

Application ref: 2018/3170/P
Contact: John Diver
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Date: 21 August 2018

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The JTS Partnership
Number One, The Drive
Great Warley
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CM13 3DJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Edinboro Castle Public House
57 Mornington Terrace
London
NW1 7RU

Proposal:

Erection of 2 no. temporary marquees to rear garden of public house (Class A4) for period of 26th November 2018 - 7th January 2019.

Drawing Nos: (Prefix 8486-): 100-00, 300_00, 301 Rev01; Planning and Heritage Statement dated Aug 2017; Marquee Management Plan (received 07/05/2018)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The marquees hereby permitted are for a temporary period only and shall not be erected prior to the of 26th November 2018 and shall be removed on or before the 7th January 2018.

Reason: The type of structure is not such as the Council is prepared to approve other than for a limited period, in view of its appearance. The permanent retention of the structure would be contrary to the requirements of policies D1, D2, A1 and A4 of the Camden Local Plan 2017

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (Prefix 8486-): 100-00, 300_00, 301 Rev01; Planning and Heritage Statement dated Aug 2017; Marquee Management Plan (received 07/05/2018)

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

- 3 The hereby approved temporary marquees shall be used for dining purposes (A3) ancillary to the main use of the public house (A4) and for no other purpose/use.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017

- 4 The use of the marquees hereby permitted shall not be carried out outside the following times: 12:00 till 22:30 daily.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017

- 5 No sound emanating from the marquees hereby permitted shall be audible within any adjoining premises between 2300hrs and 0700 hrs.

Reason: To safeguard the amenities of the nearby residential premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017

- 6 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017

- 7 The external surface of the marquees shall be of matt fabric finish, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission. [Delegated]

Temporary planning permission has been granted over the past years (Winter 2016 & 2017) under applications 2016/4942/P and 2017/4847/P for the erection of no.2 marquees of the same size, design and siting as hereby proposed. It was previously found that the structures would, by virtue of their design, positioning and

temporary nature; not result in any detrimental impact to the character and appearance of the host listed building or streetscene. As the design remains as previously approved, this consideration is maintained. As these would not be permanent structures or be fixed to any element of the adjacent listed public house, listed building consent would not be required for these works.

During the initial 2016 application, concern had been raised with regard to the potential impacts upon the residential amenities of adjoining neighbours. In order to address these concerns, a Marquee Management Plan was produced following input from LPA Environmental Health officers and secured via condition under the 2016 approval. The applicants were advised that the acceptability of any further temporary applications would take into account the success of the management of the previous temporary consent. Alongside this submission is a renewed Marquee Management Plan which included management details to be utilised during operation in line with that which was previously agreed. The Council's Environmental Health officers have confirmed that during the period of the previous permissions, no noise complaints were received by the Council and so it is considered that the management in line with the management plan had acted to successfully avoid issues of noise and disturbances. On this basis permission for the next Christmas period is considered acceptable, subject to the renewed management plan which is secured by condition and would remain enforceable against should issues arise.

No objection comments were received following a process of public consultations. The sites planning history was also taken into account when coming to this decision. Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving the character or appearance of the adjacent conservation area, under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

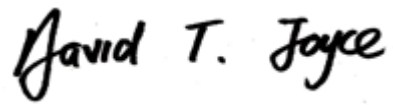
As such, the proposal is in general accordance with policies D1, D2, A1, A4, C4, C5 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

- 2 The applicant is reminded of the temporary nature of the hereby approved development. Should it be intended that similar structures are to be erected in the winter of 2019, temporary permission must again be sought. It should be noted that the assessment of any future temporary applications would take into account the success of the management of the hereby approved temporary consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D' and 'J'.

David Joyce
Director of Regeneration and Planning