

Planning Statement

Chapel Down Bar

King's Cross Central
General Partner Ltd

October 2018

**KINGS
CROSS**

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INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of King's Cross Central General Partner Ltd (KCCGPL). It accompanies an application for full planning permission and advertisement consent for a temporary restaurant, bar and outdoor terrace within the existing Gas Holder Triplet Marketing suite building within Development Zone F of the King's Cross Central (KXC) development site. The application includes proposals for a temporary building of 41sqm (GEA) to accommodate a kitchen associated with the proposed use and details of the proposed signage for approval.
- 1.2 The site already has approval for a mixed-use development under the KXC Outline Planning Permission granted in December 2006 (ref. 2004/2307/P) however, the applicant is seeking full planning permission for an interim use (for up to five years) until the permanent development is brought forward. Consequently, the proposals also seek the retention of the building, which is subject to an extant temporary planning permission that expires in February 2019, for a further period of five years.
- 1.3 The description of development for the purposes of the application is as follows:
- “Change of use of the existing marketing suite and associated terrace (Class A2) to a temporary restaurant/bar use (Class A4). Retention of and alterations to the existing building and landscaping, and the erection of a kitchen/cold store building for a temporary period. Installation of signage to the façade and roof.”*
- 1.4 The proposed scheme is outlined in detail in Section 3.0 of this Statement and in the Design and Access Statement. In summary, the design concept is underpinned by clear principles of ‘light touch’ to ensure that the minimum of built resources are expended on converting the building for its new use. Accordingly, the scheme will see a change of use for the existing marketing suite building and terrace area to accommodate a concept bar for Chapel Down. Where new buildings are necessary, for example for the kitchen/cold store, these will be of a temporary nature and imported to the site, allowing easy removal at the end of the project.
- 1.5 This report sets out the planning context for the proposals. Section 2.0 describes the application site, its context and surroundings. Section 3.0 sets out the proposed development. Section 4.0 sets out the planning history of the site, while Section 5.0 includes the relevant planning policies and Section 6.0 provides an assessment of the proposals. Section 7.0 provides our conclusions on the proposed development and its acceptability in planning terms.
- 1.6 In addition to this Planning Statement, the application is accompanied by the following documents:
- Drawings, prepared by Guy Holloway Architects and Exterior Architecture;
 - Design and Access Statement, prepared by KCCGPL;
 - Management Plan, prepared by the operators of the proposed development, Chapel Down. This document is provided as Appendix A to the Planning Statement; and
 - Noise Report, prepared by Hoare Lea, provided as Appendix B to this statement.

DRAWING SCHEDULE

Drawing Number	Rev	Drawing Title	Scale at A3
18.49 100.01	-	Site Location Plan	1:2500
18.49 100.02	-	Proposed Site Plan	1:400
18.49 100.03	-	Proposed Ground Floor Plan	1:100
18.49 100.04	-	Proposed First Floor Plan	1:100
18.49 100.05	-	Proposed Roof Plan	1:100
18.49 210.03	-	Proposed East Elevation	1:100
18.49 210.02	-	Proposed North West Elevation	1:100
18.49 210.01	-	Proposed South Elevation	1:100
18.49 710.01	-	Proposed Illuminated Logo Design	1:20
18.49 710.00	-	Proposed Illuminated Signage Design	1:20
18.49.980.00	-	Cycle Stand Interface	1:10
44302_5501_006	B	Transit Van Vehicle Tracking	1:250

APPLICATION SITE AND SURROUNDINGS

The Site

- 2.1 The site for the proposed Gasholders Marketing Suite is situated in a prominent location at the junction of York Way and Goods Way on the eastern edge of the KXC development. It comprises around 0.1 ha in area and is a triangular shaped piece of land which is bound by Goods Way to the south, York Way to the east and Regent's Canal to the north. The location of the site is shown in context on submitted drawing no. 18.49 100.01 which forms part of the drawing package. None of the buildings or structures on the site are listed but the land is within the Regent's Canal Conservation Area.
- 2.2 The site was formerly a petrol filling station, originally built in the 1960s. The petrol station building and structures which remained on the site following its closure in 2011 comprised; a single storey flat roofed red brick sales building (around 100 sqm – 117 sqm including the attached disused water tank enclosure), with a clockwise vehicle circulation around the rear to an adjacent car wash enclosure constructed of matching materials. The filling station forecourt to the west of the sales building contained three pump island, sitting beneath a canopy of approximately 320 sqm, with a height of approximately 5m. The site was served by separate access and egress cross-overs on the Goods Way frontage. All signs and corporate colours were removed in 2011 when the site was vacated. The underground petrol tanks have been decommissioned, emptied of fuel and foam-filled for long-term safety.
- 2.3 In March 2012, temporary planning permission was granted for 'The Filling Station' comprising change of use of the vacant petrol sales building to a restaurant (Use Class A3) and of the petrol station forecourt to provide a covered outdoor dining and events space beneath the retained canopy (ref. 2012/0601/P). The permission included the erection of three temporary buildings to provide toilet accommodation and a marketing suite for the student housing in Building T6 which at that time was under construction, plus installation of a new canal-side balustrade and screen wall around the building.
- 2.4 In January 2015, planning permission was granted for the erection of a building to be used as a temporary marketing suite (Class A2) for the Gas Holder Triplets development which was then under construction (referred to in this document as the 'Marketing Suite'). As a result of this development, the Filling Station was demolished and replaced with a new building which was completed in January 2016. The Marketing Suite has since closed, although the building is still in place. The permission requires the use to cease and structures to be removed on or before 1 February 2019.
- 2.5 There is a small group of trees in the north east corner of the site on the York Way frontage. These were identified as tree nos. 9, 10 and 11 in the 2004 Tree Survey which accompanied the outline planning application and were assessed as poor condition. An additional tree (No. 12) is located adjacent to the site boundary near to the cluster of trees on the site. All of the trees are within the Regent's Canal Conservation Area. Tree No. 9 was subsequently removed to accommodate the proposed Gasholders Marketing Suite (application ref. 2014/7366/T).
- 2.6 The Regent's Canal wall forms the northern edge of the site, extending westwards from York Way towards Camley Street Natural Park.

- 2.7 Three gas works tunnels run beneath the site alongside two Piccadilly Line tunnels.

Surroundings

- 2.8 The site is located on the eastern edge of the KXC development and is bound to the north by the Regent's Canal. Immediately west of the site, works were completed in summer 2012 on a public towpath and waterside seating area with facilities for visitor moorings. To the north of the site and on the opposite side of the canal, Plot J has been completed as a residential building, known as ArtHouse. These are the nearest existing residential uses to the site. Adjacent to Plot J is the Midland Goods Shed site (Development zone K) for which Reserved Matters approval and listed building consent was granted in June 2014 for refurbishment to provide retail floorspace and office uses with associated public realm works. These works were completed in 2015 and the buildings are now occupied by a supermarket, ice cream shop and office tenant.
- 2.9 To the south of the site, on the other side of Goods Way, are the railway tracks and miscellaneous buildings associated with King's Cross Station, considered to be of negligible sensitivity. To the south-west are Goods Way and Development Zones A and B, which have received Reserved Matters Approval for commercial uses. Zone B is now complete, while works are currently underway on Zone A for a new headquarter building for Google UK Limited. Zone A is due to be completed in 2021.
- 2.10 To the east of the site is York Way and on the opposite side of this road is King's Place, a substantial office building occupied by The Guardian with concert and bar/restaurant uses.
- 2.11 In addition to ArtHouse on the north side of the Regent's Canal, the nearest existing residential uses are around 80m to the north-east, located on the other side of York Way and served from Tiber Gardens. Apart from the separation provided by York Way itself, these buildings are also set back from the road and screened by mature trees on the eastern road frontage.
- 2.12 As set out above, the site is separated from any sensitive development by both the canal and busy roads (York Way and Goods Way).

PROPOSED DEVELOPMENT

- 3.1 As set out in Section 2.0, the planning permission for the current temporary use on the site expires on 1 February 2019. KCCGPL is proposing a further temporary use on the site in advance of its future development for the approved permanent use (under the KXC Outline Planning Permission).
- 3.2 This application seeks permission for the change of use and renovation of the Marketing Suite building to form a restaurant, bar and ancillary gin distillery (working title, the 'Chapel Down Bar'), together with the installation of a temporary kitchen/cod store building, landscaping to the existing terrace area and service area.
- 3.3 It is anticipated that Zone F will not be brought forward for development for several years. Consequently, permission for the Gasholders Marketing Suite is sought for up to five years to provide an interim use in the intervening period.
- 3.4 The bar/restaurant will be run by Chapel Down, an established and pioneering English wine producer based in Kent. As well as producing a world-class range of sparkling and still wines, Chapel Down has diversified to expand their range of curious beers and spirits. The Chapel Down Gin Bar with Distillery will provide a unique experiential concept to complement their offering at their winery in Kent. As well as functioning as a bar/restaurant, Chapel Down intend to offer tasting courses and the opportunity to make your own gin. The site will also include a distillery, although this will not function in a capacity that produces commercial quantities of gin and the primary use will be the bar.
- 3.5 As noted previously, the proposals involve the re-use of the existing Marketing Suite, with a total floorspace of 528 sqm (GEA) spread across ground and first floor levels. The reconfigured ground floor would comprise a bar and new customer toilet facilities, plus a kitchen prep area within a new extension. In the centre of the ground floor remains the internal staircase and lift providing access to the first floor landing. At the top of the landing a new cocktail bar would line the eastern wall with access to an external dining terrace. At first floor there would also be a new flexible restaurant space benefiting from a further small terrace and a private dining room. A new external fire staircase will provide access from the private dining space to the external terrace.
- 3.6 As noted above, a new 41 sqm (GEA) building will be installed on the north of the site to provide kitchen facilities and cold storage for the bar/restaurant. The proposed building would be a prefabricated kitchen pod and separate cold store, accessed from the rear of the existing building through a gated external storage area. The pod would provide new staff facilities (WC, lockers and changing room) and would be fitted with kitchen equipment and extraction. The kitchen pod and cold store would be clad in blackened timber to complement the existing black cladding of the marketing suite and located to ensure minimal visual impact.

- 3.7 Opening hours for the bar are expected to be 07:00-00:00 Sunday to Thursday, 07:00-01:00 Friday to Saturday. The external terrace areas will be restricted to the following opening hours: 07:00-23:30 Monday to Thursday, 07:00-00:00 Friday to Saturday and 07:00-22:30 Sunday. A Management Plan is submitted as Appendix A to this report and sets out the arrangements for the day-to-day operation of the bar and distillery. In particular, it confirms the anticipated staffing levels, use of music and opening hours for the venue.

External Lighting and Signage

- 3.8 The bar will largely continue to use the external lighting provided for the Marketing Suite to create an active and interesting frontage along Goods Way and so that the external areas can be used for evening events. This includes uplighting to the replica guide frames and directional, discrete lighting to avoid light spill onto the adjacent canal. New lighting will be limited to the illuminated signage (see below) and 6no. wall lights fitted on the first floor terrace. Further details on the design of this lighting is provided in the submitted Design and Access Statement.
- 3.9 Three new signage zones are proposed on the existing building. Illuminated lettering will be fixed in two locations with an overall height of 954mm, 174mm will sit behind the parapet so only 780mm would be visible. A third location adjacent to the new feature window on the Goods Way frontage will feature a corten metal logo 4000mm in height, adding visual interest to an otherwise blank facade.

Landscaping

- 3.10 Outside, the bar will retain the terrace area to the north of the building and would be reconfigured to maximise canalside seating and comprise of a new fire staircase and seasonally operative bar.
- 3.11 The area to the north of the marketing suite will retain and reuse the existing hardwood decking and raised Corten steel planters providing enclosure from Goods Way to the south and the servicing area to the west of the decking. The existing planting scheme would be retained as much as possible and comprise of a variety of new planting to connect with the narrative of Chapel Down, as outlined in the Design and Access Statement.
- 3.12 A cluster of existing trees is located in the north east corner of the site along with boundary with York Way (Tree Nos. 10, 11 and 12). Tree No. 9 has already been removed as part of the construction of the Marketing Suite. Tree Nos. 10 and 11 are within the site boundary and Tree No. 12 is adjacent to the boundary and is located at canal level. There are no plans to remove these remaining trees as part of the proposed works or change of use.

Access

- 3.13 The existing vehicular access to the site from Goods Way would be retained as service access for the bar. The western side of the site would include a delivery loading bay and 16 bicycle parking spaces. The eastern side of the site would provide a further 12 bicycle parking spaces and 4 secure, covered staff spaces adjacent to the kitchen building.
- 3.14 The main access to the Chapel Down Bar for visitors would be from the semi-circular recessed entrance off Goods Way. This main entrance, which was formerly the entrance to the marketing suite, would include a stepped access and a ramp to provide level access to the bar.

Servicing

- 3.15 Delivery vans will be able to drive into the site using the A5200 from Goods Way and park on the western side of the plot in a demarcated service bay, before reversing within the service area to turn around and depart in a forward direction. Deliveries would have full use of the delivery loading bay to park up and unload. Due to the current one-way arrangement, vehicles will be expected to turn right onto Pancras Road and head in a westerly direction to continue their journey.
- 3.16 Goods would be carried or wheeled on trolleys over the short distance to the service area behind the bars kitchen. It is anticipated that deliveries will take place every day except Sundays, with the majority between 7am and 8am.
- 3.17 Waste collection and storage will be carried out in the same manner as the current use of the site. The waste and recycling containers will be stored in the eastern part of the site and will be brought to the highway edge on Goods Way for collection on a daily basis.

Sustainability

- 3.18 The proposals have an inherently high degree of sustainability derived through the re-use of existing built space and structures. Where additional space is required, for example for the kitchen and cold store, temporary rented buildings are employed that can be re-used after the project ends. Existing access points from the public highway and terrace areas will be retained.
- 3.19 Connection to the main sitewide combined heat and power system is not practicable for the purposes of the proposed temporary development, although this will be implemented for the long term development of the site.
- 3.20 In summary, we consider that the current proposals would provide a valuable set of facilities, which will be a strong complementary use to neighbouring development. Innovative use would be made of prominent but currently vacant land, creating a strong and lively sense of place and capitalising on the potential of the site over the interim period pending the submission of Reserved Matters details for its long term development.

Planning History

- 4.1 The most relevant planning history stems from the location of the site within the KXC masterplan area.

Outline Planning Permission (Ref. 2004/2307/P)

- 4.2 The Outline Planning Permission for the KXC site provides for 713,090 sqm (GEA) of mixed-use floorspace across a 26ha site and was granted in December 2006. The Outline Planning Permission includes a series of Parameter Plans which indicate the principles of development across the KXC site according to a number of Development Zones. The application site is identified as Development F on the Parameter Plans, within which a total of 2,500 sqm of business and employment (Use Class B1) floorspace with 2,200 sqm of residential (Use Class C3) floorspace above is permitted (a total of 4,700 sqm).
- 4.3 This application is not a Reserved Matters submission in accordance with the Outline Planning Permission. The permanent development within Development Zone F, as approved under the Outline Planning Permission, will be fully developed in accordance with the envisaged phasing of the development site, in due course. Therefore, this application seeks a further temporary use on the site now that the Marketing Suite planning permission is due to expire in February 2019. Nothing in this application will prejudice the approved development for Development Zone F, pursuant to the Outline Planning Permission, coming forward.

Conservation Area Consent (Ref. 2004/2320/C)

- 4.4 Conservation Area Consent was granted for the demolition of various buildings and structure across the KXC site, including the Petrol Filling Station and Regent's Canal walls (which are listed as item nos. 4 and 14 on the Conservation Area Consent respectively). Demolition of the Petrol Filling Station buildings took place in January 2015 in line with that consent.
- 4.5 No works to the Regent's Canal wall, which forms the northern boundary of the site, are proposed as part of this application.

'The Filling Station' (Ref. 2012/0601/P)

- 4.6 As noted in Section 2.0, a temporary planning permission was granted in March 2012 for change of use of the vacant petrol sales building to a restaurant (Use Class A3) and of the petrol station forecourt to provide a covered outdoor dining and events space beneath the retained canopy (ref. 2012/0601/P). The permission included the erection of three temporary buildings to provide toilet accommodation and a marketing suite, installation of a new canal-side balustrade and screen wall around the building.
- 4.7 Condition 1 of the 'The Filling Station' permission (ref. 2012/0601/P) required the use to cease and all temporary structures to be removed completely on, or before, 3 years from the date of the permission (ie 8 March 2015).
- 4.8 The permission was implemented and the development remained in place until January 2015.

The Gas Holder Triplet Marketing Suite (Ref. 2014/7724/P)

- 4.9 As explained in Section 2.0, a further temporary planning permission was granted in January 2015 for the erection of a building to be used as a Marketing Suite associated with the Gas Holder Triplets development, together with landscaping and improvements to the pedestrian footway. The development necessitated the demolition of the Filling Station in order to construct the new building and landscaping.
- 4.10 The planning permission includes a condition (Condition 1) which requires the use to cease and all temporary structures to be removed completely on, or before, the 1 February 2019.
- 4.11 The permission was implemented, although the Marketing Suite use ceased in 2018. Nonetheless, the building associated with the Marketing Suite remains on site and forms part of the current proposals which seek to put the building to an alternative use for up to five years.

Planning Policy Context

- 5.1 The relevant local planning policies are summarised below. An appraisal of the proposals against these policies is provided in Section 6.0.

Camden Local Plan (July 2017)

- 5.2 LB Camden's LDF, specifically the Camden Core Strategy and Development Policies documents (2010-2025) adopted in November 2012, was replaced by the Local Plan on 3 July 2017. The policies of the Local Plan concerning food, drink and entertainment uses are elaborated by the Camden Planning Guidance on Town Centres (the 'CPG Town Centres') adopted in March 2018.
- 5.3 Also relevant is the Regent's Canal Conservation Area Appraisal and Management Strategy, adopted on 11 September 2008, which defines the special character of the conservation area in which the application site is located.
- 5.4 The vision statement for the Local Plan states that Camden should be *"a place where everyone has a chance to succeed and where nobody gets left behind. A place that works for everyone"*. It includes strategic objectives to create conditions for growth in the most appropriate and sustainable locations, and to harness the benefits of this growth so that it meets the needs of Camden's communities for homes, jobs and services. This includes the promotion and support of growth areas in King's Cross, among others, and the strengthening of Camden's nationally important economy in terms of business and employment, shopping and entertainment and tourism.
- 5.5 These are reflected in the overarching Growth and Spatial Strategy in the plan, captured in Policy G1. That Policy promotes a concentration of development in the growth area of King's Cross and states that the Council will promote the most efficient use of land and buildings in Camden by:
- "A) supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site."*
- 5.6 In relation to the King's Cross Growth Area, the supporting text to Policy G1 states that the Council's aspiration is *"to secure the development of high quality, successful, attractive, vibrant and safe places with a mix of uses, in particular, ...retail [and] leisure... uses which support and increase the borough's contribution to London's role as a World business, commercial and cultural centre."*
- 5.7 Policy C6 explains how the Council will seek to promote fair access and remove barriers preventing everyone from accessing facilities and opportunities, including expecting all buildings and places to meet the highest practicable standards of accessible and inclusive design.
- 5.8 Policy E1 seeks to secure a successful and inclusive economy in Camden. Relevant to this proposal, the Council will:

- Support businesses of all sizes, in particular start-ups, small and medium sized enterprises (part a); and
- Recognise the importance of other employment generating uses including retail, education, health, markets, leisure and tourism (part i).

5.9 Policy A1 sets out the general approach by the Council to protect the quality of life of occupiers and neighbours by resisting development which causes unacceptable harm to amenity, whilst Policy A4 seeks to ensure that noise and vibration is controlled and managed. Policy TC4 builds on these policies by setting out the Council's specific approach to protecting amenity from the impact of food, drink and entertainment uses. In particular, the policy states that the Council will ensure that the development of food and drink uses (among others) does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. The considerations relevant to the current proposal include:

- the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses;
- the Council's expectations for the mix and balance of uses within frontages for each centre;
- the individual planning objectives for each centre, as set out in the CPG Town Centres;
- the impact of the development on nearby residential uses and amenity and any prejudice to future residential development;
- parking, stopping and servicing and the effect of the development on ease of movement on the footpath;
- noise and vibration generated either inside or outside of the site;
- fumes likely to be generated and the potential for effective and unobtrusive ventilation; and
- the potential for crime and antisocial behaviour, including littering.

5.10 Policy TC4 also sets out examples of planning conditions and obligations it would use in appropriate cases to manage any potential harm. These include:

- hours of operation;
- noise/vibration, fumes and the siting of plant and machinery;
- the storage and disposal of refuse and customer litter;
- tables and chairs outside of premises;
- community safety;
- the ability to change the use of premises from one food and drink use or one entertainment use to another (within Use Classes A3, A4, A5 and D2); and
- the use of local management agreements to ensure that the vicinity of premises are managed responsibly to minimise impact on the surrounding area.

5.11 Policy D1 confirms that the Council will seek to secure high quality design in development and will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 5.12 As noted previously, the site sits within the Regent's Canal Conservation Area. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements/appraisals when assessing applications and only permit development that preserves and, where appropriate, enhances the character and appearance of the area (Policy D2).
- 5.13 The current proposal also includes details of signage to advertise the Chapel Down Bar. Consequently, Policy D4, which deals with advertisements, is relevant to this application. Policy D4 requires advertisements to preserve or enhance the character of their setting and host building and respect their form, fabric, design and scale. Further, advertisements must be of the highest standard of design, material and detail.
- 5.14 In terms of sustainability and biodiversity, Policy CC1 requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC5 seeks to make Camden a low waste borough, through (inter alia) reducing the amount of waste produced and increasing recycling and reuse of materials to meet the London Plan targets and making sure developments include facilities for the storage and collection of waste and recycling. Further, Policy A3 seeks to protect and enhance sites of nature conservation and biodiversity and will (in part d), assess development against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of the proposed development, proportionate to the scale of development proposed.
- 5.15 Policy TC1 confirms that the Council will focus new shopping and related town centre uses (including food and drink) in Camden's designated growth areas, including King's Cross.
- 5.16 Finally, in relation to transport, Policy T1 seeks to promote sustainable transport by prioritising walking, cycling and public transport in the borough through, for example, ensuring developments are easy and safe to walk through and are adequately lit; and providing accessible, secure cycle parking facilities exceeding minimum standard outline in the London Plan and meeting the design standards in the CPG on Transport. In terms of car parking, Policy T2 supports a limit on the availability of parking and requires all new developments in the area to be car-free (save for spaces designated for disabled people where necessary and/or spaces that are essential operational or servicing needs).

Regent's Canal Conservation Area Appraisal and Management Strategy (September 2008)

- 5.17 The application site is described in the following terms in the relevant section of the Conservation Area Appraisal dealing with the stretch of the canal as it passes the Goods Way/Wharf Road bridge (pp. 23-24):

"The south bank has a high embankment topped by a petrol filling station which contributes nothing to the character or appearance of the conservation area."

- 5.18 Similarly, in the context of negative features, the appraisal states (p. 26):

"The petrol filling station at the base of the Maiden Lane Bridge detracts from the setting of the canal."

- 5.19 Clearly, there is a significant opportunity for enhancing the Regent's Canal Conservation Area, not only through the permanent development already permitted for Development Zone F under the KXC Outline Planning Permission, but also through appropriate temporary development, as now proposed, in the interim until the permanent development comes forward.

Planning Assessment

Principle of Development and the Proposed Use

- 6.1 The existing temporary use of the site as the Marketing Suite expires in February 2019. In accordance with condition 1 of planning permission ref. 2014/7724/P, the use shall cease and all temporary structures removed completely on, or before, 1 February 2019. This application seeks to extend the retention of the existing structures for a further 5 years and re-use the building and terrace for a restaurant/bar use.
- 6.2 The proposals would introduce an appropriate 'town centre use' (ie food and drink) to the King's Cross Growth Area which complements the existing and emerging uses in the immediate area in accordance with Local Plan Policy TC1.
- 6.3 The proposed works to the building and its use are considered to be an innovative approach to the re-use of an existing building which will see an active use retained on this prominent corner site. Given that the site is not expected to come forward for Reserved matters approval for some time, the proposals represent a complementary meanwhile (and employment generating) use that would avoid the negative impact of an empty plot while the permanent scheme is developed. Consequently, it is considered that the scheme would make good use of land prior to its permanent development, thereby meeting the expectations of Local Plan Policies G1 and E1.
- 6.4 In terms of the proposed restaurant/bar use, there is already precedent on this site for a similar temporary use. Although the Filling Station utilised a previous building, it was a successful and popular food and drink destination and regularly held events in the forecourt area overlooking the canal. The Filling Station demonstrates that such a use can successfully sit in this location without causing harm to the character of the local area or amenity of neighbours. Further detail in relation to amenity policies of the Local Plan is provided below.

Relationship with KXC Masterplan

- 6.5 The permanent development for Development Zone F in accordance with the Outline Planning Permission will be fully developed in accordance with the envisaged phasing of the development site, in due course. Nothing within the current planning application, in terms of use or built development, will prejudice the future development of the site pursuant to the KXC Outline Planning Permission as permission is only sought for a temporary period of five years.

Design and Amenity

Appearance

- 6.6 As explained in Section 3.0 the proposals seek the retention of the existing building, with only minor alterations required to make it suitable for the proposed restaurant/bar use.

- 6.7 The only significant new element is the addition of a kitchen and cold store to the north of the site, which will be clad in black timber to complement the black cladding of the marketing suite. The siting of the kitchen and cold store, to the north of the site adjacent to the established shrubs and trees, has been chosen to minimise visual impact in views across the canal from York Way.
- 6.8 The marketing suite has been positioned on the site to make use of the prominent location at the junction of York Way and Goods Way. The main entrance to the marketing suite is from Goods Way, close to the corner junction so it is visible. The marketing suite has been orientated to make use of views of the Regent's Canal and across to the already developed areas of the KXC development including, The Granary, The Midland Goods Shed and towards Development Zone N.
- 6.9 The proposed marketing suite would deliver a high quality scheme which makes effective use of the brownfield site and is sympathetic in its treatment to the existing building, in accordance with Policies G1 and D1 of the Local Plan.

External Lighting and Signage

- 6.10 The proposed lighting strategy, set out in the Design and Access Statement, seeks to enhance the architecture after dark whilst creating a safe environment in accordance with Policies D1 and C5 of the Camden Local Plan. The lighting design, which largely utilises the existing fittings for the Marketing Suite, has considered the sensitive location of the site adjacent to the Regent's Canal and neighbouring residential properties. Apart from the proposed illuminated signage (described below), the only new lighting will be 6 brass wall lights added to the first floor terrace, which will be directed onto the terrace seating. In line with Policy A1, the lighting design ensures minimal disturbance to occupiers of neighbouring buildings and wildlife through the use of directional fittings with optical control to reduce light spill.
- 6.11 The proposed signage is described in the Design and Access Statement and Section 3.0 of this report. In summary, three new signage zones are proposed. Illuminated lettering will be fixed in two locations behind the parapet, extending 780mm above the roofline, while a third location adjacent to the new feature window on the Goods Way frontage will feature a corten metal logo 4000mm in height, adding visual interest to an otherwise blank facade. The roof level signage is akin to that on the original Filling Station scheme in terms of its scale and location, with bushed brass/black metal trim around and behind the letters to enclose the lit element and minimise glare/intensity. For the logo, the structure will be gently lit from behind. In both cases, the level of illumination is subtle and intended to glow rather than provide lighting for any other purpose (e.g. safe movement). There are no proposals to include any flashing or intermittent elements which would act as a distraction to drivers and a nuisance to local residents and wildlife. The advertisements have been informed by the detailing and scale of the building, their materiality drawing from the prominent use of black cladding and brass coloured metalwork which formed a key part of the original design. The design is therefore considered to complement, rather than detract from its appearance, and meets the expectations of Policy D4 of the Local Plan in terms of preserving the character of the setting and their host building.

Noise

The application site enjoys a good degree of physical separation from existing noise sensitive development in the vicinity, with the nearest residential properties being located on the other side of the canal in the ArtHouse development and in York Way Court, both approximately 63m from the Site. An acoustic report has been produced (Appendix B) by Hoare Lea in response to Policies A4 and TC4 on amenity and Appendix 3 of the Local Plan. The report has used a series of acoustic tests, including a baseline noise survey, to assess any noise impact from the proposed use, in particular from patrons of the Chapel Down Bar using the terrace, music and plant. The assessment concludes that noise would be below the local existing ambient noise levels at neighbouring dwellings. Taking into account the character of the area, and with consideration that the business will implement suitable noise management protocols, the noise impact has been assessed to be at worst, a “Lowest Observed Adverse Effect Level”. It is considered that any noise can be suitably controlled, including through the specification of low noise equipment and plant, appropriate signage and staff supervision of patrons as they depart, to keep noise levels to a minimum.

Landscaping

- 6.12 As set out in Section 3.0 the proposed landscaping reflects the narrative between Chapel Down and the landscape. The scheme largely utilises the current planting scheme, but with the addition of both native and non-native planting which will enhance the ecological value of the site and reference the connection between the garden and products served in the bar/restaurant. The combined planting will provide nectar sources for insects, buds/seeds for birds, shelter/food resource for mammals and foraging areas for bats, thus supporting the principles set out in Policy A3.

Impact on the Conservation Area

- 6.13 In accordance with Policy D2 of the Local Plan, the proposed scheme will retain an attractive building and use on what will otherwise become a vacant site in February next year. The proposed interventions to the scheme, in particular the new window and the logo detailing on Goods Way are considered to represent enhancements to the existing structure.
- 6.14 The Regent’s Canal Conservation Area Appraisal and Management Strategy identifies the petrol filling station site as one which detracts from the setting of the canal, albeit this reference relates to the former petrol station building rather than the existing Marketing Suite which is of a higher quality.

Access and Servicing

- 6.15 In accordance with the Policy T1, the development recognises the excellent public transport connections on York Way and both King’s Cross and St Pancras stations. Therefore, it is expected that the majority of visitors to Chapel Down will come on foot, bicycle or use public transport.

- 6.16 Policy T2 states that new development is expected to be car free, save for designated accessible bays and spaces required for servicing. In accordance with both policies T1 and T2, the development doesn't include any provision for car parking spaces, although a designated bay is provided for servicing on the western side of the site. This allows for off-street servicing, with deliveries being wheeled straight to the back of house/storage area. Delivery vans will be able to enter and leave the service area in forward gear and therefore will not materially affect the ease of pedestrian movement or use of the cycle lane on Goods Way in accordance with the considerations set out in Policy TC4.
- 6.17 Disabled parking bays are available a short distance away from the bar, outside the ArtHouse building on Wharf Road and York Way, and as pay and display bays down Crinan Street off York Way.
- 6.18 Policy T1 requires developments to exceed the minimum standards set out in the London Plan (Table 6.3) for cycle parking. This states that for Use Classes A2-A5, the minimum cycle parking standard for staff (ie Long-stay) is 1 space per 175 sqm or part thereof and for visitors (short stay) is a minimum of 1 space per 40 sqm (both from a threshold of 100 sqm). Based on a total floorspace of 569sqm (GEA), including the existing building, this would equate to a requirement of 3 spaces for employees and 14 spaces for visitors. Given that the scheme provides a total of 34 spaces, including 4 secure spaces for staff, the proposals more than meet the requirements set out in the Local Plan.
- 6.19 Pedestrian access to the site is from Goods Way. Both stepped and ramped access is to be provided in the semi-circular entrance, providing level access to the building in accordance with Policy C6.
- 6.20 Waste and recycling will be stored in the eastern part of the site as per the existing arrangements. This is illustrated and described in the Section 2.6 of the Design and Access Statement. In accordance with Policy CC5 of the Camden Core Strategy suitable provision in terms of size of storage receptacles and the separation of waste has been allowed for in the development.

Ecology

- 6.21 The proposals include no works extending beyond the existing edge of the Site on the canal edge or otherwise physically affecting the environment of the canal. Whilst the scheme retains much of the planting already existing on the site, it will add some further plants to augment the current range of species and offer some ecological enhancement.
- 6.22 It should be noted that the Outline Planning Permission and S106 Agreement for the KXC development provide for ecological enhancements to the canal, some of which have already been implemented. The proposed scheme does not prejudice these improvements.
- 6.23 The proposals are, therefore, considered to be acceptable in relation to Policy A3 of the Local Plan.

Conclusions

- 7.1 The proposed Chapel Down Bar would be a high quality development on a prominent site at the eastern edge of the KXC site. The site is considered to be an appropriate location on which to capture the views over Regent's canal and re-invigorate an important gateway to the KXC development site.
- 7.2 The current temporary planning permission for the Marketing Suite expires in February 2019 and therefore, this application will make effective re-use of the site until the permanent development comes forward, pursuant to the Outline Planning Permission. The application proposal for a bar is an active use which will add to the vitality of this edge of the KXC site. The proposed development will significantly improve the appearance of the site which would otherwise continue to be inactive and vacant.
- 7.3 The proposed development accords with both national and local planning policies given the high quality design proposed. The temporary nature of the proposed use will not prejudice the permanent development being brought forward in the future as part of the KXC Outline Planning Permission.

Appendix A

Chapel Down Bar Management Plan

INTRODUCTION

This Management Plan is provided in support of the planning application for a restaurant, bar and small distillery (referred to as the 'Chapel Down Bar'), in addition to experiential space to support wine education, beer tasting events and the production of handmade gins, on the site known as 'Development Zone F' of the King's Cross Central development. The document seeks to explain the intended arrangements for the management and use of the site, including staffing, hours of operation, security and access.

The Chapel Down Bar forms part of the wider King's Cross Central site and will, in due course, be permanently redeveloped pursuant to the Outline Planning Permission for that development (ref. 2004/2307/P). The current planning application relates to an interim use for a period of up to 5 years and will see the retention of the existing Gas Holder Triplet Marketing Suite building alongside the erection of additional temporary structures to accommodate the proposed functions, specifically:

- A restaurant and bar sited over two floors, located in the existing building and operated by Chapel Down;
- An outdoor casual dining area and events space located on the existing ground floor external terrace;
- A ground floor, fully operational gin still where guests can enjoy tutorials on the gin-making process, sessions of history, tastings and distil their very own Gin

This document has been compiled by Chapel Down who will be responsible for operating the proposed restaurant/bar on the site, and thus the management arrangements which are put in place.

Sitewide Management

A General Manager and assistant General Manager will be appointed by the restaurant operator, Chapel Down. One or both Managers will be on site at all times. The General Manager is responsible for the entire site during trading hours and will also be the Designated Premises Supervisor for licensing purposes.

Notices will be placed around the site asking guests to leave quietly and respect any neighbours.

Access

Visitors will access the site via a single-entry point on Good's Way. A separate, secure service entrance is provided at the eastern end of the site to the rear of the restaurant for deliveries and waste collection (see below). This also serves as a fire escape door to the restaurant and therefore can be opened from the inside only.

Security

CCTV cameras will cover the whole site, monitored by the King's Cross Estate management team. The site will be secured out of hours by the General Manager or assistant General Manager.

Deliveries

Routine deliveries are expected every day from Monday to Saturday with the majority taking place between the hours of 07:00 and 08:00. Sunday deliveries may occur on an exceptional basis in relation to specific events, which require advance preparation and set-up.

Delivery vehicles will utilise a delivery bay situated at the west end of the site on Goods Way. Deliveries will be wheeled or carried to the service entrance to the rear of the restaurant.

Waste

Waste will be stored on the eastern side of the restaurant in a designated storage area and with facilities to support the separation of waste. It is anticipated that waste will be collected daily, with the bins being wheeled to the collection point on Goods Way at the appropriate time.

Outdoor dining and event space

The space will offer a flexible area capable of accommodating approximately 150 people for a seated event and 200 for a standing event. The space will be used for casual outdoor dining, offering food and drink from the interior bar and kitchen. There will be an informal arrangement of tables and chairs to support communal / group / couples or individual dining. It is envisaged that the food offer will be limited in choice, but exceptional in quality and taste and will be prepared by our own chefs located in the kitchen pod on site.

Background music may be played during hours of service (see below), set at an appropriate volume so as not to cause a nuisance to neighbours.

Restaurant and Bar

The restaurant and bar will operate on a daily basis, offering limited, seasonal menus, utilising whenever possible, locally sourced and sustainable food. Each dish will be created by our in-house team. Menus will be changed on a regular basis. The bar will be offering the full range of Chapel Down wines, beers and spirits, along with selected additional soft drinks, mixers and spirits from 3rd party suppliers.

Opening Hours

The operational hours for the Chapel Down Gin Works are Sunday to Thursday: 07:00 – 00:00; Friday to Saturday 07:00 – 01:00. It is intended that food would be served all day from 08:00. Subject to licensing, drinks would be served between 10:00 and 23:30 Sunday to Thursday, 10:00 and midnight Friday and Saturday.

The outside terrace dining area is expected to operate on a seasonal basis between May and

October. However, it will also open between these dates if fair weather allows. The external terrace will be open between the following hours: Monday to Thursday 07:00 -23:30; Friday and Saturday 07:00 to 00:00; and Sunday 07:00 to 22:30.

The proposed hours are in line with the Framework Hours set out in Camden's Statement of Licensing Policy 2011. The site will generally operate according to the terms of the premises license; however, we anticipate the possible use of Temporary Event Notices for some events.

Anticipated overall staff

In addition to the General Manager, assistant General Manager, Head Chef and Bar Manager, we will require a team of 12 staff working on a shift basis in the kitchen. An additional 20 front of house staff will be required also working on a shift basis. Events staffing will depend on the nature of the function, with temporary staff employed as necessary. The number of staff and their respective responsibilities will be addressed as part of the management plan for each event.

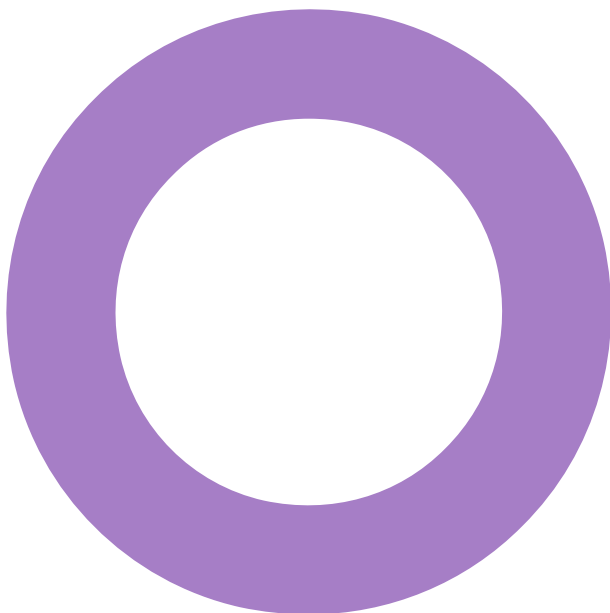
Appendix B

Chapel Down - Gin Distillery. London. Guy Hollaway Architects.

ACOUSTICS

ACOUSTIC REPORT FOR PLANNING

REVISION 00 - 04 SEPTEMBER 2018



Audit sheet.

Rev.	Date	Description of change / purpose of issue	Prepared	Reviewed	Authorised
00	04/09/2018	Initial issue	BD	BJ	BJ

This document has been prepared for Guy Hollaway Architects only and solely for the purposes expressly defined herein. We owe no duty of care to any third parties in respect of its content. Therefore, unless expressly agreed by us in signed writing, we hereby exclude all liability to third parties, including liability for negligence, save only for liabilities that cannot be so excluded by operation of applicable law. The consequences of climate change and the effects of future changes in climatic conditions cannot be accurately predicted. This report has been based solely on the specific design assumptions and criteria stated herein.

Project number: 10/10735

Document reference: REP-1010735-05-BD-20180904-Acoustic report for planning-Rev00

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Executive summary.

It is proposed to convert the Gasholders Marketing Suite at Kings Cross into the Chapel Down Gin Bar and Restaurant. In developing the plans, consideration has been given to the need to address the potential for noise from the business and the risk of adverse impact on neighbouring residents.

A technical review has been undertaken of the risks with consideration given to how the business proposes to operate. A series of acoustics tests have been carried out to inform the assessment. Firstly, the existing background noise levels experienced at neighbouring residential properties have been measured. A specialist test was also set up to subjectively observe and measure the level of music noise breakout from building, with both doors closed and opened.

It has been found that due to a combination of the distance between the building and nearest neighbouring properties, and the relatively high levels of ambient noise caused by traffic using York Way, it would be possible for the business to play moderately high music sound levels without risk of disturbance to the local community. The tests established sound levels that can be operated such that music noise would be inaudible at nearest dwellings. The assessment demonstrates that through limiting of music sound level, the business would comply with the London Borough of Camden policy on entertainment noise.

Consideration has also been given to how people talking on terraces could spread to surrounding areas. Again, it has been found that due to distance and the masking from other city noise, the sounds from patrons would not pose a risk of disturbance to neighbours and local noise policy would be met.

It is also recognised that the potential for noise from any new fixed building services plant will need to be suitably controlled to avoid disturbance to neighbours. The design of systems is currently underway. The intention is to select low noise equipment and where necessary to integrate additional control measures such that noise emissions from the building are limited to comply with LBC plant noise policy. Extract fans for example will include ducted silencers, which will be designed and sized to reduce noise output to below the existing background noise levels. In applying such measures, any noise from the new plant would not be noticeable.

On the basis of the assessments, it is concluded that noise can be suitably controlled so as to comply with London Borough of Camden policies and therefore it is respectfully posed that noise should not present an obstacle in the granting of planning permission.

1. Introduction.

There are proposals to redevelop the current Gasholders Marketing Suite, located on the corner of Goods Way and York Way within the London Borough of Camden. The proposals are to convert the existing two-story marketing suite into a bar and restaurant with several external terrace areas. In developing the plans, consideration has been given to the need to address the potential for noise from the business and the risk of adverse impact on neighbouring residents. This report has been prepared as an accompaniment to the planning application for the change of use.

A series of acoustics tests have been carried out to inform the technical assessments with respect to London Borough of Camden policies on noise from entertainment businesses. Existing background noise levels experienced at neighbouring residential properties have been established by monitoring over multiple days and nights. A specialist test was set up to subjectively observe and measure the level of music noise breakout from building, with both doors closed and opened. Consideration has also been given to how people talking on terraces could spread to surrounding areas. Additionally, account has been given to the potential for noise from any new fixed building services plant and that control measures will need to be integrated into systems like extracts fans, to avoid disturbance to neighbours.

Recognising that the report is technical in nature, a glossary of acoustic terms is provided in Appendix A.

1.1 Description of site and surroundings.

The site is located in a mixed-use area along York Way. There are residential buildings to the north and north-east of the site. An aerial view showing the site location, surrounding properties and the nearest noise sensitive receivers is shown in Figure 1.



Figure 1 Aerial view of site. Source: Google Earth

1.2 Local noise environment.

The local noise environment is largely dominated by noise from road traffic vehicles, as well as pedestrian activity along York Way and Goods Way. There are also contributions from pedestrian and canal boat activity along the Regent's Canal towpath and from train movements in and out from King's Cross Station.

2. Acoustic design standards.

Well established guidance on noise management and related design is available from a variety of references, including:

- London Borough of Camden local policy (as defined in Local Plan 2017)
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- British Standard 4142: 2014 "Methods for rating and assessing industrial and commercial sound"
- International Standard ISO 9613-2: 1996 "Attenuation of sound during propagation outdoors"

2.1 London Borough of Camden requirements.

London Borough of Camden's (LBC) noise policy is set out within Appendix 3 of the Local Plan 2017. The document explains that noise is considered in terms of various 'effect levels' which align with the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) documents. Appendix B reproduces the salient aspects of the policy which have been referenced for the assessments presented in this report.

3. Baseline noise survey.

An acoustic survey has been carried out to establish the prevailing local environmental noise conditions experienced in neighbouring residential areas

The survey was undertaken between the 30th August and 3rd September 2018 and comprised four full days of sound measurements using a precision grade sound level meter. The measurement position, illustrated in Figure 2, was observed to provide a good representation of the noise levels for the nearest dwellings (e.g. Arthouse) where road traffic on York Way is the dominant cause of local environmental noise. Details of the survey, including instrumentation, are provided in Appendix B.

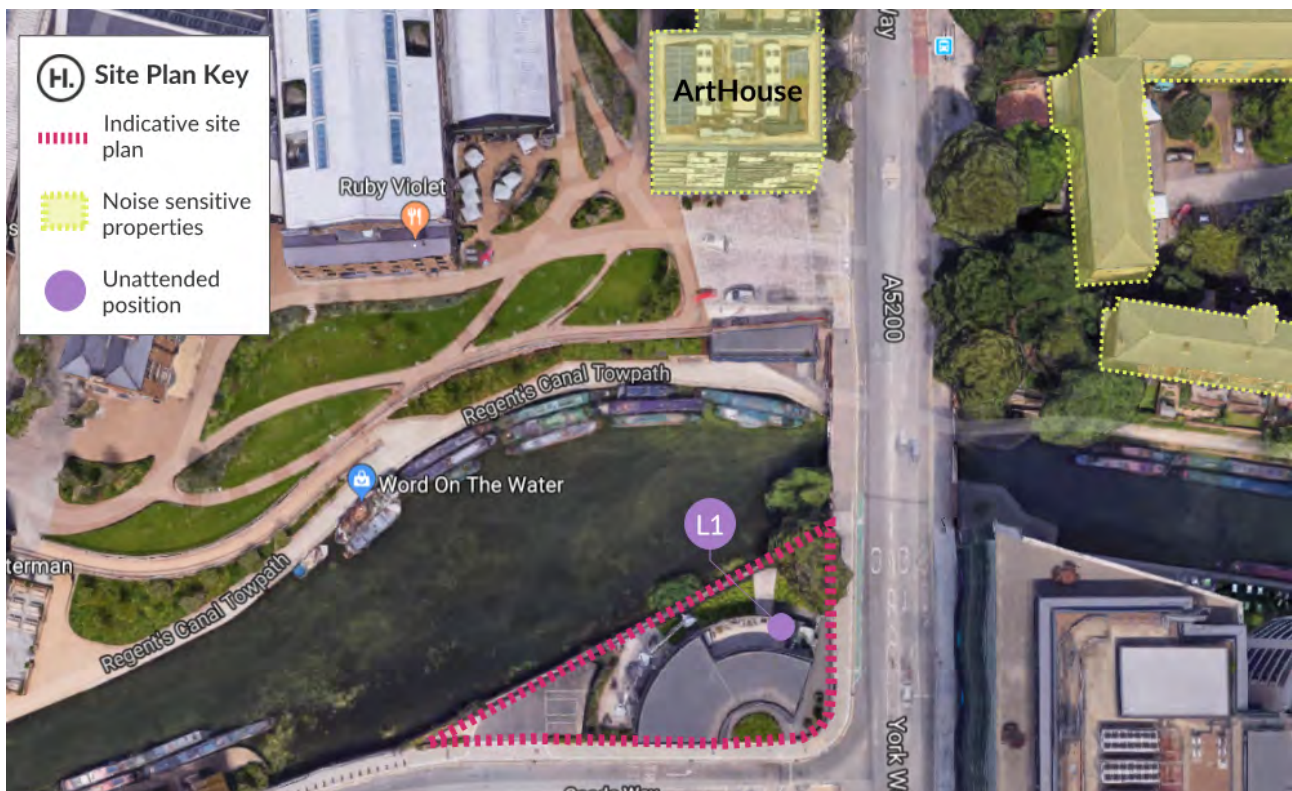


Figure 2 Measurement position

3.1 Results.

The table below gives a summary of the daytime and night-time noise levels measured at position L1. Full results and a time history are presented in Appendix B.

Table 1 Typical baseline noise levels

Period, T	Average ambient noise level, dB $L_{Aeq,T}$	Typical minimum background noise level*, dB $L_{A90,T}$
Day (07:00 - 23:00)	62	47
Night (23:00 - 07:00)	57	39

*Typical minimum background is based on the 10th percentile of the measured data

4. Activity noise from development.

Assessment has been made of the potential for entertainment and patron related noise impact on the nearest residential properties in accordance with LBC noise policy.

4.1 Assessment of music sound breakout from internal areas.

An assessment has been undertaken of the likely levels of sound from music inside the bar/restaurant breaking out to the nearest residential properties.

Acoustic testing was undertaken with a sound system set up inside the different areas of building, playing music typical of the proposed type of bar. Simultaneous sound measurements were then taken inside the building and directly outside on the terrace areas. At the same time, subjective observations and measurements were also taken at the location of the nearest residential properties, the Arthouse building opposite.

This process was undertaken for both the ground floor and first floor terraces, highlighted in Figure 3.



Figure 3 External terrace areas

Checks were made with both doors closed and open. It was observed that with loud music inside, in the order of 90 dB(A), the music sound levels were only just noticeable on terraces with doors closed. At neighbouring properties there would be no detectable music noise. The focus was therefore to test with doors open.

It is noted however, that doors would not normally be kept open and so this scenario will only occur when someone is entering/exiting the terrace areas from the building. On the basis the testing would present a worst case noise impact scenario.

4.1.1 Results and observations

Table 2 below presents the sound levels measured simultaneously inside the venue, on the terraces, and at the Arthouse properties, with the terrace doors open.

Table 2 Measured music sound levels

Internal source location	Internal measured sound level $L_{Aeq,30s}$ (dB)	External measurement location	External measured sound level $L_{Aeq,30s}$ (dB)
GF	91	GF terrace	79
	91	Arthouse building	62*
1F	91	1F Terrace	84
	91	Arthouse building	65*

**It was noted on site that the sound levels measured at the residential location were dominated by road traffic noise from vehicles on York Way.*

The key observations were:

- With music played at 91 dB L_{Aeq} within the ground floor space and with terrace doors open, the music sound was barely audible just outside the nearest Arthouse properties.
- With music played at 91 dB L_{Aeq} within the first floor space and with terrace doors open, the music sound was audible at the Arthouse properties.
- The music level from the sound system was then reduced until the music sound was subjectively inaudible from positions next to the ArtHouse building and the apartments on York Way Court in the lulls between road traffic noise from York Way.
- Internal music sound levels of 85 dB L_{Aeq} for the ground floor area and 77 dB L_{Aeq} for the first floor area were subjectively inaudible at both the ArtHouse building and the apartments on York Way Court.

4.1.2 Assessment of music sound propagation

As the sound levels measured at the residential location were dominated by road traffic noise, calculations have been undertaken to establish in isolation, what the level of music noise would transmit to the neighbouring properties, such that direct assessment can be made against the guidance criteria in the LBC entertainment noise policy.

Using the data from the tests in combination with established theory on sound level reduction with distance, it has been possible to estimate the degree of sound propagation loss between the different terrace openings and the neighbouring dwellings. This assessment is summarised in Table 3 below.

Table 3 Predicted music sound breakout to nearest residential receiver

Internal source location	Internal measured sound level $L_{Aeq,30s}$ (dB)	Measured sound level on respective terrace $L_{Aeq,30s}$ (dB)	Distance from respective terrace to ArtHouse building (m)	Calculated sound level at ArtHouse building without traffic noise $L_{Aeq,30s}$ (dB)*	Total propagation loss between venue and dwellings (dB)
GF	91	79	67	51	40
1F	91	84	63	56	35

**Assuming hemi-spherical point source propagation as per ISO 9613-2*

4.1.3 Allowable internal sound levels

Having established the level of sound propagation loss that can be expected between the proposed bar/restaurant and the neighbouring dwellings, it has been possible to evaluate the level of music sound level that could be played and meet LBC entertainment noise policy.

Table 4 indicates the levels of sound that could be played in different areas of the building, and this assumes the worst case scenario that doors are opened full time. At these levels the resulting music noise at the

neighbouring properties would be reduced to a "Lowest Observed Adverse Effect Level" for the night-time period, after 23:00, at the Arthouse and other surrounding dwellings in the area.

These sound levels would provide sufficient amplitude for the sort of background music that the Gin Bar and Restaurant would propose for their business. It is also important to consider that the reality would be that doors would not be kept open and therefore the resulting music noise in surrounding areas would be much lower than the guide criteria of 45 dB.

Table 4 Allowable internal sound levels and assessment against LBC planning policy

Internal location	Allowable internal music level, $L_{Aeq,5mins}$ (dB)	Resultant sound level at Arthouse building, $L_{Aeq,5mins}$ (dB)	Assessment against LBC policy for night-time periods (23:00-07:00)
GF areas	85	45	LOAEL
1F areas	80	45	LOAEL

The tests and assessment has demonstrated that through reasonable limiting of music sound level, the Chapel Down Gin Bar would readily comply with the London Borough of Camden policy on entertainment noise.

4.2 Assessment of noise breakout from patrons on the terrace areas.

An assessment has also been undertaken of the likely levels of noise from activity noise from patrons on the terraces breaking out to the nearest residential properties.

It is anticipated that noise levels on the terraces would be in the order of 70-75 dB L_{Aeq} on the basis of patrons talking at close quarters with potentially some underlying background music.

Taking into account losses for distance, noise levels from the first floor terrace are expected to be reduced to 42-47 dB L_{Aeq} , and noise levels from the ground floor terrace are expected to be reduced to 41-46 dB L_{Aeq} , at the nearest residential receiver.

These levels would be at least 10 dB below the typical night-time L_{Aeq} level at the residential properties. In terms of LBC's planning policy, these levels would result in a LOAEL for night-time periods and a NOEL for day-time and evening periods.

4.3 Management measures.

The operator recognises the importance of the need to control noise to avoid disturbance and complaint from neighbouring residence. The intention would be to implement suitable noise management protocols, including appropriate signage and staff supervision of patrons departing to keep noise levels to a minimum.

5. Plant noise limits.

The measured levels indicate that the noise sensitive receptors in the area are exposed to levels >50 dB $L_{Aeq,16hr}$ during the day and >45 dB $L_{Aeq,8hr}$ during the night and would therefore fall under the LOAEL to SOAEL category under NPPF or the Amber noise category under Camden's local plan.

Recommended noise emission limits for daytime and night periods are provided in Table 5. These have been derived based on the guidance provided by Camden's Local Plan as well as British Standard 4142:2014. The limit has been derived with the intention of ensuring the noise source does not exceed the background level thereby having a low impact on the area.

Table 5 Building services noise emission limits

Period, T	Measured background noise level, dB $L_{A90,T}$	Plant noise rating level, dB $L_{Ar,Tr}$
Day (07:00 - 23:00)	47	42
Night (23:00 - 07:00)	39	34

The limits are applicable 1 m from the nearest noise sensitive building. As per Camden's requirement, if the plant noise is expected to create a distinguishable hum or create a perceptible hum hiss or tone, the above noise limits will be reduced to include tonal penalty.

6. Plant noise control.

Noise from new plant associated with the development will need to be controlled to achieve the noise emission limits identified above. The nearest existing residential buildings have been identified as follows and are highlighted in Figure 2:

- Apartments within the Arthouse building on the opposite side of Regent's Canal from the proposed site; approximately 63 m north of the proposed site.
- Apartments on York Way Court on the opposite side of York Way from the proposed site; approximately 63 m north-east of the proposed site.

6.1 Proposed measures.

At this stage, the design of the building services plant is conceptual, with information on the location and number of items not known. It is therefore not possible to provide a detailed assessment at this stage.

It is, however, reasonable to expect that noise from the new building services plant could be controlled to achieve the noise limits set out above provided the following noise control measures are included within the design:

- Low noise equipment to be selected where possible. An initial calculation suggests that plant should be selected with a limiting case breakout sound power level of 62 dB(A), free of tonal components. If screening is provided to the plant equipment a higher case breakout sound power level would be allowable.
- If fans are selected with higher levels of case radiated noise, then an acoustic jacket could be incorporated around the fan; which could provide further reduction of approximately 8-10 dB
- Sound attenuators to fan intake and exhaust
- All plant to be installed on appropriate anti-vibration mounting

As the design is developed further, specific noise mitigation measures will be developed to achieve the noise limits. Noise attenuation measures will be selected relative to the sound power levels of the final fan selections. This can be controlled by a suitable planning condition attached to the decision notice.

7. Conclusion.

An assessment of sound breakout from the proposed bar/restaurant, and associated terrace areas, has concluded that noise would be below the local existing ambient noise levels at neighbouring dwellings. Taking into account the character of the area, and with consideration that the business will implement suitable noise management protocols, the noise impact has been assessed to be at worst, a "Lowest Observed Adverse Effect Level" (LOAEL). This reflects the requirements of the NPPF and London Borough of Camden policy that noise should be minimised to avoid significant adverse effect.

Separate to potential noise from patrons and operations, it has been recognised that noise from any new fixed building services plant will need to be suitably controlled to avoid disturbance to neighbours. The design of systems is currently underway. The intention is to select low noise equipment and where necessary to integrate additional control measures such that noise emissions from the building are limited to comply with LBC plant noise policy. Extract fans for example will include ducted silencers, which will be designed and sized to reduce noise output to below the existing background noise levels. In applying such measures, any noise from the new plant would not be noticeable.

On the basis of the assessments, it is concluded that noise can be suitably controlled so as to comply with London Borough of Camden policies and therefore it is respectfully posed that noise should not present an obstacle in the granting of planning permission.

Appendix A – Glossary of Terms.

Decibel (dB)

The decibel is the unit used to quantify sound pressure levels. The human ear has an approximately logarithmic response to acoustic pressure over a very large dynamic range (typically 20 micro-Pascals to 100 Pascals). Therefore, a logarithmic scale is used to describe sound pressure levels and also sound intensity and power levels. The logarithms are taken to base 10. Hence an increase of 10 dB in sound pressure level is equivalent to an increase by a factor of 10 in the sound pressure level (measured in Pascals). Subjectively, this increase would correspond to a doubling of the perceived loudness of sound.

Octave and Third Octave Bands

The human ear is sensitive to sound over a range of frequencies between approximately 20 Hz to 20 kHz and is generally more sensitive to medium and high frequencies than to low frequencies within the range. There are many methods of describing the frequency content of a noise. The most common methods split the frequency range into defined bands, in which the mid-frequency is used as the band descriptor and in the case of octave bands is double that of the band lower. For example two adjacent octave bands are 250 Hz and 500 Hz. Third octave bands provide a fine resolution by dividing each octave band into three bands.

A-Weighting

The 'A' weighting is a correction term applied to the frequency range in order to mimic the sensitivity of the human ear to noise. It is generally used to obtain an overall noise level from octave or third octave band frequencies. An 'A' weighted value would be written as dB (A).

Equivalent Continuous Sound Level L_{eq}

The L_{eq} is a parameter defined as the equivalent continuous sound pressure level. Over a defined time period 'T', it is the sound pressure level equivalent to the acoustic energy of the fluctuating sound signal. The $L_{eq,T}$ can be seen to be an "average" sound pressure level over a given time period (although it is not an arithmetic average). Typically the $L_{eq,T}$ will be an 'A' weighted noise level in dB(A). It is commonly used to describe all types of environmental noise sources.

Background Noise Level L_{90}

The $L_{90,T}$ is a parameter defined as the sound pressure level exceeded for 90% of the measurement period 'T'. It is a statistical parameter and cannot be directly combined to other acoustic parameters. It is generally used to describe the prevailing background noise level or underlying noise level.

Appendix B – London Borough of Camden noise policy.

Plant noise emissions

London Borough of Camden's (LBC) noise policy is set out within Appendix 3 of the Local Plan 2017. The document explains that noise is considered in terms of various 'effect levels' which align with the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) documents:

- NOEL – No observed effect level
- LOAEL – Lowest observed adverse effect level
- SOAEL – Significant observed adverse effect level

Assessment is made relative to the following context descriptors:

- Green – where noise is considered to be acceptable
- Amber – where noise is observed to have an adverse effect level, but may be acceptable when assessed in the context of other merits of the development
- Red – where noise is observed to have a significant adverse effect

For new noise generating development, assessment should be made with reference to the methodology set out within BS 4142: 2014. The following thresholds are set:

- LOAEL (Green): Noise 'Rating level' to be 10 dB below the existing background. An additional criteria applies at night that no events exceed 57 dB L_{Amax}
- LOAEL to SOAEL (amber): Noise rating level to be between 9 dB below and 5 dB above background, or noise events between 57 dB and 88 dB L_{Amax} at night
- SOAEL (red): Noise rating level is greater than 5 dB above background, and / or events exceed 88 dB L_{Amax} at night

Entertainment noise

LBC sets out requirements for the assessment of 'entertainment noise' in Appendix 3 of the Local Plan 2017. This would apply to activity noise from within the restaurant/bar and to activity noise from the ground floor and first floor terraces. The following thresholds are provided:

- Daytime:
 - NOEL: The higher of 55 dB $L_{Aeq,5min}$ or 10 dB below existing $L_{Aeq,5min}$
 - LOAEL: 56-60 dB $L_{Aeq,5min}$ or 3-9 dB below the existing $L_{Aeq,5min}$ without entertainment noise
 - SOAEL: The higher of 61 dB $L_{Aeq,5min}$ or 2 dB below existing $L_{Aeq,5min}$
- Evening:
 - NOEL: The higher of 50 dB $L_{Aeq,5min}$ or 10 dB below existing $L_{Aeq,5min}$
 - LOAEL: 51-55 dB $L_{Aeq,5min}$ or 3-9 dB below the existing $L_{Aeq,5min}$ without entertainment noise
 - SOAEL: The higher of 56 dB $L_{Aeq,5min}$ or 2 dB below existing $L_{Aeq,5min}$
- Night:
 - LOAEL: The higher of 45 dB $L_{Aeq,5min}$ or 10 dB below existing $L_{Aeq,5min}$
 - LOAEL to SOAEL: 46-50 dB $L_{Aeq,5min}$ or 3-9 dB below the existing $L_{Aeq,5min}$ without entertainment noise
 - SOAEL: The higher of 51 dB $L_{Aeq,5min}$ or 2 dB below existing $L_{Aeq,5min}$

It is also important to consider the relevant sections of the National Planning Policy Framework (NPPF) relating to noise, which states that "planning policies and decisions should aim to;

- Avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
- Mitigate and reduce to a minimum other adverse effects on health and quality of life arising from noise from new development, including through the use of conditions.
- Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put upon them because of changes in nearby land uses since they were established.
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

NPPF also makes reference to the Noise Policy Statement for England (NPSfE) which stresses the need to place into context any general requirements that increases in ambient noise should be 'minimised'. In this regard the NPSfE states:

"Of course, taken in isolation and to a literal extreme, noise minimisation would mean no noise at all. In reality, although it has not always been stated, the aim has tended to be to minimise noise as far as is reasonably practical... the application of the NPSfE should enable noise to be considered alongside other relevant issues and not to be considered in isolation. In the past, the wider benefits of a particular policy, development or other activity may not have been given adequate weight when assessing the noise implications".

Appendix C – Environmental noise survey.

An environmental sound survey was undertaken by Hoare Lea between the 30th August and 3rd September 2018. The survey comprised long term unattended monitoring on site and short-term simultaneous attended measurements of music sound breakout from the building.

Weather conditions

The weather conditions on site during both survey periods were dry and wind speeds were lower than 5 ms⁻¹ as recommended by the guidance.

Equipment details

The measurement equipment was calibrated before and after the survey. No significant drift has been observed. The equipment used for the survey has been summarised in Table C1. The instruments used for the survey were in calibration during the survey and their calibration certificate numbers have been included in the table for reference.

Table C1: Instrumentation details

Survey details	Instrumentation description	Manufacturer	Model	Serial Number	Date of Calibration	Certificate Number
Long term survey Position L1	Sound Level Meter	Rion	NL-52	00832187	10/11/2017	UCRT17/2011
	Microphone	Rion	UC-59	10815	10/11/2017	UCRT17/2011
	Pre-amp	Rion	NH-25	32215	10/11/2017	UCRT17/2011
	Acoustic Calibrator	Rion	NC-74	34557134	12/10/2017	UCRT17/1880
Short term measurements	Sound Level Meter	Rion	NA-28	01260200	29/08/2017	UCRT17/1731
	Microphone	Rion	UC-59	00280	29/08/2017	UCRT17/1731
	Pre-amp	Rion	NH-23	60103	29/08/2017	UCRT17/1731
	Acoustic Calibrator	Rion	NC-74	34172704	29/06/2017	UCRT17/1544
	Sound Level Meter	Brüel & Kjær	2250	3004050	28/09/2017	UCRT17/1842
	Microphone	Brüel & Kjær	4189	3099822	28/09/2017	UCRT17/1842
	Pre-amp	Brüel & Kjær	ZC0032	19776	28/09/2017	UCRT17/1842
	Acoustic Calibrator	Brüel & Kjær	4231	2445715	28/09/2017	UCRT17/1841

Long term unattended monitoring results

The results of the unattended measurements have been calculated into daytime ($L_{Aeq,16hr}$) and night-time ($L_{Aeq,8hr}$) equivalent levels, and are shown with the associated measured typical minimum background noise level ($L_{A90,15min}$) and maximum instantaneous measured noise level ($L_{Amax,T}$) in Table C2 below.

Typical maximum levels are based on the highest 90th percentile of the measured $L_{Amax,T}$ data and the typical minimum background levels are based on the 10th percentile of the measured $L_{A90,T}$ data.

Table C2 Measured noise levels at Position L1

Measurement Position		Position L1					
Measurement Date	Time	Daytime			Night-time		
		L _{Aeq,T} dB	Max L _{Amax,T} dB	Typ. Min L _{A90,15min} dB	L _{Aeq,8hr} dB	Max L _{Amax,T} dB	Typ. Min L _{A90,15min} dB
Turs 30 th Aug 2018	11:00 – 23:00	62	92	53	-	-	-
30 th / 31 st Aug 2018	23:00 – 07:00	-	-	-	57	78	40
Fri 31 st Aug 2018	07:00 – 23:00	63	88	53	-	-	-
31 st Aug / 1 st Sept 2018	23:00 – 07:00	-	-	-	57	78	44
Sat 1 st Sept 2018	07:00 – 23:00	61	86	51	-	-	-
1 st / 2 nd Sept 2018	23:00 – 07:00	-	-	-	56	74	42
Sun 2 nd Sept 2018	07:00 – 23:00	59	81	44	-	-	-
2 nd / 3 rd Sept 2018	23:00 – 07:00	-	-	-	56	75	39

A time history of the L_{Aeq}, L_{A90} and L_{Amax} from the unattended measurements recorded is presented overleaf.

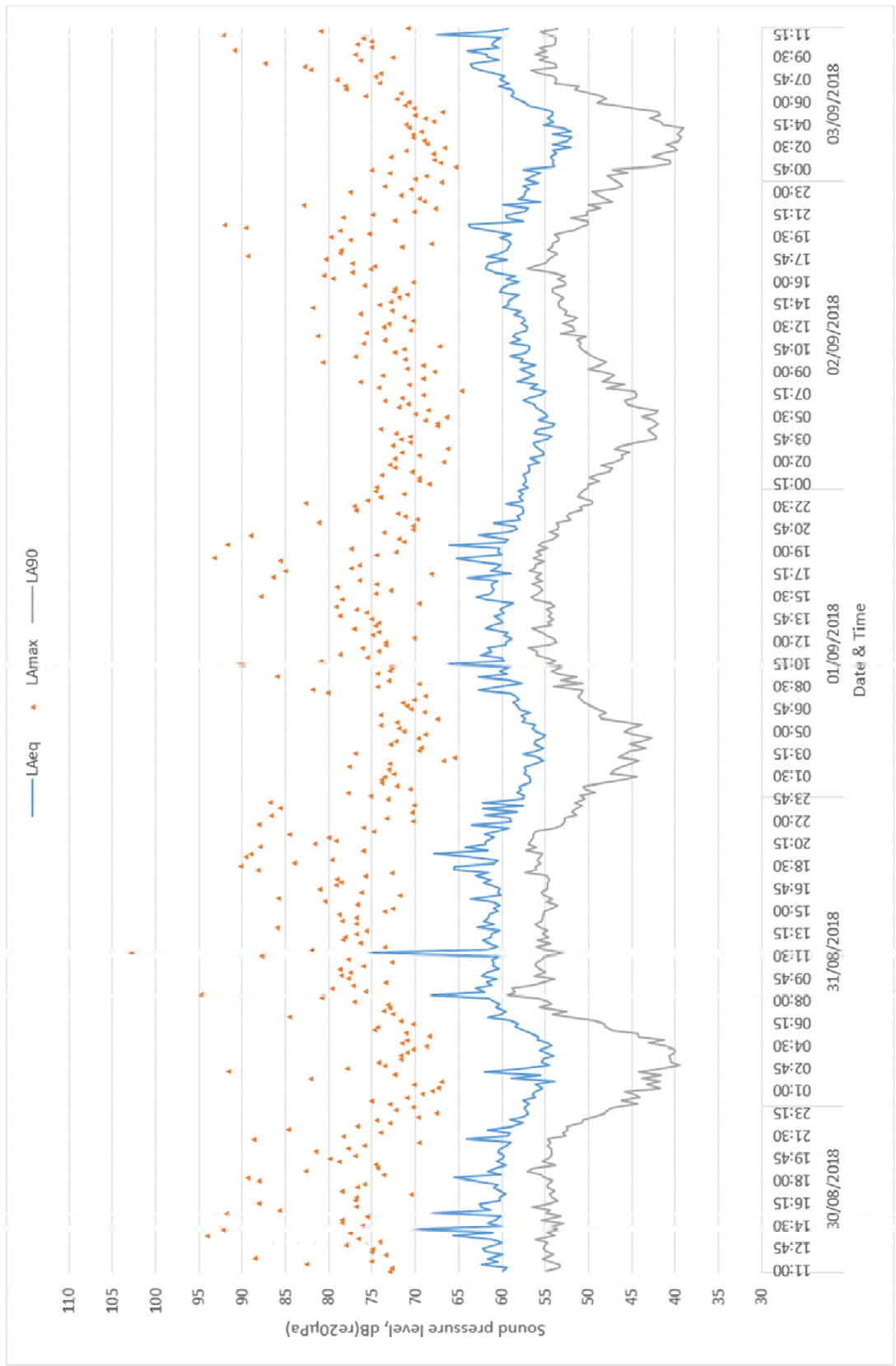


Figure C1 Time history results from unattended monitoring position L1

Short term attended measurements of music noise breakout

The results of the simultaneous attended measurements of music noise breakout from the building have been summarised in Table C3 below.

Table C3 Measured noise levels of music noise breakout

Internal source location	External receiver location	Terrace doors	Start Time	Measured internal level, dB LAeq,30s	Measured external level, dB LAeq,30s
GF	Terrace	Open	23/08/2018 16:52	91	79
			23/08/2018 16:52	90	78
			23/08/2018 16:53	92	80
GF	ArtHouse building	Open	23/08/2018 17:00	90	63
			23/08/2018 17:02	91	61
			23/08/2018 17:04	90	62
1F	Terrace	Open	23/08/2018 17:34	90	82
			23/08/2018 17:35	90	82
			23/08/2018 17:35	92	86
1F	ArtHouse building	Open	23/08/2018 17:43	91	64
			23/08/2018 17:44	93	65
			23/08/2018 17:46	90	65



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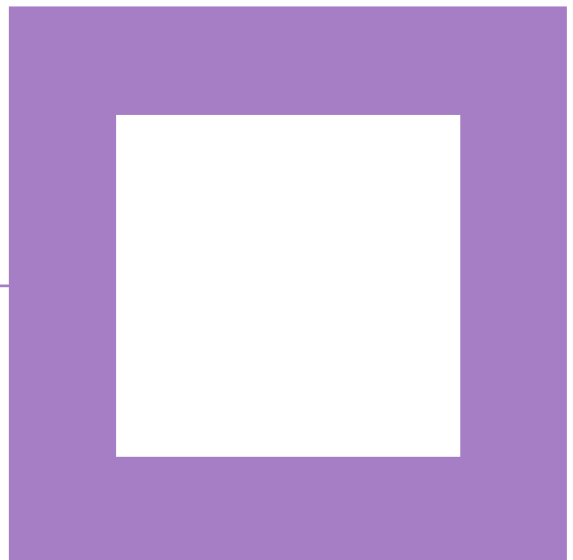
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