefore, the impact on the Seven Dials Special Policy Area is less than existing. In addition, the wider scheme has significant benefits overall in terms of management of premises and strategies to significantly reduce crime and disorder.

##### **Adjoining Occupiers**

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<i>Number of letters sent</i>	0
<i>Total number of responses received</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

4.3 4 Site Notices were placed around the wider site (including Charing Cross Road, Denmark Street and St Giles High Street) on 09/11/2016 and a press notice was made on 10/11/2016. No third party comments were made apart from the CGCA and TfL.

## 5. **POLICIES**

### 5.1 **National Planning Policy Framework 2012**

### 5.2 **London Plan 2016**

### 5.3 **LDF Core Strategy and Development Policies**

Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

#### **Core Strategy**

CS5 – Managing the impact of growth and development

CS7 – Promoting Camden’s centres and shops

#### **Development Policies**

DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP26 – Managing the impact of development on occupiers and neighbours

DP28 – Noise and vibration

### 5.4 **Supplementary Planning Policies**

#### **Camden Planning Guidance (CPG)**

CPG5 (Town Centres, Retail and Employment) 2013

CPG6 (Amenity) 2011

### 5.5 **Denmark St Conservation Area Appraisal and Management Strategy (March 2010)**

### 5.6 **Planning Guidance for Central London - Food, Drink and Entertainment, Specialist and Retail Uses**

### 5.7 **Camden Local Plan Submission Draft 2016**

Policy C4 Safety and security

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

Policy TC4 Food, drink, entertainment and other town centres uses

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 Emerging 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.

## 6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application are summarised as follows:

- 7. Background;
- 8. Variation of Condition 33;
- 9. Variation of Condition 34;
- 10. Residential Amenity;
- 11. Significance of Scheme
- 12. Environmental Health Monitoring Contribution

## 7. **Background**

7.1 The approved wording for conditions 33 and 34 of 2012/6858/P were put forward by the applicant and Officers to the Planning Committee when the decision was made. At the time of the proposal there were no discussions with Officers regarding the currently proposed later hours for the A1, A3 or A4 uses and the urban gallery and basement venue (Sui Generis). Due to the strict criteria within the Seven Dials Special Policy Area the applicant and Officers took the default position and there was no proposal or justification put forward at the time for the Council to consider. It is noted that regardless of the planning conditions all of the licensed premises are obliged to go through the licensing procedure. This has now been undertaken and a detailed and comprehensive licensing strategy has been formed and presented to the Licensing Committee. At the time of the original planning submission these strategies were not developed as such extensive works would not take place without the guarantee of planning permission. On the basis that licensing has been granted for the hours of operation now sought and due to there being special circumstances (as outlined below) to amend the existing planning conditions, the applicant has submitted for these conditions to be altered. It is these factors which justify the proposal and they were not in front of Officers or Members at the time of the original planning application. In addition to these factors the site circumstances are materially different to when the original permission was granted which is outlined further below.

7.2 With regards to the recent licensing decisions, the Licensing Panel was of the view that the surrender of a number of licences for other premises in the area was sufficient justification to allow the licensing applications to be granted. More premises licenses were being surrendered than were being applied for in respect of this development and the total number of hours outside framework hours was less than had previously existed. The licenses also specify that a Venue Management

Plan/Event Management Plan would be prepared for each venue/event which would be served upon the Police and Environmental Health for comments. This is similar to the requirements of the s106 of the original planning permission. The Panel granted the licensing applications with additional conditions including that a Noise Management Plan be developed to the satisfaction of the Noise Team. The Noise Management Plan must be updated by the Premises Licence Holders from time to time as appropriate and each holder is bound to the Noise Management Plan. This all must be undertaken to the satisfaction of Environmental Health.

- 7.3 The Panel also noted that the premises and events were all part of a wider development that could be managed holistically. The existing situation involved many premises that were not controlled and there was not the same level of management and scope for enforcement and reassessment.
- 7.4 It is noted that the Licensing Panel is independent of planning process and the Licensing Act 2003 sets out the licensing objectives that are the only considerations for the Licensing Authority:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 7.5 The Licensing Authority cannot refuse a license for any reasons other than the proposal conflicting with the above and a decision must be made independently of the planning process. It is noted that the licenses were granted under the strict criteria outlined above through a hearing process and representations (both for and against) were made. More information was presented to the Licensing Committee than the details which were part of the original planning application. Previously, occupiers were not known and the exact nature and impact of the development at planning stage was speculative. The CGCA objected to the licensing applications (as per to this planning application) and they were duly considered as part of the decision making process.

## 8. **Variation of Condition 33**

- 8.1 The main site is located within the Seven Dials Special Policy Area in the Camden's Statement of Licensing Policy 2017-2022. This area has special licensing policies to ensure that the number, type and density of premises selling alcohol for consumption on the premises do not negatively impact on the local community and amenities. It is noted that each individual premises within the scheme, notwithstanding planning permission and any associated conditions, would need to apply for a premises licence which includes conditions that must be adhered to. Licenses must be granted at the relevant committee and can be subject to remediation or enforcement as well as review which can lead to amendments, suspension or removal. The licensing process is separate to planning and uses similar assessment criteria. Representations are considered as part of the process.

- 8.2 As part of the original approval it was recognised that the open plan nature of the units and location of the site meant that they were likely to be suitably attractive to a range of occupiers. The proposed uses were considered acceptable in principle both individually and collectively. Condition 33 was placed in order to minimise the impact on the existing residential units in the area and the proposed residential units as part of the scheme due to no details being available at the time regarding future occupiers and management strategies. The hours were considered by Planning Officers to be reasonable and appropriate in this Central London Area, satisfactorily safeguarding the amenity of the local area. This was in addition to a number of other planning conditions and S106 measures which were secured.
- 8.3 The applicant has stated that St Giles Circus is a strategically important site, lying at the heart of some of London's most popular visitor attractions including Tottenham Court Road, Bloomsbury and the British Museum to the north; Holborn to the east; Covent Garden, Shaftesbury Avenue and London's Theatreland to the south east and south and Soho and Oxford Street to the west. With the advent of Crossrail (Tottenham Court Road station is due to open December 2018) and other significant developments in the area the importance of St Giles Circus is further increasing, making this a key gateway site for this area of Central London. Denmark Street is known as 'Tin Pan Alley' and is renowned as an important centre of the UK popular music industry.
- 8.4 The main scheme under 2012/6858/P provides a mixture of Central London uses including restaurant, bar and basement events space in addition to retail, hotel, residential and office space. The approved uses have been located across the development site with the proposed A4 floorspace being sandwiched between the A3 uses within the smaller of the new buildings in order to allow the maximum management of the uses. The restaurant uses are similarly located to allow control over access and egress. The entrance to the basement venue is from within the development site, allowing the careful control of people movements into and out of the space, with further control being added by a site-specific Venue Management Plans and event-specific Event Management Plans (secured through S106). While the site sits within the Seven Dials Special Policy Area, it is very much its own comprehensive development which has been specifically designed. Weight needs to be given to the Special Policy Area; however, it is recognised that the site is different from the rest of this area which needs to be taken into account.
- 8.5 Since the granting of the original permission a detailed Licensing Policy submission has been made to Camden's Licensing committee on the basis that the implemented development creates the 'exceptional circumstances' to justify a departure from the framework hours of the Seven Dials Special Policy Area. The case was made on the following basis:
- Ten licensed premises with trading hours totalling 957.5 are to be subsumed and replaced by six premises with weekly trading hours totalling 607 (excluding notable days which is currently New Year's eve for the Urban Gallery only). This represents a reduction of 350.5 hours or 36.6%.

- Many of the licences lost above had few restrictions upon trading. They included a nightclub with substantial trading hours; an off-licence; five full licenses; two restaurant licences and one late night refreshment house.
- The development is considered to have a positive impact on the promotion of the licensing objectives through the provision of well managed and well controlled music venues operated in a manner which will minimise disturbance to local residents; improve safety; control LUX (light) levels and have exceptional central security and servicing controls. In addition the development will have a number of positive impacts in terms of the style of the premises proposed; the attractiveness of those premises to a wider audience; the hours of operation and the restrictions proposed. The site has traditionally been an area suffering from high levels of crime and disorder and as such, the future management of this space will improve the area in this respect.

8.6 As stated above the hours of operation for the A1, A3 and A4 uses have been approved under licensing applications (ref: APP\PREMISES-PROV\000018 and APP\PREMISES-PROV\000023) for the premises to operate until 01:00 7 days a week (see Appendix 1 and 2 ). The licensing decisions include conditions related to capacity; admission of customers and consumption of alcohol; CCTV; dispersal policy; door supervisors; staff training; notices; use of external areas and sound limiting devices.

8.7 The Council's Environmental Health Officers consider that the control of hours of premises is better dealt with under environmental and licensing legislation. As a service they have no objections to the variation to condition 33. Transport Strategy assessed the proposal and confirmed that they have no objections to the proposed changes in operating hours for any of the land uses.

## 9. **Variation of Condition 34**

9.1 The proposed amendment to condition 34 would allow the urban gallery and basement venue to operate on 104 occasions per year between 09:00-02:00. This has been granted under licensing permission APP\PREMISES-PROV\000022 (Appendix 3) on the condition that such occasions are notified to the Police and Licensing Authority 14 days prior. A number of other conditions are attached including alcohol sale restrictions; an event management plan must be prepared for each event and served upon the Police and Environmental Health 14 working days beforehand; the Licensing Authority and Police must be provided with a list of upcoming events each quarter; CCTV requirements; management plan; door supervisors; staff training; noise restrictions (including an events noise management plan); servicing restrictions and notice requirements.

9.2 A Crowd Flow Study has been submitted which includes strategies for visitor queuing, management, ticketing, pedestrian accumulation, egress and onward journeys and security. Traffic measures and dispersal measures have been undertaken and it was found that the venue could be emptied in 15 minutes. The urban gallery would be used as a ticketing hall, queue holding area and for part of the dispersal procedure. This would allow the crowd to interact with digital media

within this area while keeping them away from public footpaths. The variation to allow operation until 02:00 is not considered to be problematic given that the Central and Northern London Underground Lines will be running 24 hours (which is a material change of circumstances since the original application as the 24 hour tube was still an unconfirmed aspiration). Those exiting the venue would pass through the urban gallery directly to the Underground/Crossrail entrance escalators within the South exit of Tottenham Court Road station. The network would be able to cope with this capacity during a non-peak period with the additional numbers being negligible. A taxi rank would be provided at Denmark Street, buses exist in close proximity (closest being at Charing Cross Road) and a number of people will move onto other facilities in Soho, Covent Garden and Fitzrovia on foot. Based on the availability of late night transport through the introduction of the 24 hour tube, taxis and night buses, it is considered that the impact on local amenity at this hour would not be significant.

- 9.3 Based on the above and given that events would be controlled and enforceable through site-specific Venue Management Plans and event-specific Event Management Plans secured via S106, the proposed amendment to condition 34 is considered acceptable. As per para 8.7 the Council's Environmental Health Officers consider that the control of hours of premises is better dealt with under environmental and licensing legislation. They have no objections to the variation to condition 34. Transport Strategy also has no objections.

#### 10.1 **Residential Amenity**

- 10.1 Whilst an increase in the hours of operation are being proposed there is in fact a significant reduction in operating hours when compared to the previous uses that existed on the site (its terms of total trading hours and the number of late night premises). This provides a significantly improved environment for residents in terms of amenity. It must also be noted that no objections from local residents other than from the CGCA have been received to the planning application and Camden's Licensing Committee have assessed the proposed hours of operation and are satisfied that the proposals will not give rise to undue noise and disturbance, as demonstrated by the issuing of provisional licenses.
- 10.2 The application includes an Event Gallery Crowd Flow Study and a Noise Impact Assessment. Both of these documents were produced by experts with the relevant credentials and were heavily scrutinised by Environmental Health.
- 10.3 The majority of prospective occupiers within the site are a result of the original application. They are in the ownership of the developer and part of the main scheme. All of the premises and events have the benefit of being part of a wide consolidated scheme which has been carefully designed and analysed to ensure that the proposed occupiers as part of the development (as well as existing occupiers located near the development) are not the subject of harm to their living conditions. The nature of this site allows it to be self-contained in terms of operation and management, ensuring noise spill as a result of the increase in hours and capacity will be extremely limited. This is demonstrated by the Buro Happold Noise Impact Report which concludes that, even with the increase in hours and capacity, the requirements of Condition 23 (which relates to noise levels) of planning

permission 2012/6858/P will be met. It is important to note that all licensed premises and events are subject to review through the licensing procedure and through site-specific Venue Management Plans and event-specific Event Management Plans secured via S106. Residential amenity will continue to be considered in a detailed and comprehensive way through both the licensing and planning process meaning it would remain liable for further reviews and consideration.

## 11. **Significance of Scheme**

- 11.1 The site is located immediately adjacent to Tottenham Court Road and Crossrail and at the centre of a number of important cultural areas. The core of the site is internationally important as the centre of the UK popular music industry with Denmark Street known as “Tin Pan Alley”. The specialist retailers located on the ground floor (and sometimes other floors) largely focus on the sale and repair of music instruments. Other music industry activities including recording studios, artist management offices, instrumental repair workshops, music publishing houses and agents are located on upper floors. Music industry activities make a fundamental contribution to the special character of Denmark Street and support associated retail provision. The increase to the hours of operation for the uses is crucial to Camden’s night-time economy.
- 11.2 The basement venue and other smaller venues as part of the wider scheme would provide venue space for community events, exhibitions, product launches, live music, awards ceremonies, conferences and fashion shows. The additional hours of operation would support the music industry in the area and provide a replacement for lost venues such as the ‘12 Bar Club’ and the ‘London Astoria’ on 157 Charing Cross Road which was an iconic music establishment that closed in 2009 (and since demolished) to make way for the development of the Crossrail project.
- 11.3 The provision of venues operating later into the night are supported by the Mayor’s Music Venues Taskforce as the performance space would be a major step towards the creation of an important central London ‘Music Zone’. The Music Venue Trust also supports the provision of later venues.

## 12. **Environmental Health Monitoring Contribution**

- 12.1 The variation of the hours would be likely to have an impact on the Council’s Environmental Health department due to late night inspections and the possibility of responding to complaints. Environmental Health Officers have stated that they would require at least £3,456 per year which is based on 20% proactive evening/late night inspection/responding to complaints at £128 per hour with 2 Officers involved. The applicant has agreed to this financial contribution which would be secured as a head of term as part of the Deed of Variation.

## 13. **CONCLUSION**

- 13.1 Officers support the variation of condition 33 to allow the A1, A3, A4 to operate until 01:00 Mondays to Sundays as well as the variation of condition 34 to allow the

urban gallery and basement venue to operate on 104 occasions per year between 09:00-02:00 for the following reasons:

- To ensure that the planning conditions accord with the controls granted under licensing
- Due to the details submitted under the licensing applications and the additional controls that would be attached through the licenses
- The development involves the surrender of a number of licences for other premises in the area with a significant reduction in trading hours. Therefore, the impact on the Seven Dials Special Policy Area is less than existing
- The wider scheme has significant benefits overall in terms of management of premises and strategies to significantly reduce crime and disorder
- The scheme includes site-specific Venue Management Plans and event-specific Event Management Plans secured via S106 and planning conditions
- Circumstances have materially changed since the original approval through the above and the advent of the 24 hour tube

13.2 Overall, the proposed amendments to conditions 33 and 34 would continue 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 policy DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. It would also be in accordance with the Seven Dials Special Policy Area and 'Planning Guidance for Central London - Food, Drink and Entertainment, Specialist and Retail Uses'.

13.3 Planning Permission is recommended subject to a S106 Legal Agreement to secure a Deed of Variation to the original agreement under 2012/6858/P which would be varied to include an additional head of term requiring an annual financial contribution to Environmental Health of £3,456.00.

## 14. LEGAL COMMENTS

14.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: (1793 PL001-)01 Rev P2; 02; 03; 04 Rev P3; 05 Rev P6; 010 Rev P3; 11 Rev P7; 012 Rev P3, S10/DSD/195, 1401\_PL100; 1793PLEX005-B1 P2; 1793PLEX005-00 P2; 1793PLEX005-01 P2; 1793PLEX005-02 P2; 1793PLEX005-03 P2; 1793PLEX005-04 P2; 1793PLEX005-05 P2; 1793PLEX005-05/Roof Plan P2; 1793PLEX005-16 P2; 1793PLEX005-10 P2; 1793PLEX005-11 P2; 1793PLEX005-12 P2; 1793PLEX005-13 P2; 1793PLEX005-14 P2; 1793PLEX005-15 P2; 1793PLEX010-01 P2; 1793PLEX010-02 P2; 1793PLEX010-03 P2; 1793PLEX010-04 P2; 1793PLEX011-01 P2; 1793PLEX011-02 P2; 1793PLEX011-03 P2; 1793PLEX011-04 P2; 1793PLEX015-01 P2; 1793PLEX015-02 P2; 1793PLEX015-03 P2; 1793PLEX015-04 P2; 1793PLEX015-05 P2; 1793PLEX015-06 P2; 1793PLEX015-07 P2; 1793PL005-B2 P3; 1793PL005-B1 P6; 1793PL005B1; MZ P6; 1793PL005-00 LG P6; 1793PL005-01 P6; 1793PL005-02 P6; 1793PL005-03

P6; 1793PL005-04 P6; 1793PL005-05 P6; 1793PL005-06 P6; 1793PL005-RF P2; 1793PL010-01 P3; 1793PL010-02 P3; 1793PL010-03 P3; 1793PL010-04 P3; 1793PL010-05 P3; 1793PL010-06 P3; 1793PL011-01 P7; 1793PL011-02 P3; 1793PL011-03 P7; 1793PL011-04 P6; 1793PL015-01 P6; 1793PL015-02 P6; 1793PL015-03 P3; 1793PL015-06 P6; 1793PL015-07 P3; 1793PLEX016-20 P2; 1793PLEX016-21 P2; 1793PLEX016-22 P2; 1793PLEX016-23 P2; 1793PLEX016-24 P2; 1793PLEX016-25 P2; 1793PLEX016-26 P2; 1793PLEX016-50 P2; 1793PLEX016-51 P2; 1793PLEX016-52 P2; 1793PLEX016-53 P2; 1793PLEX016-54 P2; 1793PLEX016-60 P2; 1793PLEX018-00 P6; 1793PLEX018-01 P6; 1793PLEX018-02 P6; 1793PLEX018-03 P6; 1793PLEX018-04 P6; 1793PLEX018-05 P6; 1793PLEX018-06 P6; 1793PLEX018-07 P6; 1793PLEX018-10 P6; 1793PLEX018-11 P6; 1793PLEX018-12 P6; 1793PLEX018-13 P6; 1793PLEX018-14 P6; 1793PLEX018-15 P6; 1793PLEX018-16 P6; 1793PLEX018-17 P6; 1793PLEX018-LP P6; 1793PLEX018-OV P6; 1793PLEX018-SP P6; 1793PL016-SP P6; 1793PL016-00 P3; 1793PL016-01 P6; 1793PL016-02 P6; 1793PL016-03 P3; 1793PL016-04 P3; 1793PL016-05 P3; 1793PL016-06 P3; 1793PL016-07 P3; 1793PL016-08 P3; 1793PL016-09 P3; 1793PL016-10 P6; 1793PL016-11 P6; 1793PL016-12 P6; 1793PL016-50 P3; 1793PL016-51 P3; 1793PL016-52 P3; 1793PL016-53 P3; 1793PL016-54; 1793PL016-55 P3; 1793PL016-56 P3; 1793PL016-60 P3; 1793PL018-00 P7; 1793PL018-01 P7; 1793PL018-02 P6; 1793PL018-03 P6; 1793PL018-04 P7; 1793PL018-05 P7; 1793PL018-6 P6; 1793PL018-07 P7; 1793PL018-08 P6; 1793PL018-10 P6; 1793PL018-11 P6; 1793PL018-12; 1793PL019-13 P6; 1793PL018-14 P6; 1793PL018-20 P6; 1793PL018-21 P6; 1793PL018-22 P6; 1793PL18-23 P6; 1793PL018-SP P6; 1793PL021-01 P3; 1793PL021-02 P3; 1793PL021-05 P3; 1793PL021-06 P3; 1793PL021-10 P3; 1793PL021-11 P3; 1793PL021-14 P3; 1793PL021-15 P3; 1793PL021-16 P3; 1793PL021-20 P3; 1793PL021-21 P3; 1793PL021-22 P3; 1793PL021-23 P3; 1793PL021-28 P3; 1793PL021-30 P3; 1793PL021-31 P3; 1401PL(00)100 P2; 1401PL(00)00 P2; 1401PL(00)01 P2; 1401PL(00)02 P2; 1401PL(00)03 P2; 1401PL(00)04 P2; 1401PL(00)05; 1401PL(00)06; 1401PL(00)07; 1401PL(00)08; 1401PL(00)30; 1401PL(00)31 P2; 1401PL(00)32; 1401PL(00)33 P2; 1401PL(00)34 P2; 1401PL(00)35; Buro Happold Transport Assessment Addendum 028676 rev 01, 11 September 2013; Buro Happold Transport Assessment 02876 03, December 2012; Turley Associates Planning Addendum CONL2000, 9 September 2013; Turley Associates Supplementary Planning Report and appendices, April 2013; Turley Associates Planning Statement December 2012; Engenuiti Listed Buildings Visual Structural Report 029-S-REP-003, 1st December 2012; Design and Access Statement rev A, September 2013; GL Hearn Affordable Housing Statement, 10 December 2012; Charcoal Blue Venue Management Plan rev A, October 2012; Engenuiti Basement Impact Assessment North of Denmark Street, 4th December 2012; Engenuiti Basement Impact Assessment 4 Flitcroft Street, 3rd December 2012; Licensing Strategy for St Giles Circus Development, undated; Monmouth Dean Marketing Report, 19 December 2012; Letter from Outlet Sales and lettings dated 19th June 2013;

- 2 Four, Statement of Community Involvement, December 2012; Buro Happold Energy Statement 02876 01, 24 October 2012; Buro Happold Sustainability Statement 02876 01, 14 December 2012; Buro Happold Environmental Statement Addendum 02876 rev 02, 11 September 2013; Buro Happold Environmental Statement Addendum Volume II: Appendices 02876 rev 00, 11 September 2013; Buro Happold Environmental Statement Addendum Volume III: Appendices 02876 rev 00, 11

September 2013; Buro Happold Environmental Statement: Non Technical Summary 02876 01, 14 December 2012; Buro Happold Environmental Statement Volume 1 Main Report 02876 01, 14/12/12; Buro Happold Environmental Statement Volume 11 appendices 02876 01, 14/12/12; Project Centre Flood Risk Assessment, September 2012; Engenuiti Civil and Structural Engineering Concepts Report 09-S-REP-002, 7th December 2012; Engenuiti London Underground - Correspondence Report 029-S-REP-005, 7th December 2012; Engenuiti Concetual Design Statement for Crossrail 029-S-REP-001, revision 01, December 2012; Engenuiti Retained Façade Structural Engineering report 029-S-REP-004, 4th December 2012; Outernet Gallery employment schedule; Turley Associates letter entitled "St Giles Circus - Addendum Submission", 17 September 2013; Two emails from Turley Associates dated 6 November 2012 entitled "Denmark Street A1/B1 Existing and Proposed GIA"; Existing Gross Internal Floor Area Schedule dated 1 November 2012; Proposed Gross Internal Floor Area Schedule rev D dated 13 June 2013; letter from GVA Schatunowski Brooks entitled "St Giles Development and Endell Street Satellite Development" ref KW10/LJ11 dated 18 October 2013; Daylight/Sunlight Amenity Analysis prepared by GVA Schatunowski Brooks dated 13 May 2013; 3d view of proposed development in relation to first residential floor of Centre Point BRE/26 dated 18/10/13; letter from GVA Schatunowski Brooks entitled "Endell Street in connection with St Giles Circus, London - daylight within the proposed development" dated 21 May 2013 and associated plans dated 13 May 2013 (BRE -003; -004; -005; -006; CAD 001; CAD 002); Clarifications on Wind Assessments in the vicinity of Centrepoint tower, 21st May 2013; Turley Associates Supplementary HMO note and associated plans, licence and evaluation of standard of accommodation, 16 May 2013; Engenuiti North of Denmark Street Basement Impact Assessment 30th November 2015 ; Engenuiti 4 Flitcroft Street; 1 Book Mews Basement Impact Assessment 19/06/2015; MMA 02 - Design Statement February 2016; Basement Impact Assessment (ref: 029REP006 Rev 03) dated 30th November 2015, Planning Statement December 2015, Method Statement Demolition to Number 23 Denmark Place SGC-1473-PMC-015 dated 04/03/2016, Method Statement for Relocation of The Smithy Building (ref: GA20986) by Abbey Pynford and GA20986-U-01-A, Design Note - Extension of hours noise assessment dated 02/02/2017; St Giles Circus Event Gallery Crowd Flow Study (032930) Rev 03 dated 01/02/2017 and Fire Strategy (032930) Rev 05 dated 29/11/2016.

Reason: for the avoidance of doubt and in the interest of proper planning.

- 3 At least 28 days before each phase of the development hereby permitted commences (excluding demolition works) a written detailed scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and proposed schedule of investigation must be submitted to the planning authority. The scheme of assessment must be sufficient to assess the scale and nature of potential contamination risks on the site and shall include details of the number of sample points, the sampling methodology and the type and quantity of analyses proposed. The scheme of assessment must be approved by the LPA and the documentation submitted must comply with the standards of the Environment Agency's Model Procedures for the Management of Contamination (CLR11).

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use

of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Before work commences on each phase of development (excluding demolition works), a site investigation shall be undertaken in accordance with the approved scheme of assessment and the written results provided to the planning authority for their approval. Laboratory results must be provided as numeric values in a formatted electronic spread sheet. Before work commences on each phase of the development a remediation scheme shall be agreed in writing with the planning authority and the scheme as approved shall be implemented before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Phase 1 of the development hereby approved shall commence (excluding demolition works) in accordance with the details approved on 07/12/2015 which include further intrusive site investigation has been carried out in line with section 3.1 of the Basement Impact Assessment prepared by Engenuiti, dated 4th December 2012. The site investigation results shall be fully assessed and any necessary modifications made to the Basement Impact Assessment, which shall be submitted to the Local Planning Authority for written approval.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies

- 6 The development hereby approved shall only commence (excluding demolition works) in accordance with the appointed suitably qualified chartered engineer (Engenuiti, as per details approved on 23/10/2015) details to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies

- 7 Manufacturer's specification details of the facing materials to the mansard on 23-25 Denmark Street (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) for Buildings A and B shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to commencement of each phase of the development (excluding demolition works), detailed design and method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority which:

- (a) Accommodate the proposed location of the Crossrail structures and tunnels,
- (b) Accommodate ground movement arising from the construction thereof, and
- (c) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels.

The method statements to be submitted under this condition shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the Crossrail structures and tunnels in or adjacent to the site of that development, the construction of the Crossrail structures and tunnels is not impeded.

The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs (a) to (c) of this condition shall be completed, in their entirety, before each phase of the development hereby permitted is occupied.

Reason: To ensure that the development does not impact on the Crossrail in accordance with London Plan Policy 6.1 and 6.2, 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 9 No works below ground level comprised within the development hereby permitted shall be undertaken at any time when Crossrail are undertaking tunnelling or excavation works within 100 metres of the land on which the development hereby permitted is situated, unless specifically agreed to in advance, and in writing, by Crossrail Limited.

Reason: To ensure that the development does not impact on the Crossrail in accordance with London Plan Policy 6.1 and 6.2, 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 10 Prior to commencement of each phase of the development (excluding demolition works), detailed design and method statements (developed in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority which:
- provide details on all structures
  - accommodates the location of the existing London Underground structures and tunnels (including the Crossrail infrastructure)
  - accommodates ground movement arising from the construction thereof
  - mitigates the effects of noise and vibration arising from the adjoining operations within the structures and tunnels and
  - provide details on the impact on security features within the 'public realm'

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before each phase of the development hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Policy 6.1 and 6.2, Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 11 A) No development shall take place in each phase unless it is in accordance with the secured Written Scheme of Investigation approved on 22/07/2015.
- B) No development or demolition shall take place in each phase other than in accordance with the Written Scheme of Investigation approved under Part (A).
- C) Each phase of the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the

programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with recommendations the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Detailed drawings in respect of the following shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:
- a) Elevation and sections at 1:10 of all ground floor windows (including jambs, head and cill), external doors and shutters for 4 Flitcroft Street;
  - b) Elevation of new gates to Denmark Place of 1:10 with finials at 1:1,
  - c) Plan, elevation and section drawings of all new dormer windows on 22-25 Denmark Street at a scale of 1:10.
  - d) Elevation and sections at 1:10 of all new windows (including jambs, head and cill), external doors and for 17-21 Denmark Place.
  - e) Elevation and section at 1:10 of new shopfronts and sections at 1:2 through stallriser and fascia on the ground floor of York and Clifton Mansions.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 13 Sample panels of the facing brickwork for 17-21 Denmark Place demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Sample panels of the facing brickwork for York and Clifton Mansions demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 16 Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) for Buildings A and B shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 17 A method statement detailing how the existing pilaster and first floor façade to 21 Denmark Street will be removed, stored and reinstated shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 18 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the new building, without the prior approval in writing of the Local Planning Authority.

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.

- 19 Prior to commencement of each phase of the development (excluding demolition works), full details of the position, specification in terms of luminance and typical design of fixtures in respect of external lighting has been submitted to and approved by the Local Planning Authority. The details shall include the provision of street lighting on the facades of the building where possible. The details shall not be implemented other than in accordance with the scheme as approved.

Reason: To ensure a satisfactory standard of visual amenity and a safe and secure environment in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 20 Before the residential units are occupied sound insulation shall be provided between all B1, A1, A3, A4 floorspace or plant rooms to adjacent floors within the same building or adjacent properties on the same floor, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of the development. Zones 1 and 2 of the scheme need to be implemented as per the details approved on 06/05/2016. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 21 Prior to the first use of the premises for the basement venue, A3 or A4 floorspace hereby permitted, full details of a scheme for extract ventilation, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

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 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 22 No plant or machinery (other than that otherwise approved under condition no. 21 shall be installed on the external parts of the buildings other than in the areas identified within the approved plans.

Reason: To ensure that the appearance of any external plant is compatible with the appearance of the building and the area and to ensure that residential amenities are protected, in accordance with the requirements of policies CS5 and CS14 of the

London Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 23 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 adjoining premises and the area generally 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.

- 24 Glazing to the new residential units shall be sufficient to achieve internal noise levels of LAeq, 8hour 30dB in bedrooms and LAeq 16hour 35dB in living rooms as per BS 8233 and the WHO internal noise levels guides and all shall be permanently retained and maintained thereafter, unless otherwise agreed in writing.

Reason: To safeguard the amenities of future occupants 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.

- 25 Prior to occupation of the urban gallery in building A a lighting report shall be submitted to and approved in writing by the Local Planning Authority detailing how the artificial lighting within the urban gallery (digital screens and any other lighting) shall not increase the pre-existing illuminance (lux levels) at adjoining and/or nearby light sensitive locations when the screens and lights are in operation

Reason: To safeguard the amenities of the adjoining premises and the area generally 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.

- 26 Prior to occupation of any of the approved uses, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority, having regard to condition 27 and including a noise mitigation strategy, detailing:
- The location and direction of any speakers in the urban gallery;
  - Method of transporting deliveries, refuse and associated servicing to and from the service bays on Denmark Street, including any bottle crushing;
  - Location of smoking areas;
  - Location of external tables and chairs;
  - The operation of the upper floor louvers to building A and B; and
  - The use of the residential roof terrace at 21-25 Denmark Street.

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

- 27 Noise levels emitted from the use of the urban gallery (from the digital screens and associated speakers) shall be as follows:

Between 07:00 and 23:00 hours

1. The A-weighted equivalent continuous noise level (LAeq) emanating, as measured one metre from any facade of any noise sensitive premises over a 5 minute period when the screens and speakers are in use, shall not increase by more than 5dB as compared to the same measure, from the same position and over a comparable period with the screens and speakers not in use.

2. The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with the screens and speakers in use, should show no increase as compared to the same measure, from the same location(s) and over a comparable period with the screens and speakers not in use

- 28 Between 23:00 hours and midnight

1. The A-weighted equivalent continuous noise level (LAeq) emanating, as measured one metre from any facade of any noise sensitive premises over a 5 minute period when the screens and speakers are in use, shall not increase by more than 3dB as compared to the same measure, from the same position and over a comparable period with the screens and speakers not in use.

2. The neighed equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with the screens and speakers in use, should show no increase as compared to the same measure, from the same location(s) and over a comparable period with the screens and speakers not in use

- 29 Between midnight and 07:00 hours

1. No sound emanating from the operation of the screens or speakers shall be audible a metre from the facade of the nearest noise sensitive premises.

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

- 30 No music from the roof terraces to Building A or B, hereby approved shall be audible from 1m outside of or on the balcony of the nearest noise sensitive facade.

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 policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 31 The upper floor louvers and ground floor shopfront to Building A and Building B shall be closed between midnight and 07:00 every day of the week.

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

- 32 All of the following windows, as denoted on approved plans shall be permanently obscure glazed and fixed shut up to a height of 1.7m above the floor of the room in which the windows are installed before occupation of the extensions hereby permitted and shall be permanently retained and maintained thereafter:

- Ground floor commercial unit to rear elevation and first floor rear bathroom and bedroom to rear elevation of 6 Denmark Street
- First floor A4 toilets and second floor rooms facing 26 Denmark Street
- Second floor A4 rooms facing rear of 57 St Giles High Street across Denmark Place

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 33 None of the A1, A3 or A4 uses hereby permitted shall occur outside of 08:00-01:00 Monday to Sunday. No customers shall be permitted within these premises outside of the approved hours of use.

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 policy DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 34 None of Sui Generis uses (the urban gallery and basement venue) hereby permitted shall occur outside of the following times: 09:00-23:30 Monday to Thursday, 09:00 - midnight Friday and Saturday; and 09:00-22:30 Sunday. On 104 occasions per year the Sui Generis uses may operate within the following times: 09:00-02:00. No customers shall be permitted within these premises outside of the approved hours of use.

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 policy DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 35 The approved roof terraces at sixth floor level to building A (fronting Denmark Place and Charing Cross Road) and at fourth floor level to building B (fronting Andrew Borde Street and the new pedestrian link) shall not be used outside the hours of 08:00 to 22.00, 7 days a week.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 36 The new and existing pedestrian routes within the site at Denmark Place, linking Denmark Place to Denmark Street; linking Denmark Place to land to the north of the site shall not be used, except as a pedestrian route and entering or exiting buildings between the hours of 23:00 and 08:00 Monday to Thursday, 23:30 and 08:00 Friday and Saturday and 22:30 to 08:00 Sunday.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 37 The location and height of the proposed CHP flue, including full modelling calculations of NO<sub>2</sub> emissions, necessity of carbon filters and mitigation measures shall be in accordance with the details approved on 30/10/2015 and 09/08/2016.

Reason: To safeguard the air quality in the area general and the amenities of the adjoining premises in accordance with the requirements of policies CS5 and CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 38 The CHP plant hereby approved shall meet the Greater London Authority Standards for NO<sub>2</sub> emissions which are in place at the time of construction. Details shall be implemented in accordance with the details approved on 30/10/2015 and 09/08/2016 and thereafter permanently retained.

Reason: To safeguard the air quality in the area general and the amenities of the adjoining premises in accordance with the requirements of policies CS5 and CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 39 The lifetime homes features and facilities in each relevant part of the approved development, as indicated on the drawings and documents hereby approved, shall be provided in their entirety prior to the first occupation of any of the new residential units within that part.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies

- 40 Prior to commencement of the relevant part of the work in each phase of the development details of hard and soft landscaping including tree/plant species and sizes, all hard landscape materials, play structures, and means of enclosure of all unbuilt, open areas shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include details on how the spaces are accessible by all including details on level access, ramp gradients, landings, handrails, step dimensions, colour contrast nosings etc. Implementation of the hard and soft landscaping and the boundary treatment shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 41 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the relevant part of the development. Any newly planted trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies CS14, and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 42 The details of a biodiverse, substrate-based extensive living roofs to the roof of York and Clifton Mansions and the new building at 19-21 Denmark Place shall be implemented as per the details approved on 02/12/2015. Each phase of the development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the commencement of any of the uses hereby approved. This shall include a detailed maintenance plan, details of its construction and the materials used, to include a section at a scale of 1:20, and full planting details. The substrate depth should vary between 80mm and 150mm with

peaks and troughs, but should average at least 130mm.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies

- 43 The details of the PV panels to be used on the buildings shall not be otherwise than as those submitted to and approved by the Council on 02/09/2015. Such details shall include a scale roof plan, elevation, section and manufacturers details. The relevant part of the development shall thenceforth not be occupied without the installation of such technologies. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises, the setting of the neighbouring listed buildings and the character of the conservation area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 44 The secure by design features and facilities in each relevant part of the approved development, as indicated on the drawings and documents hereby approved, shall be provided in their entirety prior to the first occupation of any of the commercial or residential units within that part.

Reason: To ensure that the scheme incorporates crime prevention measures in accordance with the requirements of policy CS17 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies

- 45 A minimum of 50% of the ground floor flexible retail/restaurant floorspace to building B shall be provided as class A1 retail floorspace

Reason: To ensure a minimum provision of retail space and to prevent an over concentration of food and drink uses in this Central London location in accordance with policy CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 46 Notwithstanding the provisions of Class D of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 as amended by any Order revoking and re-enacting that Order, no change of use of the ground floor units to Denmark Street, Denmark Place, Charring Cross Road, St Giles High Street or to the new pedestrian routes or the office floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 47 Notwithstanding the provisions of Class A1 or D2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the 'urban gallery' shall only be used for advertising, exhibitions, brand and product launches, corporate events, screenings, uses associated with the basement venue. circulation space and retail, and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 48 Notwithstanding the provisions of Class A1 or D2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the basement venue shall only be used for community events, exhibitions, product launches, live music, recorded music, awards ceremonies, conferences and fashion shows and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 49 The ground floor 'urban gallery' and the basement venue shall have a maximum capacity each of 550 people and 800 people respectively.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 50 The ground floor 'urban gallery' and the basement venue shall have a maximum of one event per month where both venues are used together for the same event to maximum capacity and a maximum of two events per week where each venue is used separately up to maximum capacity of 550 and 800 people respectively.

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 DP26 and DP12 of the London Borough of Camden Local Development Framework

Development Policies.

- 51 Notwithstanding the details approved in the Transport Statement and Servicing Delivery Plan there shall be:

- (a) a maximum of 99 vehicle servicing and delivery related trips per day serving the development; and
- (b) a maximum of 3 larger vehicles (HGVs) servicing the site at any one time

Reason: To safeguard 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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies

- 52 (a) The new pedestrian routes from Denmark Street to Denmark Place shown on the approved drawings shall be carried out and available for public use prior to first occupation of any of the buildings within Phase A.1.

- (b) The new pedestrian route from the new public square (previously Andrew Borde Street) to Denmark Place, shown on the approved drawing, shall be carried out and available for public use prior to first occupation of any of the buildings within Phase A.

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies

- 53 No loading or unloading of goods associated with the use of the buildings, including fuel, by vehicles arriving at or departing from the premises shall be carried out outside the following times: 07:00-20:00 Monday to Saturday and 08:00 - 20.00 Sunday and on Public/Bank Holidays.

Reason: To safeguard 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 DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 54 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises associated with the use of the buildings shall be carried out at the application site otherwise than via the on street servicing bays to Denmark Street.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy CS11 of the

London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.

- 55 The relevant part of development shall not commence until details of the proposed public cycle storage areas for
- (a) 46 cycles for the residential units
  - (b) 120 cycles for the commercial units (staff parking and visitors)
- have been submitted to and approved in writing by the Council. These spaces shall be provided prior to occupation of the relevant part of the development and shall thereafter be permanently retained and used for no purpose other than for the parking of bicycles for users and occupiers of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 56 The refuse/recycling storage areas shown on the approved drawings in the basement and ground floor shall be provided prior to occupation of the relevant part of the development and shall thereafter be permanently retained and used for no purpose other than refuse/recycling storage areas, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 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.

- 57 Additional significant contamination discovered during development shall be fully assessed and any necessary modifications made to the remediation scheme shall be submitted to the Local Planning Authority for written approval. Before each phase of the development hereby permitted is occupied the developer shall provide written confirmation that all works were completed in accordance with the revised remediation scheme.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 You are advised that the phases referred to in the relevant conditions relate to the

following phasing:

A = new build proposals including building A, building B, York and Clifton Mansions and the south of Denmark Place

B = works to the south side of Denmark Street C = works to the north side of Denmark Street

- 2 1. You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 3 For the avoidance of doubt, any highway and public realm improvement works associated with this planning application will be implemented by LB Camden. This includes works on land within the applicant's ownership (red line boundary). Such areas of land are currently maintained as public highway.
- 4 Notwithstanding the drawings hereby approved the public realm works around the building should be in accordance with Gillespies proposals. Further discussion is required between the landowner and Camden and other stakeholders to coordinate the design and implementation of this work.
- 5 This permission is granted without prejudice to the necessity of obtaining the necessary licenses under the Licensing Act 2003. The site is within the Seven Dials Special Policy Area where if representations are received for new licensing applications, they are likely to be refused. Further information can be found in the Councils Statement of Licensing Policy 2011 <http://www.camden.gov.uk/ccm/content/business/business-regulations/licensing-and-permits/general-licensing-information/licensing-policy.en>
- 6 With regard to condition 11 the development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines. Should significant archaeological remains be encountered in the course of the initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.
- 7 You are advised that conditions 31, 32, 33 and 34 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted times.
- 8 With regard to condition 36 you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.

- 9 With regard to conditions 8, 9 and 10 the applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
- 10 The developer and their representatives are reminded that this decision does not discharge their requirements under the Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase of the development.
- 11 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)

- 12 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 2363).
- 13 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974

4444 or email env.devcon@camden.gov.uk).

- 14 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.
- 15 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

## **APPENDICES**

**APPENDIX 1:** Licensing Decision ref: APP\PREMISES-PROV\000018

**APPENDIX 2:** Licensing Decision ref: APP\PREMISES-PROV\000023

**APPENDIX 3:** Licensing Decision ref: APP\PREMISES-PROV\000022

**APPENDIX 4:** Licensing Decision ref: APP\PREMISES-PROV\000020

**APPENDIX 1:** Licensing Decision ref: APP\PREMISES-PROV\000018

**Date:** 23 June 2016  
**Our Reference:** APP\PREMISES-PROV\000018



**Direct Phone Number:** 0207 974 4444  
**Contact:** Mrs Annette Smithson

**Contact**  
London Borough of Camden  
Judd Street  
London  
WC1H 9JE

*Please quote our reference in any correspondence*

Ms Lisa Sharkey  
Popleston Allen  
37 Stoney Street  
The Lace Market  
Nottingham  
NG1 1LS

Tel: 020 7974 4444  
DX: 2106 Euston

Web: [www.camden.gov.uk/licensing](http://www.camden.gov.uk/licensing)  
Email: [www.camden.gov.uk/act0305](mailto:www.camden.gov.uk/act0305)

Dear Ms Sharkey

**Licensing Act 2003 - Provisional Statement Application**  
**Re: Bar & Restaurant, DENMARK PLACE, LONDON**

I refer to the public hearing held on 24/05/2016 to determine the application to make a provisional statement for the above premises.

The panel's full decision was as follows:

**RESOLVED**

THAT the application for a Provisional Statement be granted for the following activities:

**a) Supply of Alcohol (For consumption on and off the premises)**

10:00 01:00 Monday to Sunday

**b) Recorded Music**

10:00 01:00 Monday to Sunday

**c) Late night refreshment**

23:00 01:00 Monday to Sunday

**d) Opening hours**

10:00 01:00 Monday to Sunday

THAT the operating schedule formally state that capacity of the restaurant (Area A) will be 125; and the bar including terrace (Area B), will be 120; and the terrace shall not exceed 60.

THAT the following conditions be appended:

## **General**

1. Waiter/waitress service will be available throughout the premises during licensable activities.
2. Substantial food and non-intoxicating beverages shall be available in all parts of the premises.
3. In Area A, alcoholic beverages shall only be sold to customers seated at tables and only when taking a table meal, except for a maximum of 10 customers waiting to have a table meal.

## **Crime and Disorder**

4. There shall be no new customer admitted to the premises after 00:00 hours.
5. There shall be no consumption of alcohol off the premises.
6. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
7. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
8. The CCTV camera views are not to be obstructed.
9. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits in order to capture clear facial images of all persons leaving the premises
10. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
11. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
12. The facility to transfer the images to a compatible, removable format shall be held on the premises.
13. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
14. The venue shall supply, and fit to every table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.

15. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
16. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed-out' in order to prevent drug misuse.
17. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
18. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This restriction shall not apply to the 4th floor terrace.
19. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
20. Police must be called to incidents of violence and/or disorder.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.
23. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.
24. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.
25. The venue must document and employ a Dispersal Policy for patrons leaving the venue at the end of trading hours. These documents must be available for inspection by the Police and other Responsible Authorities, upon request.
26. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the police.
27. A minimum of two registered door supervisors shall be on the premises from 20:00-01:30 Thursday Saturday.

## **Public Safety**

28. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

### **Prevention of Public Nuisance**

29. Servicing will take place between 08:00 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays.

30. A notice shall be placed in a prominent position at the premises reminding customers to leave the premises quickly and quietly.

31. The premises will use the Central Waste Collection point provided as part of the development.

32. The sale of alcohol to customers using the fourth floor external terrace shall be restricted to seated customers.

33. The use of the external terrace on the fourth floor for the consumption of food and drink shall cease at 21:00 hours and the doors to the terrace shall be kept closed thereafter); customers shall not be permitted to use the terrace after 21:00 hours; such use to include the provision of smoking.

34. There shall be no music played on the fourth floor external terrace.

35. Whilst the premises are being used under the licence, the licensee shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises.

36. A sound limiting device shall be installed, set and sealed at a level approved by the Council.

37. Patrons wishing to smoke in Denmark Place will not be permitted to take drinks outside at any time.

38. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health, detailing the management of deliveries and servicing; which shall include arrangements for the collection and delivery of laundered linen, and refuse storage and collection; that the Service Management Plan be update by the Premise Licence Holder from time to time as appropriate; that the Premises Licence holder shall be bound to Service Management Plan. A copy of the Service Management Plan shall be retained at the premises and made available for inspection by the relevant authorities.

39. Staff shall regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises.

### **The Protection of Children from Harm**

40. Staff involved in the sale and supply of intoxicating beverages shall be trained in licensing law and this will include the law in relation to children and alcohol. A record of staff training will be maintained and can be inspected by the Police or Licensing Authority.

41. A proof of the age scheme shall operate at the premises and staff shall be trained in its use; e.g. Challenge 21.

**Reason**

The Panel granted this application as the additional conditions would uphold the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and not add to cumulative impact. The Panel was also of the view that the surrender of a number of licences for other premises in the area allowed this application to be granted as an exception to policy.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at: <http://democracy.camden.gov.uk>

As the applicant, you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us on the above number or via our enquiry form [camden.gov.uk/licensing](http://camden.gov.uk/licensing) if you require any further advice or assistance.

Yours sincerely

Mrs Annette Smithson  
Customer Service Officer

**APPENDIX 2:** Licensing Decision ref: APP\PREMISES-PROV\000023

**Date:** 23 June 2016  
**Our Reference:** APP\PREMISES-PROV\000023



**Direct Phone Number:** 0207 974 4444  
**Contact:** Mrs Annette Smithson

**Contact**  
London Borough of Camden  
Judd Street  
London  
WC1H 9JE

Tel: 020 7974 4444  
DX: 2106 Euston

Web: [www.camden.gov.uk/licensing](http://www.camden.gov.uk/licensing)  
Email: [www.camden.gov.uk/act0305](mailto:www.camden.gov.uk/act0305)

*Please quote our reference in any correspondence*

Ms Lisa Sharkey  
Popleston Allen  
37 Stoney Street  
Nottingham  
NG1 1LS

Dear Ms Sharkey

**Licensing Act 2003 - Provisional Statement Application**  
**Re: Restaurant & Bar, 4 FLITCROFT STREET, 1 BOOK MEWS AND BASEMENT**  
**4 DENMARK STREET, LONDON**

I refer to the public hearing held on 24/05/2016 to determine the application to make a provisional statement for the above premises.

The panel's full decision was as follows:

**RESOLVED**

THAT the application for a Provisional Statement be granted for the following activities:

**a) Supply of Alcohol (For consumption on and off the premises)**

10:00 01:00 Monday to Sunday

00:00 00:00 to residents and bona fide guests of the short term let apartments on Denmark Street.

**b) Recorded Music**

10:00 01:00 Monday to Sunday

**c) Late night refreshment**

23:00 01:00 Monday to Sunday

00:00 00:00 to residents and bona fide guests of the short term let apartments on Denmark Street.

**d) Opening hours**

10:00 03:00 Monday to Sunday

00:00 00:00 to residents and bona fide guests of the short term let apartments on Denmark Street.

**e) Seasonal Variations**

On the commencement of British Summertime the permitted terminal hour of opening shall be extended by one hour.

THAT the following conditions be appended:

**General**

1. Substantial food and non intoxicating drinks shall be available at all times the premises are trading.
2. Waiter/waitress service shall be available at all times.
3. In the basement restaurant, alcoholic beverages shall only be sold to customers seated at tables and only when taking a table meal, except for a maximum of 14 customers waiting to have a table meal.

**Crime and Disorder**

4. There shall be no new customer admitted to the premises after 00:00 hours.
5. There shall be no off sales of alcohol. This shall not apply to alcohol consumed in the rear terrace nor to alcohol supplied to residents and four (4) bona fide guests of the serviced apartments on Denmark Street.
6. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
7. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
8. The CCTV camera views are not to be obstructed.
9. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits in order to capture clear facial images of all persons leaving the premises.
10. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
11. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
12. The facility to transfer the images to a compatible, removable format shall be held on the premises.
13. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.

14. The venue shall supply, and fit to every table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
15. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
16. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed-out' in order to prevent drug misuse.
17. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
18. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This restriction shall not apply to residents and four (4) bona fide guests of the serviced apartments when in a sealed vessel as part of permitted off sales, and shall not apply to the rear external area.
19. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
20. Police must be called to incidents of violence and/or disorder.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. Alcohol may be sold 24 hours a day to residents and four (4) bona fide guests per let apartments on Denmark Street. The resident must be present when the sale takes place.
23. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.
24. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.
25. The venue must document and employ a Dispersal Policy for patrons leaving the venue at the end of trading hours to ensure that customers do not congregate outside the premises, and they disperse from the premises in an orderly and quiet manner so as not to disturb residents within the vicinity. All staff, including door staff, shall be trained in its implementation. These documents must be available for inspection by the Police and other Responsible Authorities, upon request.

26. On any occasion Sunday - Wednesday that the premises intend to remain open beyond 01:00 hours for the sale / supply of hot food and hot drinks for consumption on the premises by customers then door staff shall be employed from 20:00 hours until the premises have closed and customers have dispersed.
27. A minimum of two registered door supervisors shall be on the premises from 20:00-01:00 Thursday Saturday or until the premises has closed and customers have been dispersed.
28. A register of security personnel employed on the premises shall be maintained in a legible format, and made available to the Police upon request. The register shall be completed at the commencement of work by each member of security staff, and details recorded shall include: full name; SIA badge number; contact details and time of commencement of duties. The security operative shall sign their name against the details. The details shall be checked by the DPS or a nominated member of staff. A colour copy of the SIA badges shall be held by management.
29. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the police.

### **Public Safety**

30. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

### **Prevention of Public Nuisance**

31. That the use of the ground floor terrace for the consumption of food and drink shall cease at 22:00hrs and the doors to the terrace shall be kept closed thereafter customers shall not be permitted to use the terrace after 22:00hrs daily; such use to include the provision of smoking).
32. Patrons wishing to smoke will not be permitted to take drinks outside at any time.
33. Staff shall regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises.
34. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health, detailing the management of deliveries and servicing; which shall include arrangements for the collection and delivery of laundered linen (if relevant), and refuse storage and collection; that the Service Management Plan be update by the Premise Licence Holder from time to time as appropriate; that the Premises Licence holder shall be bound to Service Management Plan. A copy of the Service Management Plan shall be retained at the premises and made available for inspection by the relevant authorities.

35. A sound limiting device shall be installed, set and sealed at a level approved by the Council.
36. Servicing will take place between 08:00 20:00 hours Monday to Saturday and Public/Bank Holidays; and between 10:00 20:00 hours on Sunday.
37. A notice shall be placed in a prominent position at the premises reminding customers to leave the premises quickly and quietly.
38. After 23:00 hours the inner entrance doors and windows are to be kept closed except for immediate access and egress.
39. Whilst the premises are being used under the licence, the licensee shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises.
40. The premises management shall take all reasonable steps to ensure patrons wanting entry to the premises do not cause annoyance or nuisance to any other person living in the vicinity of the premises.
41. The premises shall operate a system whereby a record of bona fide residents and guests on entry to the premises will need to be recorded when using the premises when closed to the public. Details to be produced for inspection to the Police and other responsible authorities upon request.

### **The Protection of Children from Harm**

42. Staff involved in the sale and supply of intoxicating beverages shall be trained in licensing law and this will include the law in relation to children and alcohol. A record of staff training will be maintained and can be inspected by the Police or Licensing Authority.
43. A proof of the age scheme shall operate at the premises and staff shall be trained in its use; e.g. Challenge 21.

### **Reason**

The Panel granted this application as the additional conditions would uphold the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and not add to cumulative impact. The Panel was also of the view that the surrender of a number of licences for other premises in the area allowed this application to be granted as an exception to policy.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at: <http://democracy.camden.gov.uk>

As the applicant, you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us on the above number or via our enquiry form [camden.gov.uk/licensing](https://camden.gov.uk/licensing) if you require any further advice or assistance.

Yours sincerely

Mrs Annette Smithson  
Customer Service Officer

**APPENDIX 3:** Licensing Decision ref: APP\PREMISES-PROV\000022

**Date:** 12 December 2016  
**Our Reference:** APP\PREMISES-PROV\000022



**Direct Phone Number:** 0207 974 1630  
**Contact:** Mrs Annette Smithson

**Contact**  
London Borough of Camden  
Judd Street  
London  
WC1H 9JE

Tel: 020 7974 4444  
DX: 2106 Euston

Web: [www.camden.gov.uk/licensing](http://www.camden.gov.uk/licensing)  
Email: [www.camden.gov.uk/act0305](mailto:www.camden.gov.uk/act0305)

*Please quote our reference in any correspondence*

By email

Dear Sir or Madam

**Licensing Act 2003 - Provisional Statement Application**  
**Re: The Event Gallery, ST GILES CIRCUS SITE, LONDON**

I refer to the public hearing held on 30/06/2016 to determine the application to make a provisional statement for the above premises.

The panel's full decision was as follows:

**RESOLVED**

THAT the application for a Provisional Statement be granted as follows:

**a) Supply of Alcohol (For consumption on and off the premises)**

10:00 23:30 Monday to Thursday

10:00 00:00 Friday to Saturday

11:00 22:30 Sunday

**b) Plays**

**c) Films**

**d) Indoor Sporting Events**

**e) Boxing or wrestling entertainment**

**f) Live Music**

**g) Recorded Music**

**h) Performances of Dance**

10:00 23:30 Monday to Thursday

10:00 00:00 Friday to Saturday

11:00 22:30 Sunday

**i) Late night refreshment**

23:00 23:30 Monday to Thursday

23:00 00:00 Friday to Saturday

**j) Opening hours**

00:00 00:00 Monday to Sunday

## **k) Seasonal Variations**

On 104 occasions per calendar year the terminal hour shall be extended until 02:00 hours (the following morning). Such occasions to be notified to the Police and Licensing Authority 14 days prior (If the premises elect to trade beyond 01:00 on the commencement of British Summertime then the permitted hours shall be extended for a further one hour).

### **With the addition of the following conditions:**

#### **General**

1. The sale of alcohol at the premises shall be at all times ancillary to the use of the Gallery as a multi-purpose auditorium space. The sale shall be restricted to such occasions as exhibitions; retail events; live pre-recorded music; product launches; fashion shows; film screening; events and conferences, and the like kind.
- 2 Although the Event Gallery and Urban Gallery are separate, they shall work in tandem in accordance with the Venue Management Plan and the Event Management Plan to maintain the operational integrity of the site.
3. An event management plan will be prepared for each event and shall be served upon the Police and Environmental Health a minimum of 14 working days ahead of an event for information.
4. The Event Management Plan will include the provision of a designated smoking area and management thereof; provision of a dispersal policy to ensure the safe and quiet movement of people from the area; the provision of additional pop-up toilets (when necessary); provision of a queue management strategy; public safety and security arrangements.
5. The Premises Licence Holder shall provide the Licensing Authority and Police with a list of upcoming events each quarter (or as otherwise agreed with the Licensing Authority and Police) and shall provide such information as is requested by the Licensing Authority and/or Police to assess the potential impact of specific events upon the Licensing Objectives.
6. The dispersal policy shall contain measures intended to encourage patrons leaving the gallery after 23.30 to disperse towards Tottenham Court Road Station or by travelling North/South on Charing Cross Road or West/East on Oxford Street/New Oxford Street. It will contain measures actively to encourage patrons from dispersing into the Piazza area to the North and East of the premises

#### **The prevention of crime and disorder**

7. There shall be no off-sales of alcohol, with the exception of alcohol sold during an exhibition I event held at the premises, which is packaged to take home and which is not intended for immediate consumption off the premises.
8. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
9. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.

10. The CCTV camera views are not to be obstructed.
11. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits in order to capture clear facial images of all persons leaving the premises.
12. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
13. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
14. The facility to transfer the images to a compatible, removable format shall be held on the premises.
15. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
16. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
17. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
18. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed-out' in order to prevent drug misuse.
19. At least one member of the management team on duty whilst the premises remain open for licensable activities, is to hold a personal license under the Licensing Act 2003.
20. A management document is to be drawn up, maintained and amended as required which will deal with the following:
  - (a) Definition of promotions, events and bookings
  - (b) Procedure for the management of each category.
  - (c) Security procedures including the reporting of incidents.
  - (d) Procedure for ensuring promoters are informed of and are managed in such a way as to promote the Licensing Objectives and ensure compliance with the conditions on the premises License.
  - (e) Response plan and management structure in the event of an emergency.
21. In relation to any event involving a promoter, their associates, OJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - (a) The Licensee shall complete a risk assessment form 696 and email it to:

SCD9proactivelicensinintelligence@met.pnn.police.uk, and copied to EK-Licensing@met.police.uk at least 14 days prior to the event.

The Licensee shall notify the Metropolitan Police using the same emails if there are any short notice bookings of event or any unusual or largescale events as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.

(b) Where it is a public musical event involving the use of a OJ or MC, who performs to background recorded music then if directed by the Police from 21:00 hours, or when recommended by the Police, every customer shall be searched upon entry. All searches to be conducted by authorised door staff and shall be carried out within an area covered by the premises CCTV system. Refusal to being searched will result in No Entrv.

(c) In relation to all other musical events, the Local Camden Police Licensing Team shall be contacted no less than 14 days prior to the event to request if, a full Search Policy is required of all customers.

22. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.

23. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage, other than permitted off-sales.

24. A Challenge 21 policy will be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence, military 10 cards or proof of age card bearing the PASS hologram.

25. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.

26. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.

27. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.

28. Police must be called to incidents of violence and I or disorder.

29. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.

30. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

31. Where the sale of alcohol is occurring after 20:00 hours then door staff shall be present at least 1 hour prior to the commencement of the event. The door staff shall be employed to a ratio of 1:100. The following additional requirements apply in relation to those door staff:

(a) There will be a minimum of 1 (1) female SIA-registered door supervisor on duty when security are required.

(b) A door supervisors register shall be updated on occasions when door supervisors are employed. The Register is to be made available for inspection by the Police and/or Licensing Authority. Details to show:

Full Name;

Date of Birth;

SIA Registration Number;

Date and Hours Worked; and

Contact telephone number and email address.

(c) A coloured photocopy of each door supervisors' SIA badge shall be taken by the DPS and retained at the premises.

(d) They will wear high visibility jackets or vests or high visibility arm bands whilst working at entry I exit points and around the exterior of the building.

(e) They shall remain on duty for half an hour after the close of the venue to ensure all patrons are dispersed peacefully from the area.

32. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.

33. When the Gallery is in use after 8:00pm and the sale of alcohol is taking place, the smoking area shall be constantly supervised by an SIA registered door supervisor who will monitor the capacity and restrict access when necessary.

34. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

35. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.

36. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.

37. The licensee shall ensure that staff are trained, as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons under age. This training is to be clearly documented and any training for future staff must also be organised at the appropriate time. Details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

38. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.

39. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.

40. All security staff, stewards and management will be connected by a secure-channel hand held radio system.

### **Public safety**

41. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

Informative: (The below is for information purposes and is not intended to form a condition of the licence):

If a planned event in the Event Gallery is likely to result in a maximum attendance event then (following risk assessment) the Urban Gallery may be closed off in order that it may operate as a ticket hall and audience holding area.

42. On completion of the works and before the public are admitted, the premises must comply with the requirements of the District Surveyors Association and the Association of British Theatre Technicians 'Technical Standards for Places of Public Entertainment' (if applicable).

### **The prevention of public nuisance**

43. Patrons wishing to smoke will not be permitted to take drinks outside with them.

44. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.

45. That a 'Service Management Plan' be developed to the satisfaction of Environmental Health, detailing the management of deliveries and servicing; which shall include arrangements for the collection and delivery of event equipment, and refuse storage and collection; that the Service Management Plan be updated by the Premise Licence Holder from time to time as appropriate; that the Premises Licence Holder shall be bound to Service Management Plan. A copy of the Service Management Plan shall be retained at the premises and made available for inspection by the relevant authorities.

46. That an Events Noise Management Plan is developed to the satisfaction of the Noise Team to cover any occasion where there is potential for sound breakout beyond the premises boundary, and where sound equipment is added to the existing in-house equipment for a particular event or function. The Noise Management Plan required by virtue of planning shall be updated by the Premises Licence Holder from time to time as appropriate and the Premises Licence Holder shall be bound by the plan. A copy of the Events Noise Management Plan and the Noise Management Plan shall be retained at the premises and made available for inspection by the relevant authorities.

47. Servicing will take place between 08:00- 20:00 Monday to Sunday and on Public/Bank Holidays and will be from the Denmark Street loading bays only.

48. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column, must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.

49. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area, and requesting patrons to leave quickly and quietly.

50. The Event Management Plan sets out measures to be taken to ensure effective communication with surrounding residents and businesses concerning planned events.

51. The premises will use the central waste collection point provided as part of the development.

### **The protection of children from harm**

52. There is a lost children's policy contained within the Event/Venue Management Plan.

53. A proof of age scheme shall operate at the premises and staff shall be trained in its use, e.g. Challenge 21.

### **Reason**

Granting this application with the additional conditions would uphold the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Prevention of Public safety and not add to cumulative impact. The Panel was also of the view that the surrender of a number of licences for other premises in the area allowed this application to be granted as an exception to policy.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at:  
<http://democracy.camden.gov.uk>

If you made a relevant representation in relation to the application within the specified time you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us via our enquiry form [camden.gov.uk/licensing](http://camden.gov.uk/licensing) or via the above number if you require any further advice or assistance

Yours sincerely

Mrs Annette Smithson  
Customer Service Officer

**APPENDIX 4:** Licensing Decision ref: APP\PREMISES-PROV\000020

**Date:** 12 December 2016  
**Our Reference:** APP\PREMISES-PROV\000020



**Direct Phone Number:** 020 7 974 1630  
**Contact:** Mrs Annette Smithson

**Contact**  
London Borough of Camden  
Judd Street  
London  
WC1H 9JE

Tel: 020 7974 4444  
DX: 2106 Euston

Web: [www.camden.gov.uk/licensing](http://www.camden.gov.uk/licensing)  
Email: [www.camden.gov.uk/act0305](mailto:www.camden.gov.uk/act0305)

*Please quote our reference in any correspondence*

By email

Dear Sir or Madam

**Licensing Act 2003 - Provisional Statement Application**  
**Re: The Urban Gallery, ST GILES CIRCUS SITE, LONDON**

I refer to the public hearing held on 30/06/2016 to determine the application to make a provisional statement for the above premises.

The panel's full decision was as follows:

**RESOLVED**

THAT the application for a Provisional Statement be granted as follows:

**a) Supply of Alcohol (For consumption on and off the premises)**

10:00 23:30 Monday to Thursday  
10:00 00:00 Friday to Saturday  
11:00 22:00 Sunday

**b) Plays**

**c) Films**

**d) Indoor Sporting Events**

**e) Live Music**

**f) Recorded Music**

**g) Performances of Dance**

10:00 23:30 Monday to Thursday  
10:00 00:00 Friday to Saturday  
11:00 22:00 Sunday

**h) Late night refreshment**

23:00 23:30 Monday to Thursday  
23:00 00:00 Friday to Saturday

**i) Opening hours**

00:00 00:00 Monday to Sunday

**j) Seasonal Variations**

All licensable activities to be extended to 02:00 on New Year's Eve Day.

With the addition of the following conditions:

## **General**

1. The sale of alcohol at the premises shall be at all times ancillary to the premises operating as a gallery. The sale shall be restricted to such occasions as exhibitions; product launches; events; screenings and the like.
2. Although the Urban Gallery and Event Gallery are separate they shall work in tandem in accordance with the Venue Management Plan and Event Management Plan to maintain the operational integrity of the site.
3. An event management plan will be prepared for each event and shall be served upon the Police and Environmental Health a minimum of 14 working days ahead of an event for information.
4. The Event Management Plan will include the provision of a designated smoking area and the management thereof; provision of a dispersal policy to ensure the safe and quiet movement of people from the area; the provision of additional pop-up toilets (when necessary); provision of a queue management strategy; public safety and security arrangements.
5. The Premise Licence Holder shall provide the Licensing Authority and Police with a list of upcoming events each quarter (or as otherwise agreed with the Licensing Authority and Police) and shall provide such information as is requested by the Licensing Authority and/or Police to assess the potential impact of specific events upon the Licensing Objectives.

## **The prevention of crime and disorder**

6. There shall be no off-sales of alcohol, with the exception of alcohol sold during an exhibition/event held at the premises, which is packaged to take home and which is not intended for immediate consumption off the premises.
7. The sliding louver doors shall operate in a closed position when the sale of alcohol is taking place, with the exception of access and egress and subject to a direction to open the doors by London Underground.
8. All security staff, stewards and management will be connected by a secure-channel hand held radio system.
9. There will be a personal licence holder on duty at all times the premises are in use under the licence.
10. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
11. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
12. The CCTV camera views are not to be obstructed.
13. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
14. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
15. The facility to transfer the images to a compatible, removable format shall be held on the premises.
16. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
17. The Gallery shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
18. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
19. A management document is to be drawn up, maintained and amended as required which will deal with the following:
  - (a) Definition of promotions, events and bookings

- (b) Procedure for the management of each category.
  - (c) Security procedures including the reporting of incidents.
  - (d) Procedure for ensuring promoters are informed of and are managed in such a way as to promote the Licensing Objectives and ensure compliance with the conditions on the premises License.
  - (e) Response plan and management structure in the event of an emergency.
20. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
21. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage.
22. A Challenge 21 policy will be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence, military ID cards or proof of age card bearing the PASS hologram
23. A sign shall be displayed at the point of sale stating No Proof of Age -No Sale.
24. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
25. Regular glass collection shall be undertaken by staff where the sale of alcohol is taking place in the Gallery.
26. Where the sale of alcohol is occurring at the Gallery on Fridays and Saturdays after 22:00 hours then door staff shall be employed to a ratio of 1:100 (or part thereof), subject to there being a minimum of 4 door staff on duty at any time. The following additional requirements apply in relation to those door staff:-
- (a) There will be a minimum of one (1) female SIA-registered door supervisor on duty when security are required.
  - (b) A door supervisor's register shall be updated on occasions when supervisors are employed. The register is to be made available for inspection by the Police and/or Licensing Authority. Details to show
    - i. Full Name;
    - ii. Date of Birth;
    - iii. SIA Registration Number;
    - iv. Date and Hours Worked;
    - v. Contact telephone number and email address
  - (c) A coloured photocopy of each door supervisor's SIA badge shall be taken by the DPS and retained at the premises.
  - (d) They will wear high-visibility jackets or vests or high-visibility arm bands whilst working at entry/exit points and around the exterior of the building.
  - (e) They shall remain on duty for half an hour after the close of the venue to ensure all patrons are dispersed peacefully from the area.
27. In relation to any event involving a promoter, their associates, OJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit then:-
- (a) the licensee shall complete a risk assessment Form 696 and email it to: SCD9ProactivelicensingIntelligence@met.pnn.police.uk, and copied to EK Licensing@met.police.uk at least 14 days prior to the event. The Licensee shall notify the Metropolitan Police using the same emails if there are any short-notice bookings of events or any unusual or large scale event as soon as reasonable practicable. The police will have the right of absolute refusal of any such events for reason of late notification.
  - (b) where it is a public musical event involving the use of a DJ or MC, who performs to recorded background music then if directed by the police, the sliding louver doors will operate in a closed position (with the exception of access and egress) and from 21:00 hours on Thursdays, Fridays and Saturdays, or when recommended by the Police, every customer (with the exception of VIP and invited guests) shall be searched upon entry. All searches are

to be conducted by authorised door staff and shall be carried out within an area covered by the premises CCTV system. Refusal to being searched will result in No Entry".

28. Subject to any relevant consents which may be required from the Local Authority, when the sliding doors are closed the designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.

29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

30. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.

31. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.

32. The licensee shall ensure staff are trained, as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons under age. This training is to be clearly documented and any training for future staff must also be organized at the appropriate time. Details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

33. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.

34. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed-out' in order to prevent drug misuse.

35. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the police.

### **Public Safety**

36. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

Informative: *(The below is for information purposes and is not intended to form a condition on the licence):*

*If a planned event in the 'Event Gallery' is likely to result in a maximum attendance event then (following risk assessment) the Urban Gallery may be closed off to operate as a ticket hall and audience holding area.*

37. On completion of the works and before the public are admitted, the premises must comply with the requirements of the District Surveyors Association and the Association of British Theatre Technicians 'Technical Standards for Place of Public Entertainment' (if applicable).

### **The prevention of public nuisance**

38. The display screen will be in sleep mode between midnight and 07:00 hours.

39. Servicing will take place between 08:00 and 20:00 Monday to Sunday and on Public/Bank Holidays, and will be from the Denmark Street loading bays only.

40. Patrons wishing to smoke will not be permitted to take drinks outside with them.

41. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health, detailing the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, and refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate; that the Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.

42. That an Events Noise Management Plan is developed to the satisfaction of the Noise Team to cover any occasion where there is potential for sound breakout beyond the premises boundary, and where sound equipment is added to the existing in-house

equipment for a particular event or function. The Noise Management Plan required by virtue of Planning shall be updated by the Premises Licence Holder from time to time as appropriate and the Premises Licence Holder shall be bound by this Plan. A copy of the Events Noise Management Plan and the Noise Management Plan shall be retained at the premises and made available for inspection by the relevant authorities'.

43. When the sliding doors operate in a closed position (for example, when the Gallery is in use for a specific event, or is functioning as a support. space to the Event Gallery) then the capacity is 550 (excluding staff).

44. The Event Management Plan sets out measures to be taken to ensure effective communication with surrounding residents and businesses concerning planned events.

45. The premises will use the central waste collection point provided as part of the development.

46. A notice shall be fixed in a prominent position near exits reminding customers that this is a residential area, and requesting patrons to leave quickly and quietly.

47. Amplified sound shall not be audible within noise sensitive premises at such a level as to be a nuisance.

48. The licensee shall ensure that all litter and waste outside the premises (and connected to the premises) is removed and disposed of with other waste from the premises.

#### **The protection of children from harm**

49. The Premise Licence Holder will operate a Lost Children Policy.

50. A proof of age scheme shall operate at the premises and staff shall be trained in its use, e.g. Challenge 21.

#### **Reason**

Granting this application with the additional conditions would uphold the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and not add to cumulative impact. The Panel was also of the view that the surrender of a number of licences for other premises in the area allowed this application to be granted as an exception to policy.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at:

<http://democracy.camden.gov.uk>

If you made a relevant representation in relation to the application within the specified time you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us via our enquiry form [camden.gov.uk/licensing](http://camden.gov.uk/licensing) or via the above number if you require any further advice or assistance

Yours sincerely

Mrs Annette Smithson  
Customer Service Officer

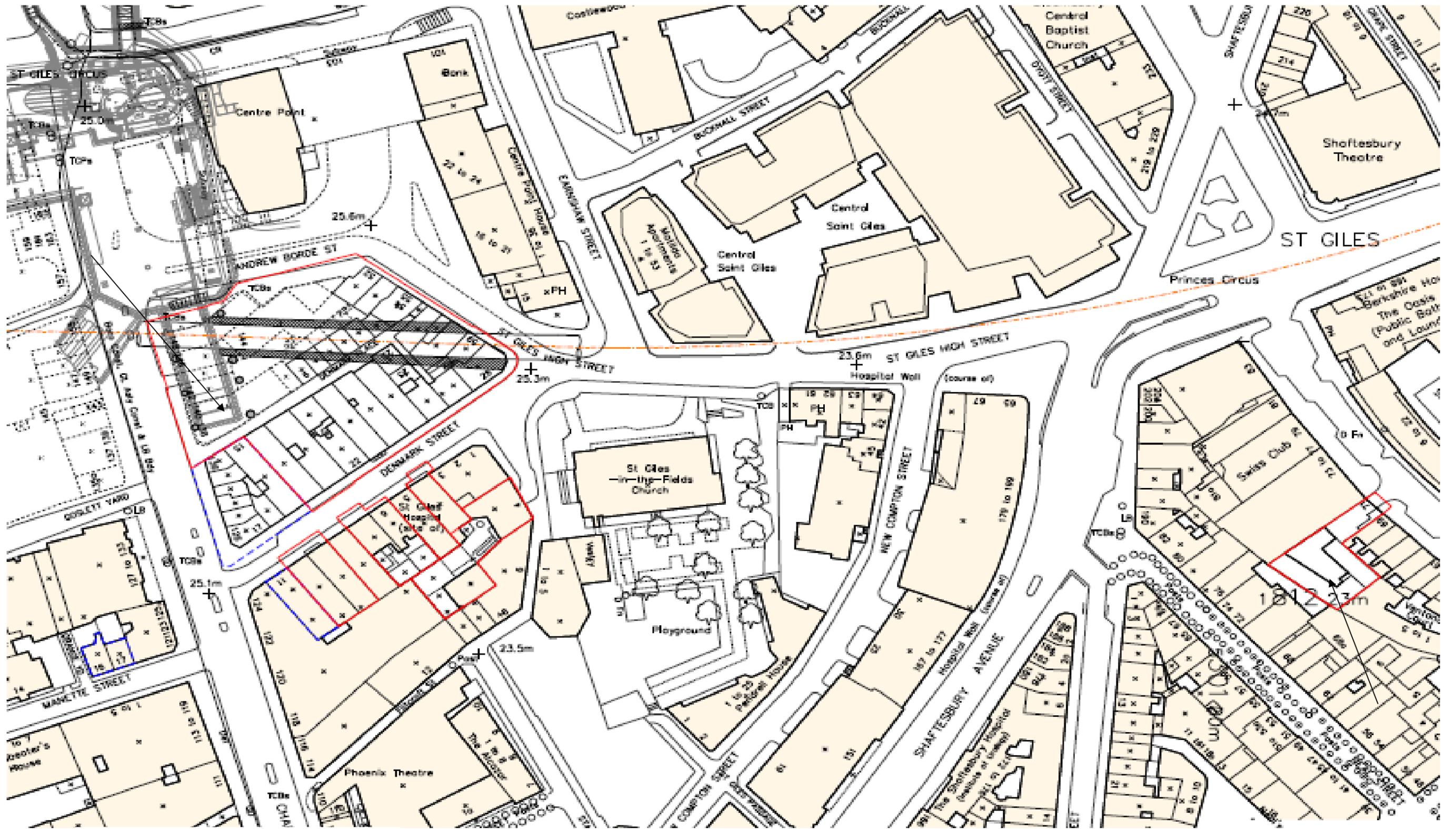


**Application No: 2016/5690/P**  
**St.Giles Circus site including: site of 138-148 (even)**  
**Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark**  
**Street 1-6 (inc) 16-23 (inc) Denmark Place...**

**Scale:**  
**1:1250**  
**Date:**  
**24-Mar-17**

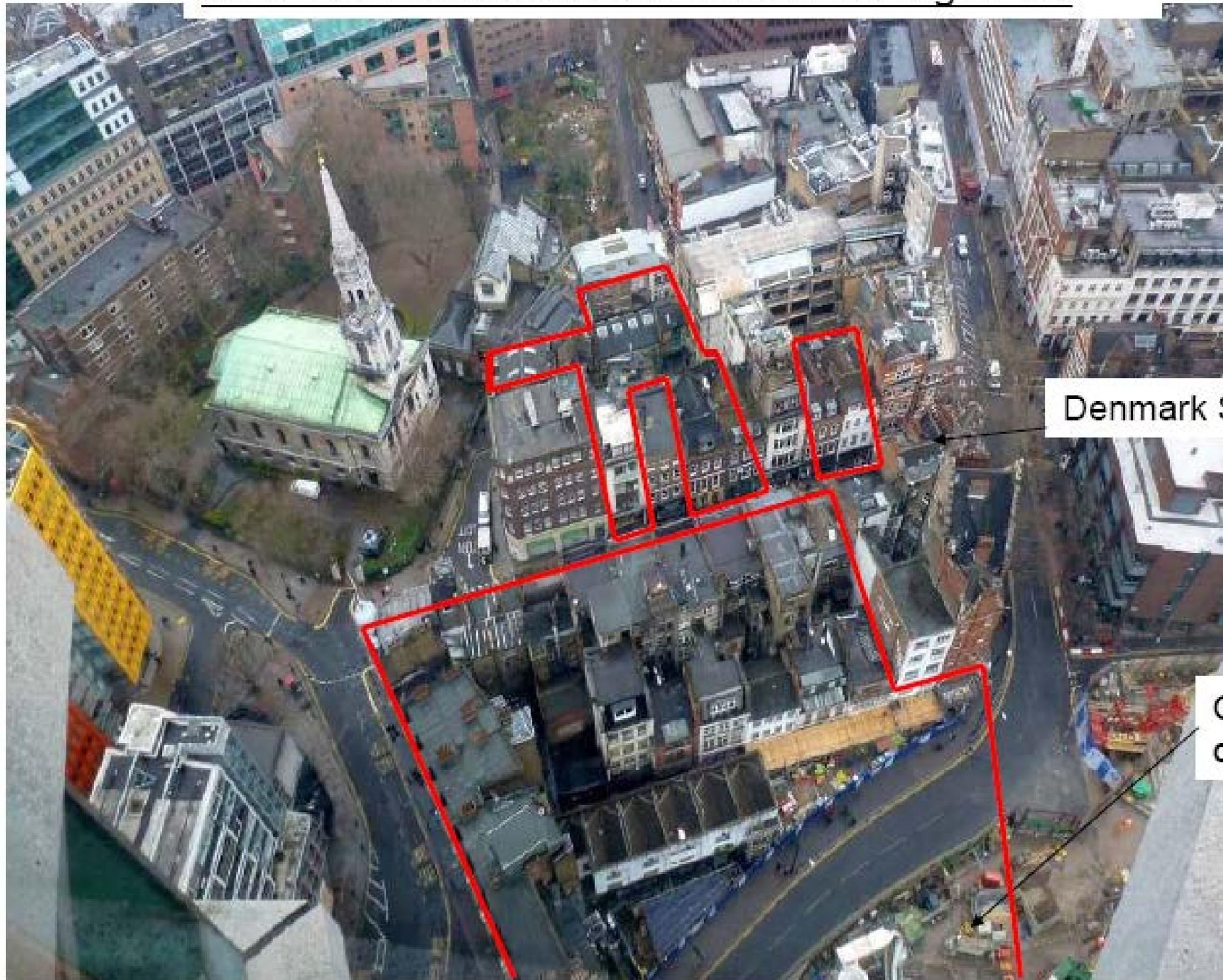


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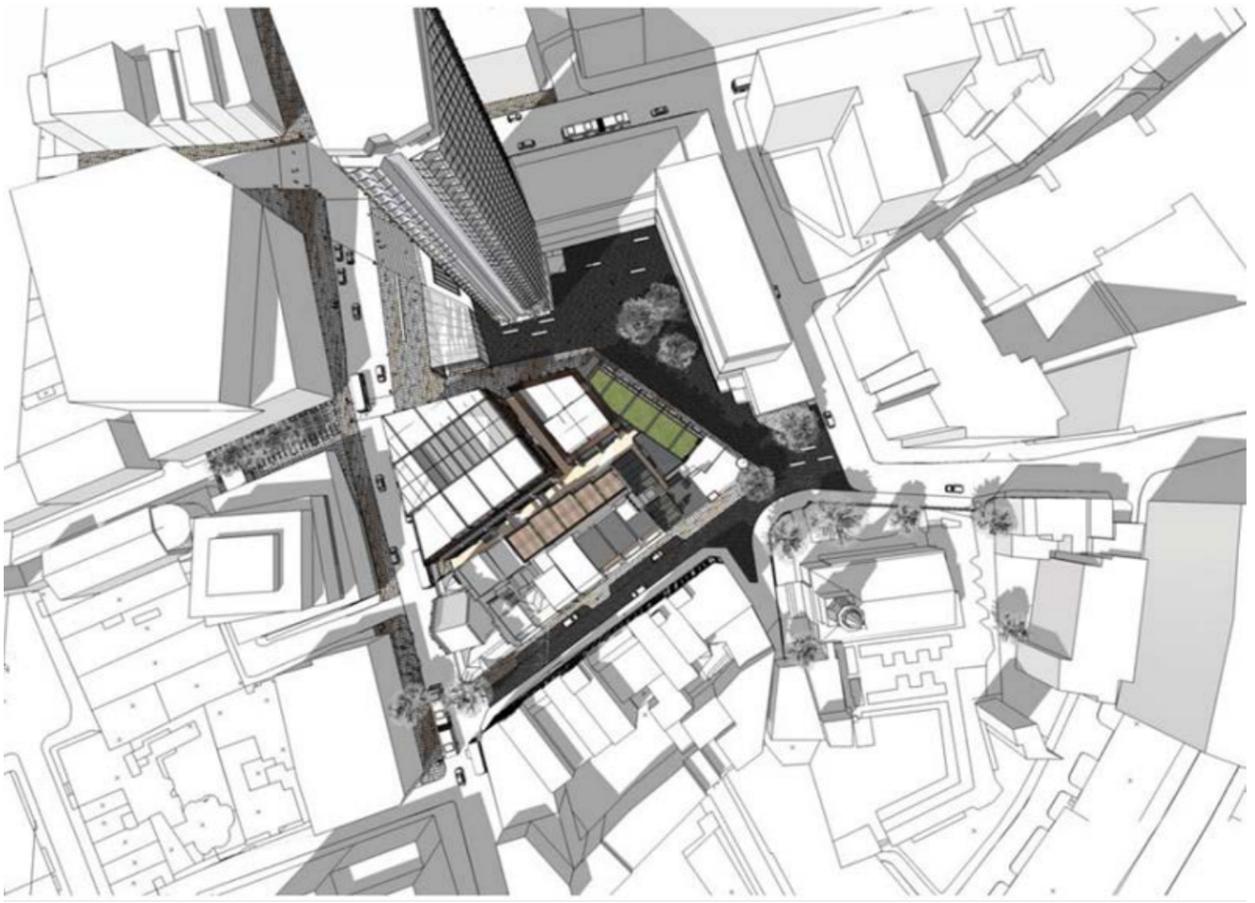
Site location plan

Main Site - View from Centre Point looking South

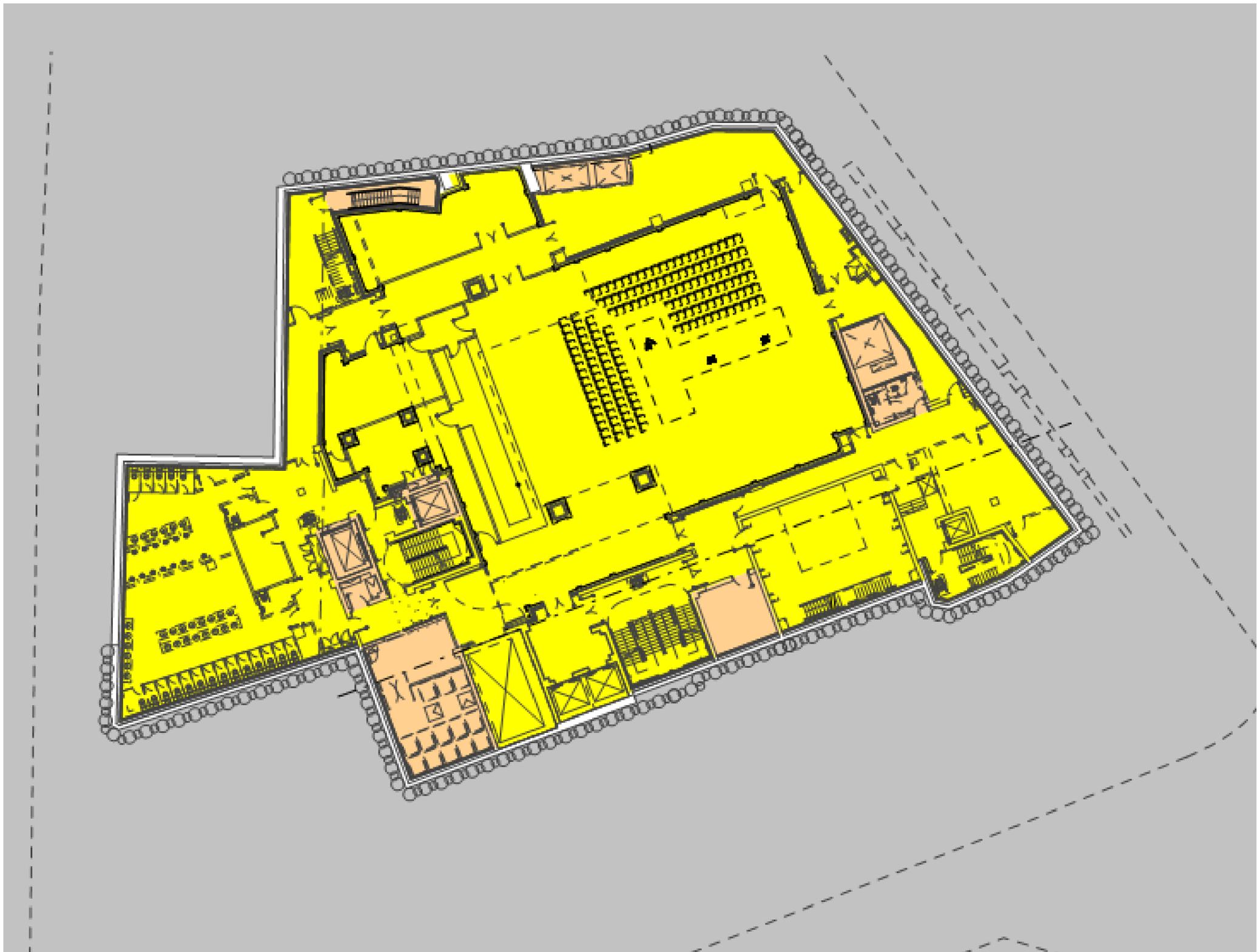


Denmark St

Crossrail construction



CGIs of approved scheme



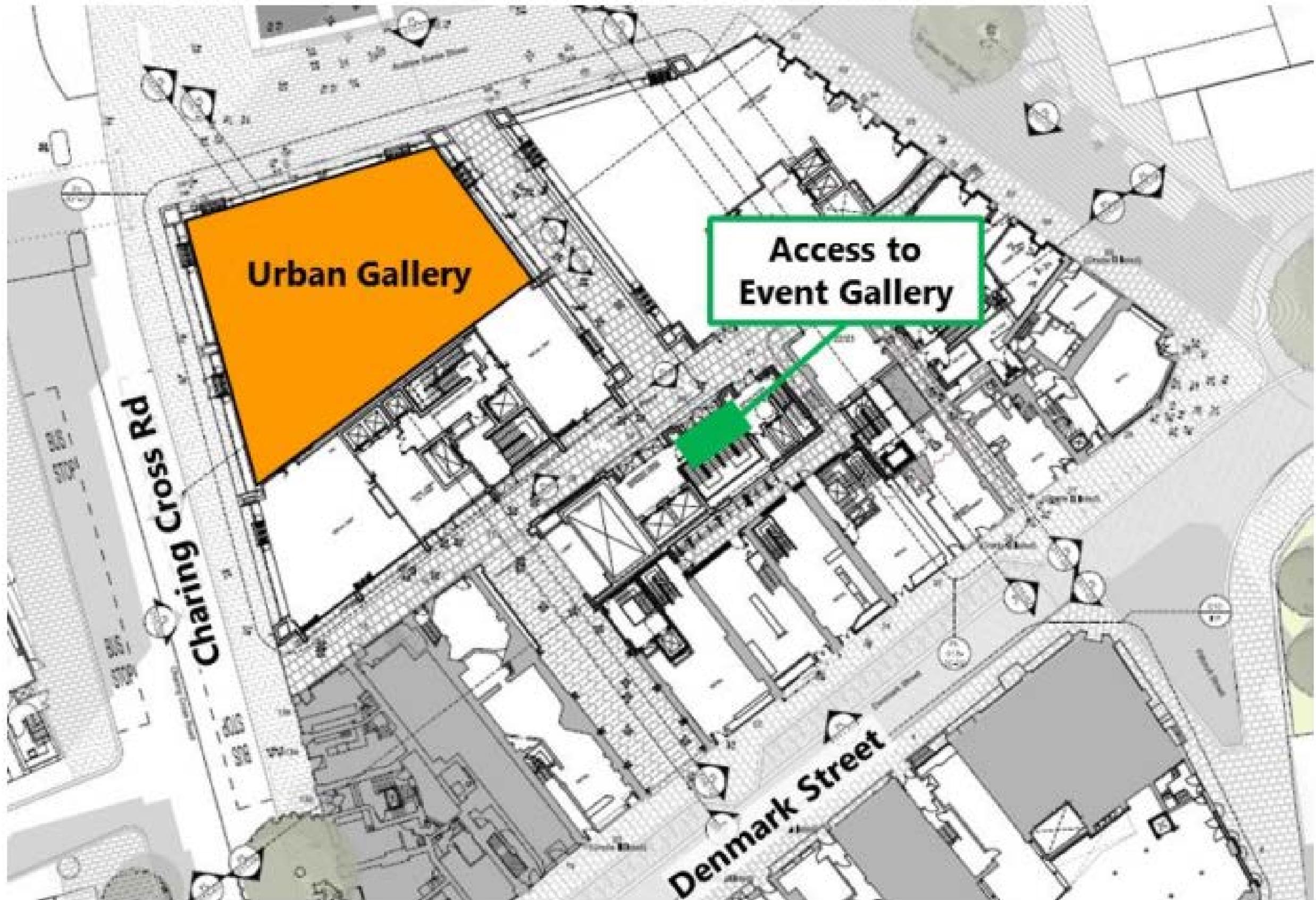
Basement venue



KEY:

- A1 Shop
- A3 Restaurant/Cafe
- A1/A3 Shops/Restaurant/Cafe
- A4 Drinking Establishments
- B1 Business
- C1 Hotel
- C3 Dwellinghouses
- Sui Generis
- Shared plant between commercial and residential
- Shared Access between commercial and residential

Ground floor uses of approved scheme



Location of urban gallery and access to event gallery (basement venue)

# Urban Gallery

Example axo visual

Digital content on the Urban Gallery screens

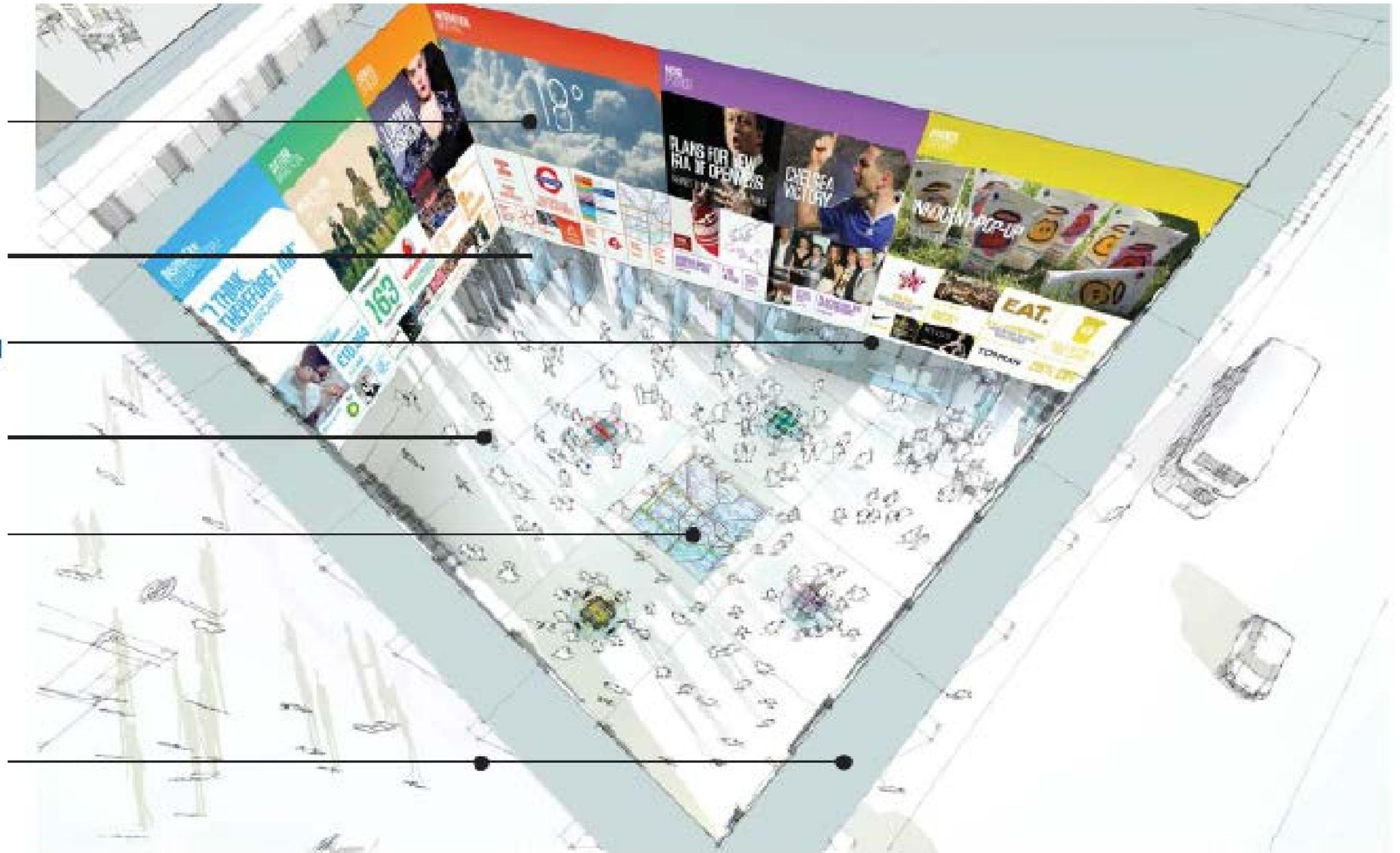
Content can be projected to all other surfaces

Retail units opening on to the Urban Gallery and to Denmark Place

Crowd control zone for auditorium events

Central meeting point, around digital content on the floor, mapping out the events and offers featured on the large screens. Interactive tables populate the space

Enter at street level





Information stream

Urban Gallery  
Examples of daily content



Event promotion

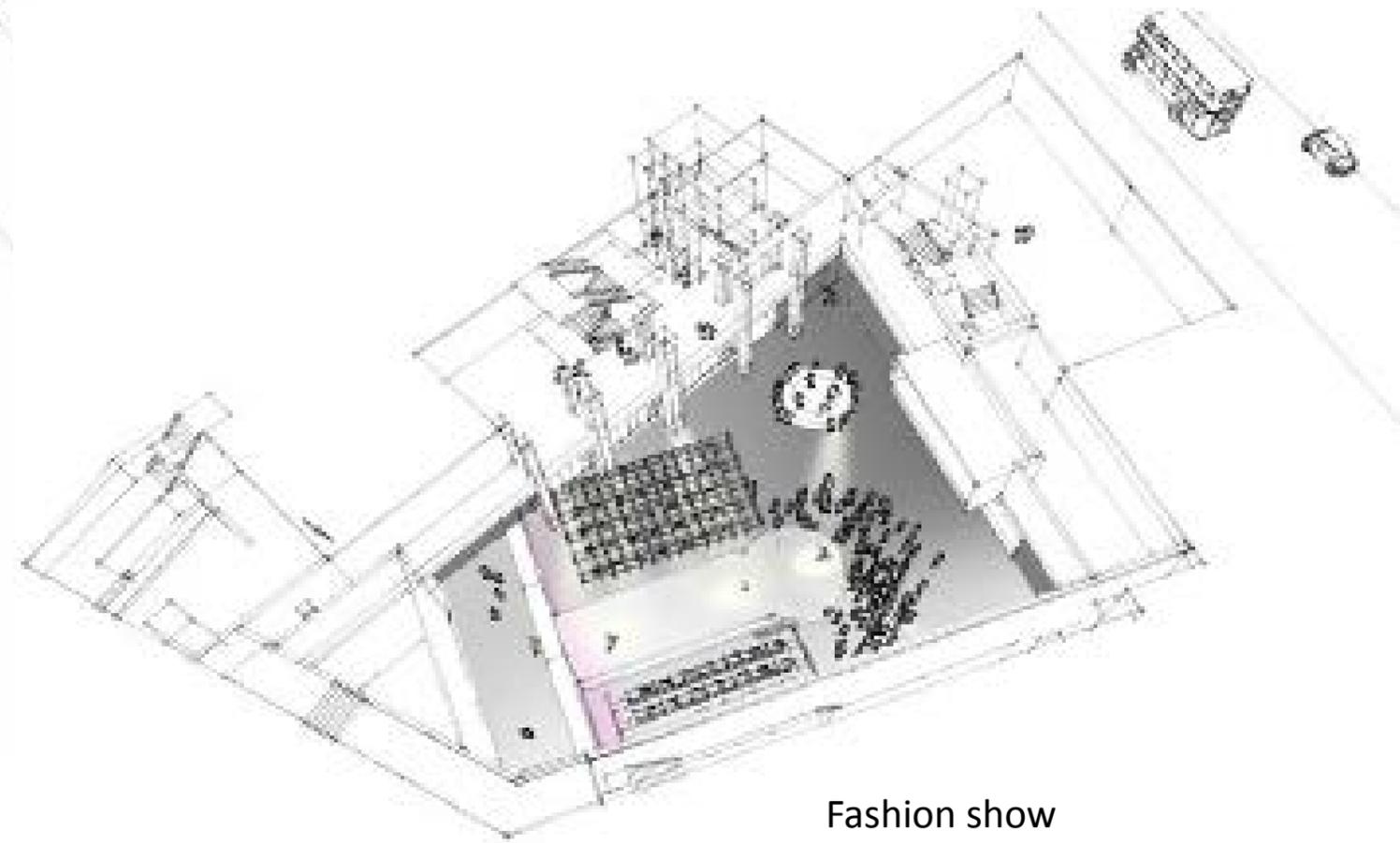


Curated arts

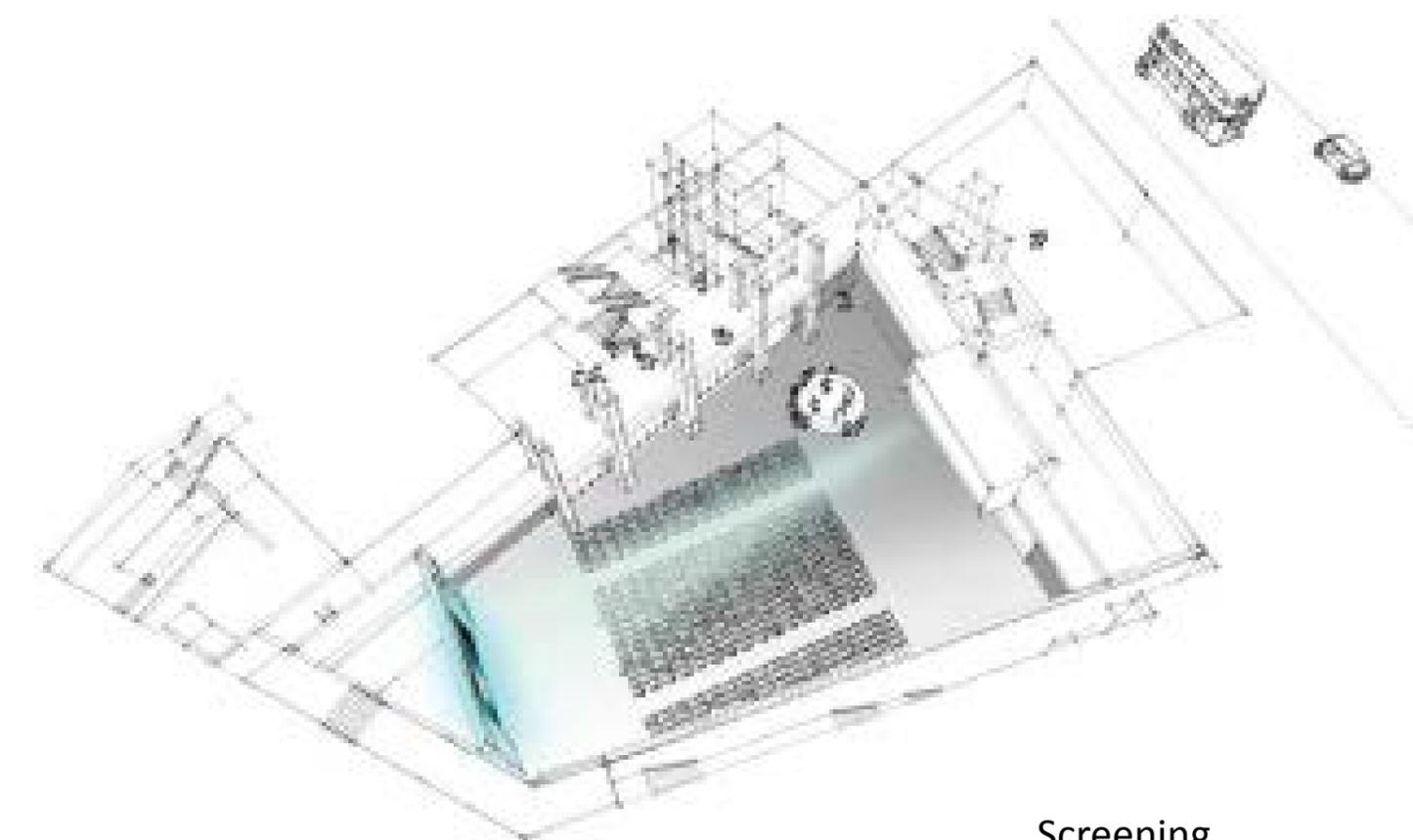
Basement auditorium  
- example layout variations



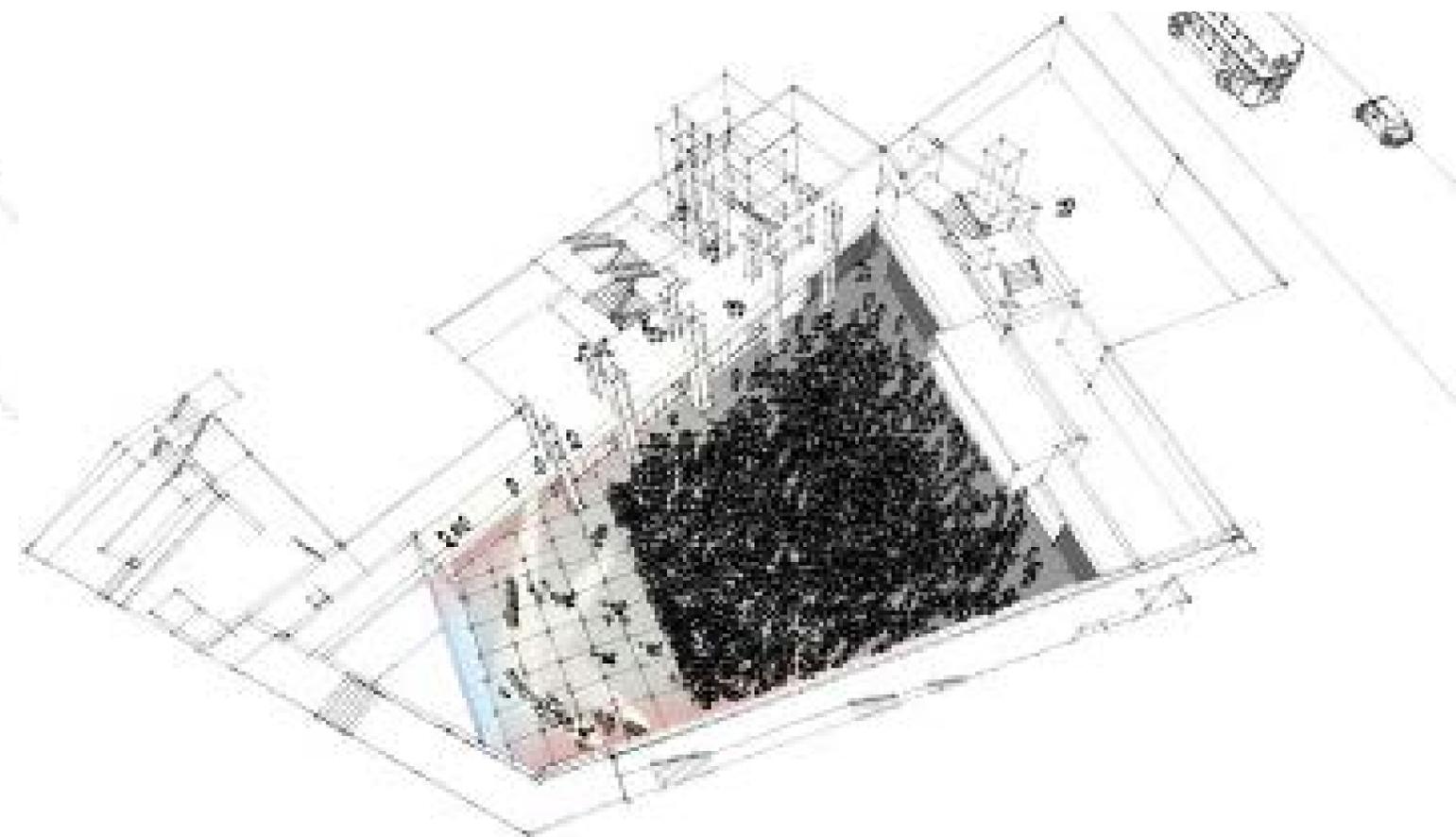
Seasonal market



Fashion show



Screening



High/full capacity gig/concert