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| **Address:**  | **Camden (Buck Street) Market** **192-200 Camden High Street** **London** **NW1 8QP** | **x** |
| **Application Number:**  | 2018/3553/P | **Officer: David Fowler** |
| **Ward:** | Camden Town |  |
| **Date Received:** | **27/07/2018** |
| **Proposal:** Continued use of land as a market, consisting of a ground plus two level container market (sui generis) comprising retail, restaurant/cafe, hot food takeaway and ancillary management / storage uses with associated stalls, partial roof canopy, landscaping, lifts, seating and servicing areas for a temporary five year period. |
|  **Background Papers, Supporting Documents and Drawing Numbers:** Existing drawings:Location Plan 250\_511, L1214 Preliminary, L1214-200\_01, L1214-200\_02, L1214-200\_03, L1214-200\_05, L1214-300\_01, L1214-300 02.Proposed drawings:USM BSM 010A, USM BSM 011C, USM BSM 012C, USM BSM 013D, USM BSM 101C, USM BSM 102C, USM BSM 103B. Documents: Interim Travel Plan Issue 2 (Arup) 24 July 2018, Air Quality Assessment (Arup) 24 July 2018, Statement of Community Involvement (London Communications Agency) July 2018, Energy & Sustainability Strategy Rev 01 (Hoare Lea), Container Ventilation Strategy (Hoare Lea), Draft Construction Management Plan v2.2 (H. Fraser) 30.11.17, Structural Statement (Furness Partnership) July 2018, Market Management Plan & Crime Impact Statement, Daylight & Sunlight Assessment Issue 1.0 (Urban Space Management Ltd) 17 July 2018, ACOUSTIC STRATEGY FOR PLANNING Revision 01 (Hoare Lea) 18 May 2018, Planning Statement (Gerald Eve) July 2018, Design and Access Statement (Urban Space Management Ltd.) July 2018, Heritage & Townscape Assessment (Heritage Collective) June 2018, Transport Statement (Arup) July 2018, Servicing Management Plan REP/SMP/RM001 (Arup) 29 September 2018. |
| **RECOMMENDATION SUMMARY:** **Grant conditional planning permission subject to S106 Legal Agreement**  |
| **Applicant:** | **Agent:** |
| Lab Tech | Mr Gary BrookGerald Eve72 Welbeck StreetLondonW1G 0AY |

**ANALYSIS INFORMATION**

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| --- |
| **Land Use Details:** |
|  | Use Class | Use Description | Floorspace (GEA sqm) |
| Existing | Sui generis market use | 1,020sqm |
| Proposed | Sui generis market use | 2,307sqm |

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| **Parking Details:** |
|  | Parking Spaces (General) | Parking Spaces (Disabled) |
| Existing | 0 | 0 |
| Proposed | 0 | 0 |

**OFFICERS’ REPORT**

**Reason for Referral to Committee: Major development involving the construction of more than 10 new dwellings or more than 1000 sq. metres of non-residential floorspace [clause 3(i)]; and which is subject to the completion of a Section 106 legal agreement for matters which the Director of Culture and Environment does not have delegated authority [clause 3(vi)].**

1. **SITE**
	1. The application site covers an area of 1,020sqm and is currently used as a market (sui generis use). The current market use has only been granted on a temporary basis until 26 September 2022 (see history), given the current poor state of the market site in visual terms, the Council has not granted permanent permission for market use. There are no permanent buildings on the site. The market consists of a number of retail stalls and one hot-food takeaway. The market is called ‘Camden Market’ despite being smaller and less famous than other Camden Markets such as Camden Lock Market and Stables Market. The site is located within the Camden Town Conservation Area.
	2. The site is bounded to the west by Camden High Street and to the north by an entrance to the deep level shelter and Buck Street beyond. On the northern side of Buck Street is a site proposed for a new entrance to Camden Town Underground Station, which is currently occupied by the vacant former Hawley Primary and some commercial uses. The site is bound to the east by the Trinity United Reform Church which is a positive contributor to the Camden Town Conservation Area, with Kentish Town Road beyond. To the south of the site is 190 Camden High Street, which has a long return to the east, the remnants of a three-storey Georgian terrace on what was Dewsbury Terrace. To the south-east of the site is what is left of the street, Dewsbury Terrace with the Electric Ballroom, a notable music venue in Camden Town, beyond.
	3. The area is predominantly commercial, with no residential properties directly adjoining the site.



Figure 1 - Location plan

* 1. The site has a Public Transport Accessibility Level (PTAL) rating of 6b (‘Excellent’). Camden Town Underground Station is the closest station, located approximately 500m to the south. Camden Road Station is located approximately 600m to the east and is served by Overground services. There are numerous bus services along Camden High Street and Kentish Town Road.
1. **BACKGROUND**
	1. There is a history of a temporary market use operating on this site since at least 1999, when the first temporary permission was granted. However, the market has operated for longer on this site. Whilst the Council would not allow the loss of the market use in any redevelopment schemes, given the current poor state of the market site in visual terms, the Council has not granted permanent permission for market use previously.
	2. Transport for London (TfL) are planning on creating a new entrance to Camden Town Underground Station on the former Hawley Primary School site to the north, across Buck Street. This would require significant excavation under the application site, and therefore the applicant seeks a temporary ‘meanwhile’ use and propose no permanent structures. This would allow TfL to excavate the site in the future. The Council would expect more permanent proposals to then come forward. It is understood that TfL hope to apply for the station upgrade works in early 2020 with construction of the new station beginning from 2021 at the earliest. However, it should be noted these are anticipated timescales published by TfL and could be subject to change.
	3. The site is owned by Lab Tech, who also own Stables Market, Camden Lock Market and Hawley Wharf (aka Camden Lock Village).
2. **THE PROPOSAL**
	1. The application is for the continued use of land as a market (sui generis use). The proposed market would consist of a ground storey plus two upper storeys and be built of former shipping containers. The market would include retail, restaurant/cafe, hot food takeaway and ancillary management/storage uses with associated stalls, a partial roof canopy, landscaping, lifts, seating and servicing areas. The application seeks permission for a five-year temporary period. The market would be known as ‘Buck Street Market’.
	2. Under the proposals, approximately 42% of the market would be retail and 50% food and beverage (including 32% hot food takeaway). The proposal would also include toilets at second floor level. The other 8% comprises back of house activities such as cleaning and storage.
3. **RELEVANT HISTORY**
	1. The planning history for the site as follows:

2017/3343/P – ‘The continued use of the site as a market (Sui Generis).’ – granted 27/09/2017 for a period of 5 years.

2012/6787/P – ‘The continued use of the site as a market (Sui Generis).’ – granted 04/03/2013 for a period of 3 years.

2010/4032/P: Permanent use of the site as a market (Sui Generis). Granted 09/12/2010 subject to a condition limiting the use to a temporary period until 29/03/2013.

2007/5973/P: Erection of a canopy to cover ground and mezzanine floors and ancillary facilities to an open market. Granted 09/12/2010.

2006/3460/P: Permanent use of the site as a market (sui generis). Granted 20/10/2006 subject to a condition limiting the use to a temporary three-year period.

2004/0020/P: Redevelopment of the open market site to provide retail and cafe on 2 storeys including servicing (renewal of permission granted on appeal dated 05/03/1999). Granted 15/03/2004.

* 1. Relevant applications in the area:

Hawley Wharf – works substantially underway

2012/4628/P – ‘Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, together with associated engineering works to create basements, plant and ancillary works, highways, public realm improvements, car and cycle parking and landscaping, tree removals, and associated works, following the demolition of all buildings across the site including single storey shopfront extensions at 1-6 Chalk Farm Road (excluding 1 Hawley Road and remaining structures at 1-6 Chalk Farm Road)’ – granted 23/01/2013.

Camden Lock Market – not implemented at present

2015/4774/P – ‘Demolition of existing timber Pavilion building, Middle Yard buildings and canopy structures and internal floors in East Yard. Construction of new Middle Yard building comprising basement and part three, part five storeys; single storey Pavilion building; new third storey on north-east of market hall building, bridge over the canal basin; deck area over Dead Dog Basin; and double pitched roof structure over East Yard. Change of use of existing East Vaults for flexible market uses (Classes A) and exhibition/events use (Classes D1 and D2); use of Middle Yard basement as exhibition/events venue (Classes D1 and D2); and use of the rest of the site for market uses (Classes A and B1). Ancillary works and alterations to existing structures and surfaces and other public realm improvements’. – granted 22/07/2016

1. **CONSULTATION SUMMARY**

**STATUTORY**

* 1. **Transport for London (TfL)**

Principle of development

* Objections raised regarding insufficient cycle parking, insufficient detail on the construction methodology and the expected significant impact on the local public transport network, which already suffers serious congestion issues. The applicant should address the points below and agree appropriate mitigation with the Council prior to determination.
* TfL has no objection to the development in principle, which appears likely to offer a range of benefits which accord with Policies T2 (Healthy Streets) and D7 (Public realm) of the draft new London Plan. However, a number of detailed matters need to be addressed through planning obligations, as explained below.
* In addition it is essential for the applicant to develop a closer working relationship with London Underground (LU) as they deliver the Camden Town station capacity upgrade, to ensure co-ordination between the increased market operations proposed, and our own future TfL construction works. This is dealt with further in the later section on ‘Construction’.

Relationship with TfL London Underground (LU) station upgrade

* The temporary nature of the consent, 5 years, would match the current expected completion timescale for our own works on Buck Street, which is welcome.

Cycle Parking

* The application proposes less cycle parking than required by draft new London Plan standards which is completely unacceptable. The amount of cycle parking should be increased to meet draft new London Plan standards or TfL objects on strategic transport grounds and the application should be refused. The exact amount of cycle parking required by the draft new London Plan should be secured by condition and discharged in consultation with TfL. The proposed location for cycle parking at the Buck Street entrance is acceptable. Signage should be displayed at the main pedestrian entrance to show cyclists visiting where the cycle parking is located.

Trip Generation including Deliveries

* Due to the proposed increase in retail floor area, 586 additional trips are predicted across all modes at the weekend peak of 13.00 – 14.00 including 293 LU trips and 82 Bus trips. Bus and LU capacity issues and stress on the network in the local area are well known, especially during visitor peaks. The development proposed therefore appears not to comply with Policy T3 (Transport capacity, connectivity and safeguarding) of the draft new London Plan, especially sub-section E on bus capacity, and it may not accord with Policy T7 Freight and Servicing of the draft new London Plan - specifically sub-section (F). Also Policy 6.13 (Parking), subsections D(d) of the current London Plan which states: “developments in all parts of London must: … provide for the needs of businesses for delivery and servicing.”

Travel Plan

* To mitigate the impacts above, TfL suggests that the Council secures a contribution of at least £20,000 over and above its usual Travel Plan monitoring fees, to fund active travel promotion efforts in Camden town centre and reduce pressure on local public transport services. This will be used to work with local groups to offset any transport impacts generated by the uplift in trips.
* We also request that the Travel Plan is secured in the Section 106 (S106) agreement with provisions for a TRICS survey; an initial substantial review of the plan within six months of the Occupation Date of the Development ensuring the plan is updated upon receipt of results of the review (including an updated TRICS survey and evidence that it has been provided to TfL) and further approved in writing by the Council; a mechanism for monitoring and reviewing of the plan on the first anniversary of the Occupation Date of the Development and for a period of 5 years thereafter or until the last date on which the Travel Plan is monitored/reviewed (whichever is the later); and for the appointment of Travel Plan Co-ordinator and a mechanism in place to advise the Council of direct contact details and any subsequent changes in the post.

Construction

* The CMP submitted lacks detail and a full Construction Logistics Plan (CLP) produced in TfL Freight’s approved template should therefore be secured by condition, especially as we are the highway authority for adjacent roads. TfL is particularly concerned about the impact of crane lifts and other works on Camden High Street. Whilst we do not object on construction grounds as it is likely that that construction can be facilitated if the application receives planning permission, the current construction proposals are not acceptable and extensive further engagement with TfL will be required to agree an appropriate construction methodology and access strategy for the site.
* We request a Construction Logistics Plan (CLP) is secured by condition and discharged in consultation with TfL. We would also welcome a condition restricting construction traffic to outside periods of peak network congestion (10-4pm at both weekdays and weekends) unless approved in advance by TfL. Pedestrian flows along the footway on surrounding streets can be difficult to manage and TfL is concerned about maintaining clear footway space.
* We also remind the applicant that approvals from TfL will be required for all temporary and permanent works and traffic management proposed along Seven Sisters Road. In principle TfL do not support the footway closure proposed for long periods. Clearly there should be a priority for pedestrian movement. The applicant’s construction team should carry out a survey of pedestrian flow outside the site and share the results with TfL. It may be preferable to create a pit lane in the carriageway for one or more phases of the build, subject to traffic modelling demonstrating this would not cause bus journey time delays or extensive queuing of vehicles on the TLRN. (An informative will be added to any consent to advise the Applicant).
* The arrangement proposed for construction access may need to be redesigned. A Stage 1 Road Safety Audit will need to be carried out when it is developed in further detail. TfL is concerned about how pedestrian movement can be managed as required to avoid safety issues. significant increased risk of potential conflicts and collisions would be completely unacceptable, especially considering the Mayor and TfL’s commitment to delivering a 'Vision Zero' approach in London to make its streets safer for all. We look forward to discussing these issues further with the Applicant as and when necessary.

Servicing & Refuse access

* We are satisfied the development can be serviced from Camden High Street without a severely negative impact, as the current market is.

***Officers’ response –*** *see Transport section.*

* 1. **Thames Water**
* No objection subject to informative on water.
	1. **Metropolitan Police;** Support the proposals.
* Police have been consulted by applicant on proposals and have followed recommendations.
* Site will be closed off when not open.
* Corner unit will be glazed to allow clear vision through it.
* Proposal is a lot more spacious than existing which will reduce overcrowding and pickpocketing.
* The cycle stands proposed in the location of Buck Street should allow for three points of locking (both wheels and the frame) and be covered by at least one of the CCTV cameras which is to be installed within the location.
	1. **Historic England**
* No comment.

**Local groups**

* 1. **Camden Town CAAC;** object to the application
* This proposal would negatively affect the setting of the CA, in particular because of its bulk and overt design (being formed of shipping containers with added balustrading and signage). We object to any possibility that the temporary existence of such a volume of development may strengthen an argument for the same volume and more in future.
* A maximum height that should be considered is two storeys overall - although the effect in detail of such bulk should be carefully reviewed.   Shipping containers would by effect of their size and crudeness appear to be of a larger scale than the surrounding small three storey houses that give Camden High Street its fine-grained character from Inverness Street northwards, (which character is visible behind the current painted and sculptural decorations). The balustrades, upper deck and signage of the containers is inappropriate in the special context of the market here and brings a more commercial presence to the High Street at a point where its character is more domestic in scale.
* We cannot see how the new proposal is a mere continuation of what is there. The site’s existing market is approved on a temporary basis, but although the new one would also be ’temporary' the use of shipping containers that are dressed up give it a more permanent appearance. The current slightly scruffy nature of the market, underlining its potential temporary nature, is preferable to large-scale commercial establishment.
* If this were not a ‘sui generis’ use but a hotel, house, office or any other use it would require extensive planning scrutiny and surely would be refused.
* The market overall is already too large and this creeping expansion has affected the setting of the Conservation Area and its commercial property values by reducing the variety of shops and expelling creative businesses that were a key characteristic and historic part of Camden Town. The more formalised the market becomes, with increasing profits and higher rents, the more the local neighbourhood will suffer.
* The CAAC is very concerned that the market, that attracts more visitors than almost any other landmark in London, should not be expanded further and intensified on this application’s plot of land at a time when a lot of other retail space in the vicinity is about to come on stream (the Hawley Wharf site).  The market has taken over increasingly large areas that could serve local needs, and has brought in ever larger numbers of passing visitors with no community connection to the Town Centre and the wider residential area served by it.
* The CAAC is also concerned that small local businesses on the High Street will suffer further from increasing outgoings because of rents rising in the market area sites as they become acquired and influenced by larger businesses. This is likely to put further strain on all businesses in Camden Town centre (See Planning Policy and Maps) and result in a constant and depressing picture of empty units on the High Street itself.
* A Box Park is no longer new, it was an exciting concept when first rolled out, but by now it is just a cheap way to create generic space that will return nothing special or specific back to Camden Town.  A box park will not preserve or enhance the setting of the Conservation Area.
* Finally to note that the CAAC also understands that Box Parks elsewhere have resulted in noise and anti-social behaviour issues for local residents and that this would be unacceptable in view of the problems that already occur.

***Officers’ response –*** *see sections on Design and conservation, Land use, Amenity. This application has been scrutinised against planning policy as any other application.*

* 1. **Camden Town Unlimited;** support the application to replace
* The proposal would be better managed than the existing market
* Proposal appears to be sensible attempt to improve the situation with regards anti-social behaviour and improve the offer of the market.

**Adjoining Occupiers**

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| *Total number of responses received* | 7 |
| *Number in support* | 1 |
| *Number of objections* | 6 |

* 1. A site notice was displayed from 17/08/2018 to 10/09/2015 and a press advert was placed in the Camden New Journal on the 30th of August 2018.

**Representations summary**

* 1. 6 objections have been received, including from a trader and a resident of Camden High Street Street, on the issues outlined below:

Amenity

* The opening hours would go far beyond those operated by the currently existing market at Buck Street – as such it is likely that observed noise levels will not be the same as currently seen.
* What procedures and mechanisms will be in place in order for noise levels to be monitored, and existing standards adhered to?
* Will any music be allowed on the proposed roof terraces, as this will no doubt have a significant impact, especially in the evening – the Noise reports mention patrons talking as being the likely dominant source of noise, but music is likely to add to those, whilst inevitably leading patrons to speak louder.
* Roof terrace; already considerable noise from music and drunk people in Camden – this will amplify noise further, How can a terrace containing 60 people can be expected to have no impact noise-wise (marked as NOEL) – anybody who has been in a public space with that many people understands that there is a considerable amount of noise generated.
* Acoustic Strategy; mentions the Bucks terrace as a precedent, but this is a very small surface compared to what is proposed and validity of comparison disputed, report does not fully take account of extent of noise that will come from the box park.
* Increase of people in the area.
* Proposal will worsen the existing drug problem.

*Officer’s response: addressed in ‘Amenity’.*

Land use

* All stallholders have been given 2 weeks notice to quit the market by October 14th).
* Consultation with traders has been woefully inadequate and is virtually non-existent. 1 individual interview where retailers had to present their own brand. The applicant details in their letter who they consulted with in July, but consultation only began in August. These are retailers selling products, not brands. Poor treatment of traders. No traders have been offered any stalls/containers in proposed market.
* The proposed development of container based structures does not constitute a “market”, proposal will be over-sized box park shopping mall.
* Businesses all controlled by Lab Tech which is owned by one billionaire. Will be small retailers operating out of the containers – not a market. This would be complete takeover of Camden markets.
* Businesses will be controlled by Lab Tech – will therefore not be independent. Nike and Adidas have been suggested as anchor stores.
* No real interest in Camden residents.
* There are empty stalls at Stables and Camden Lock Market, but Lab Tech claim they have a waiting list.
* Retailers will be controlled through mandatory use of Ipads for all payment transactions (as at Camden Lock Market).
* Lab Tech have already evicted tenants selling authentic goods. A trader at the Lock Market of over 30 years selling orange juice was recently evicted with 2 weeks notice to be replaced with a replica business owned by Labtech. This planning proposal may increase employment of Labtech employees employed in Labtech businesses but it will cause unemployment for the majority of the existing traders.
* There are also a significant number of empty units/stalls at Camden Lock & Stables Market as the rents are too high and not viable for small retailers. There is also a high turn over of traders at Camden Lock & Stables Markets as all traders have to sign a contract agreeing to a 2 week notice period. How can any trader invest in their business with the threat of a 2 week eviction period?
* To increase the size of Buck Street Market with a large box park development when Camden Lock and the Stables market are not even fully occupied and with the high turn over of traders does not make sense. It will not benefit the neighbourhood to have even more empty units at a larger Buck Street Market.
* Labtech’s own information data shows footfall is consistently down for the Camden Markets despite tourist numbers increasing in London. This indicates that the Labtech Vision and model for the Camden Markets is not attractive and the development at Buck Street with a similar vision will not increase footfall.
* The planning proposal of shipping containers at Buck Street Market is not new, unique or original but duplicating what already exists elsewhere in London. It is a cheap and cynical way to add more retail square footage and take advantage of the “sui generis” use and exploit the “temporary” planning permission for market use.
* Retailers are fearful of objecting in case of being evicted.
* More affordable rents would encourage new independent traders with innovative and original products instead of counterfeit products. There is no mention in this planning application that reduced rents will be offered, quite the contrary they are seeking to gain high rental income from multiples stores.

*Officer’s response: addressed in ‘Land use’*

1. **POLICIES**
	1. **National Planning Policy Framework 2018**
	2. **The London Plan (2016) and the Draft London Plan 2018**
	3. **Mayor’s Supplementary Planning Guidance**
	4. **Camden Local Plan 2017**

Growth and spatial strategy

Policy G1 Delivery and location of growth

Meeting Housing Needs

Policy H1 Maximising housing supply

Policy H2 Maximising the supply of self-contained housing from mixed-use schemes

Policy H4 Maximising the supply of affordable housing

Policy H6 Housing choice and mix

Policy H7 Large and small homes

Community, health and wellbeing

Policy C5 Safety and security

Policy C6 Access for all

Economy and jobs

Policy E1 Economic development

Policy E2 Employment premises and sites

Policy E3 Tourism

Protecting amenity

Policy A1 Managing the impact of development

Policy A2 Open space

Policy A3 Biodiversity

Policy A4 Noise and vibration

Policy A5 Basements

Design and Heritage

Policy D1 Design

Policy D2 Heritage

Policy D3 Shopfronts

Sustainability and climate change

Policy CC1 Climate change mitigation

Policy CC2 Adapting to climate change

Policy CC3 Water and flooding

Policy CC4 Air quality

Policy CC5 Waste

Town centres and shops

Policy TC1 Quantity and location of retail development

Policy TC2 Camden’s centres and other shopping areas

Policy TC4 Town centres uses

Transport

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Policy T3 Transport infrastructure

Policy T4 Sustainable movement of goods and materials

Delivery and monitoring

Policy DM1 Delivery and monitoring

* 1. **Supplementary Planning Policies**

Camden Planning Guidance

 CPG Design

 CPG Housing

CPG Sustainability

CPG Basements and lightwells

CPG Town centres, retail and employment

CPG Amenity

CPG Transport

CPG Planning obligations

* 1. **Camden Town Place Plan (December 2013)**

This is a non-statutory guidance document that contains objectives for the area.

**ASSESSMENT**

The principal considerations material to the determination of this application are considered in the following sections of this report:

|  |  |
| --- | --- |
| 3 | **Land use principles*** Principle of extension of market use
* Housing and mixed use policy
* Conclusion
 |
| 4 | **Design and conservation*** Policy review
* Designations
* Design and conservation
* Conclusion
 |
| 5 | **Impact on neighbouring amenity** * Policy review
* Noise, disturbance and odour
* Daylight and sunlight
 |
| 6 | **Accessibility** |
| 7 | **Land Contamination** |
| 8 | **Sustainable design and construction*** Policy review
* The site and the proposal
* Energy and sustainability
* Air quality
 |
| 9 | **Transport*** Policy review
* The site
* Travel plan
* Car parking
* Cycle parking
* Management of construction impacts
* Deliveries and servicing
* Pedestrian, cycling, environmental and public realm improvements
* Highway and public realm improvements directly adjacent to the site
* Conclusion
 |
| 10 | **Security** |
| 11 | **Refuse and recycling** |
| 12 | **Planning obligations** |
| 13 | **Conclusion** |
| 14 | **Recommendations** |
| 15 | **Legal comments** |
| 16 | **Conditions** |
| 17 | **Informatives**  |

1. **Land use principles**
	1. The principal land use considerations are as follows;
* Principle of extension of market use
* Housing and the mixed use policy
* Conclusion

Principle of extension of market use

* 1. Camden Local Plan policy TC6 seeks to protect markets and take into account the existing character of the market when assessing proposals for refurbishment and redevelopment. The character of an existing market and its contribution to the vitality of the area are important factors. Policy E1 encourages the provision of employment, including in markets.
	2. The site is an existing market located within the Town Centre of Camden Town. Under the proposals, the overall floorspace would increase from 1,020sqm to 2,307sqm. The internal and external areas per floor are laid out in the table below.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Internal sqm** | **External sqm** | **Total sqm** |
| Ground  | 538 | 482 | 1,020 |
| First | 287 | 291 | 578 |
| Second  | 119 | 590 | 709 |
| **Total** | **944** | **1,363** | **2,307** |

* 1. The applicant states that they have met with all existing tenants to discuss whether they will stay on the site or potentially have a stall elsewhere in the Camden markets. The Council notes that much of the existing offer does not provide appeal for local people and welcome a more diverse offer that is likely to attract more locals. The applicant’s strategy focusses on local people and local small businesses which officers welcome. The applicant has provided a list of retailers on the site, which includes gifts, clothing, accessories and street food. The applicant is liaising with the Council’s Economic Development section who can aid with new start-up businesses and can also help informing traders of other opportunities in markets within the borough. The Economic Development section support the increase in employment on the site. The proposed market would employ around 250 people which is considered a significant boost for the local economy. It is difficult to assess the current employment levels, given the ad hoc nature of the existing market.
	2. On the ground floor the stalls at the entrances would be retail, which is considered important to preserve the retail character of the market. The food and drink offer would be located towards the rear and on the upper floors to draw footfall through the retail areas. They would consist of a mix of café, restaurant and hot food takeaway uses to provide a diverse offering within the market. The products bought at these stalls would be intended to be eaten on the communal terraces and seating to add to the presence of the market.
	3. The above policies seek to promote markets in Camden and the uplift in market floorspace is welcomed in principle. The market would be constructed out of shipping containers with moveable stalls. Officers are satisfied that the proposal would indeed be a flexible market and not simply a Class A1/A3 use, given the proposed layout, including removable stalls and given the size of the containers. A section 106 obligation is recommended that no units are to be occupied by traders which have more than five premises in the London Borough of Camden. This obligation was attached the planning permission at Hawley Wharf. This would protect the market character by ensuring that no large chain retailers could move in. An obligation is also recommended that a ‘Re-Accommodation Strategy’ be submitted to the Council for approval. This would detail what kind of offers and conversations were being had with existing stallholders to move elsewhere in the markets and provide some details of rates and for what time periods. This would ensure that the opportunity for tenants to have positive conversations about relocation and rates.
	4. The applicant seeks to improve the offer of the market, providing quality goods, and to appeal to locals as well as visitors. The strategy for the new market is to stop the sale of counterfeit goods and to attract small, start-up businesses to the area.
	5. Objections have stated that box parks are no longer exciting or considered to be innovative. Whilst there are such parks in other places in London (such as Brixton, Shoreditch and Croydon), the containers are considered a practical way of developing and maximising use of the site on a temporary basis as is required here.
	6. The proposal includes the provision of toilets for customers at 2nd floor level, disabled accessible by lift, which is considered a benefit of the proposals.
	7. The applicant has produced a Market Operational Plan which provides information on how the market would be run and how amenity and environmental impacts are mitigated (see ‘Impact on neighbouring amenity’ chapter). This would be secured by condition (condition 11).
	8. Community events would be planned for the market for local groups which would also be detailed in the Market Operational Plan.

Housing and the mixed use policy

* 1. Given the temporary nature of the use, the proposal is not considered to trigger the need for housing under policy DP1 (Mixed use). Housing would be expected in line with policy when the permanent proposal comes forward.

Conclusion

* 1. The proposed land use package would support the market and allow it to diversify its offer and increase appeal for local people. The increase in the market area would also provide more employment and help support local businesses. Given the above, the proposed market is considered acceptable in land use terms.
1. **Design and conservation**
	1. The design and conservation considerations are follows:
* Policy review
* Designations
* Design and conservation
* Conclusion

Policy review

* 1. London Plan policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 and Camden Local Plan policies D1 and D2 and CPG (Design) are relevant with regards to conservation and design.

Designations

* 1. The site is located within the Camden Town Conservation Area. On the northern side of Buck Street is the Buck’s Head public house and the former Hawley Primary School which are locally listed. However, the school is expected to be demolished under the proposals for the new entrance to Camden Town Underground Station. To the east of the site is the Trinity United Reform Church which is a positive contributor to the Camden Town Conservation Area. 190 Camden High Street, to the south of the site is also a positive contributor to this conservation area.

Design and conservation

* 1. The current market contributes to the character of the area by providing a lively and vibrant shopping area, as part of the commercial sub area of the Conservation Area. However, the existing market is considered unsightly and to detract from the character of the conservation area, hence the history of temporary permissions for the site. The existing layout and structure of the market could be significantly improved. The significance of this part of the conservation comes from the powerfully urban character with few openings between the continuous building lines and an absence of public open spaces and soft landscaping. The diverse and changing architectural styles of buildings from the last two hundred years contribute to the significance of the conservation area with its wide variety of styles. Conversely, the current site creates an irregularly shaped, uncharacteristic break in the otherwise continuous building lines of the street.
	2. The proposed temporary container park creates an interesting structure in keeping with the character of Camden Town, further contributing to the wide variety of architectural styles. The height and massing of the containers is consistent with the surrounding buildings, their relationship with the street also creates an accessible and inviting place to visit and shop which would enhance the commercial offer and character of Camden High Street. Objections have been received regarding the height of the box park – saying it should be just two storeys – however the three storey height responds better to the height of neighbouring buildings, and the height and scale is therefore considered appropriate, helping to redefine the building lines previously lost to bomb damage. Concerns have also been raised that the containers would appear more permanent than the existing market stalls, however, permission would only be granted for 5 years, to ensure that the proposals are not permanent. At the end of those 5 years, should any extension of the market be required, then a planning application would be necessary. The length of time of the proposals is dependent on TfL’s programme developing the site to the north and this would be taken into account in any future applications.
	3. The proposals are only temporary for 5 years and the Council would expect to see a more permanent development coming forward on the site which would need to achieve high-quality design and preserve/enhance the character of the conservation area. The temporary proposals are considered a significant improvement on the existing appearance of the site, with a positive impact on the significance of this part of the conservation area. A scheme for the painting/colours of the containers is recommended to be secured via condition, to ensure that the Council has some further control over the appearance of the containers (condition 5).

Conclusion – **no harm** to heritage assets

* 1. The proposals are considered to respect the character of the surrounding context in terms of scale, height and bulk. The scheme would **enhance** the character and appearance of the conservation area. The proposed design is considered an appropriate solution to the temporary use of the site for market purposes.
1. **Impact on neighbouring amenity**
	1. The considerations on the impact on the amenity of neighbouring properties are as follows:
* Policy review
* Noise, disturbance and odour
* Daylight and sunlight
* Construction works

Policy review

* 1. Paragraph 182 of the NPPF, and policy 7.15 of the London Plan state that planning policies and decisions should aim to mitigate and reduce other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions. They also set out that decisions should not impose unreasonable restrictions because of changes in nearby land uses since they were established. Local Plan policy A1 seeks to protect residents from the impacts of development. Policy TC6 seeks to protect residents from the impact of new markets.

Noise, disturbance and odour

* 1. A Noise Report has been submitted in support of the application which has been assessed by Environmental Health officers.
	2. The site’s closest noise and odour sensitive receptors are considered to be at the following locations:
* 3 storey commercial premises fronting Camden High Street.
* The Bucks Head Public House is located on the corner of Camden High Street & Buck Street, which extends along Buck Street towards Nemesis Tattoo Parlour. This is a 3 storey building, with residential on the upper floors. Both of these building have overlooking views of the Market.
* 4 storey buildings fronting Kentish Town Road with commercial premises on the ground floor with residential above, some of which have rear views overlooking the Market.
	1. Potential noise impacts (operational noise) have been assessed against the baseline conditions in the area (cumulative noise impact of people, traffic and operation of other uses), which relate to noise survey data representative of existing day time business hours.
	2. The proposed market development comprises retail, and food and drink, including hot food takeaway. The market currently operates between 10:00 hours and 18:00 hours. Under the proposals, the retail element would operate between 10:00 hours and 20:00 hours and the food and beverage elements would operate between 08:00 and 23:00 hours. A condition is recommended to limit the operating hours to between these times (condition 8). If permission is granted and the Council receives noise complaints, this would be investigated by the Council’s Environmental Health Officers and if determined as a statutory nuisance the appropriate action taken. Planning officers consider that given the character of the area and the proposed noise conditions, that the proposal would not have a significant impact in terms of noise. A Night-time Use Strategy and a Litter Management Strategy would be secured via section 106 in order to manage and mitigate any impacts.
	3. A condition is also attached limiting no more than 15% of the total floorspace to be used for Class A4 use (Drinking establishments), to ensure there is no material noise/disturbance impact above and beyond what one would expect in a busy town centre location (condition 4).
	4. No fixed heating or cooling services are proposed to be provided to the containers, with hot water being provided via an electric boiler in each unit. The units will not be provided with heating or cooling. This will be based on natural ventilation. Mechanical ventilation to be provided to cooking areas and WC’s.
	5. The submitted Ventilation Strategy (VS) mentions commercial kitchen extraction systems will be selected to deal with the type of cooking to be undertaken, and should grease and carbon filters be required then these will be installed within the local extract hoods. The VS goes on to say “The termination of the kitchen extract ductwork will be carefully considered in relation to the overall site layout and the adjoining buildings and, wherever possible, will be at roof level to assist in the disbursement of any odours. If required, ecology units will be considered to remove any cooking odours from the extract ventilation to minimise any potential impact on the surrounding area.”
	6. Details of any proposed ducting and ventilation, including an odour management plan, would need to be provided via condition and would be assessed by Environmental Health and Planning officers (condition 16). Noise conditions are recommended to ensure that there is no material impact on residential properties in the area, stating that shall be at least 10 dB(A) less than the existing background measurement (LA90) (condition 13) and to secure full details of all plant are submitted to and approved by the Council (condition 15). These maximum noise levels would include noise from music being played within the market.
	7. Objections have been received on the grounds of increasing footfall in the area. The site is currently overcrowded and the proposals will allow more space and more circulation on-site. Furthermore, the area is a well-established busy town centre and the development plan encourages these types of uses to be focussed in such areas.

Daylight and sunlight

* 1. The area is predominantly commercial. The nearest properties investigated for impact on residential amenity are listed below:
1. 1st Floor, 190 Camden High Street
2. 1st Floor, 221-235 Camden High Street (terrace of properties)
3. 1st Floor, The Bucks Head Public House
4. 1st Floor, 3 Buck Street



Figure 2 – Properties tested for daylight/sunlight impact

* 1. The rooms within 190 Camden High Street (1) are commercial and therefore are not afforded the same protection as residential use.
	2. The BRE guidelines advise that if a proposed development will fall beneath a 25° angle measured from the centre of the lowest window of an existing property, then there is no requirement for further assessment. The development would fall below the 25° angle when measured from the centre of the first floor windows in the terrace on the western side of Camden High Street (2).
	3. The window serving the flat above the Buck’s Head (3) serves a bathroom and is therefore not considered a ‘habitable room’. Nevertheless, using the BRE Vertical Sky Component test (VSC), the loss of light would be negligible at a reduction of 6.1% and passes the BRE guidelines where a loss of less than 20% is considered acceptable.
	4. The loss for both windows at first floor level for 3 Buck Street (4) would be 6.1% and therefore, as above, is considered acceptable in accordance with BRE guidelines.
	5. No objections have been received with regards loss of daylight/sunlight and the assessments confirm there would be no significant impacts, in line with development plan policy and guidance.
1. **Accessibility**
	1. A Design and Access Statement was submitted as part of the application which has been assessed by the Council’s Accessibility Officer.
	2. There are 3 entrances to the market proposed; one from Camden High Street and 2 from Buck Street. The routes through the current market are very narrow at 1200mm to 1300mm and provide poor accessibility. The proposed routes would have a minimum width of 2000mm. Access into all containers would be flush. Two lifts would provide level access to all levels, including to the toilets at 2nd floor level.
	3. Officers are satisfied that accessible routes have been provided across the whole proposed development in line with the aims of development plan policy C6. The Public Sector Equality Duty requires due regard be given to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people. Disability and age are protected characteristics and the scheme will improve accessibility of the site, and so the town centre offer, with greatest benefit for people with those protected characteristics.
2. **Land contamination**
	1. Whilst the site is potentially contaminated, no excavation is proposed and therefore there are no risks in terms of public safety.
3. **Sustainable design and construction**
	1. The considerations on the impact on the amenity of neighbouring properties are as follows:
* Policy review
* The site and the proposal
* Energy and sustainability
* Air quality

Policy review

* 1. Pursuant to London Plan policies 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15 and 5.17 and Camden Local Plan policies CC1, CC2, CC3, CC4 and CC5 all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

Energy and sustainability

* 1. The proposal would intensify the existing use of the site. No fixed heating or cooling services will be provided to the containers, with hot water being provided via an electric boiler in each unit. Drainage, water, electricity and potentially gas supplies will be provided for use by the tenants, but installations of white goods and water appliances will be by carried out by tenants, where required.
	2. The applicant has submitted energy and sustainability statements.
	3. The proposal is for a temporary 5 year period and is not exempt from energy and sustainability policy requirements. As the development will have no fixed heating or cooling services provided to the containers, it is considered a ‘Non-exempt building with low energy demand’ and the building envelope should be insulated to a degree that is reasonable in the particular case. Given that the containers will be occupied by staff for a significant part of the day energy efficient measures/steps that should be taken to reduce emissions associated with the fit-out of tenant units. The Council’s Sustainability Officer has reviewed the proposals and has no objections subject to a condition requiring the submission of a ‘tenant and trader handbook’ which would ensure that the stalls/containers were operated sustainably in with green building standards, including using low energy appliances (condition 9).
	4. It should be noted that the development would be operated as a market and in any open air market traders are open to the elements in any weather and do not rely on air conditioning or heaters, but instead rely on warm clothing and natural ventilation. Providing heating and cooling facilities would not be in line with the market ethos. On this basis there would be no use of individual heaters or mechanical cooling.

Air quality

* 1. Policy CC4 is relevant with regards to air quality.
	2. The applicant has completed an air quality assessment, which has been assessed by the Council’s Air Quality (AQ) Officer.
	3. Details of deliveries have been submitted and the impact in terms of air quality. The AQ officer is satisfied with regards the number and the minimisation of deliveries. With regards air pollution emanating from the site, the applicant report states that gas cookers will not be used. This would need to be confirmed in the tenant and trader handbook which is recommended to be secured via condition (condition 9).
	4. Given the above, the development is considered acceptable in air quality terms.
1. **Transport**
	1. The following transport considerations are covered below:
* Policy review
* The site
* Travel plan
* Car parking
* Cycle parking
* Management of construction impacts
* Deliveries and servicing
* Pedestrian, cycling, environmental and public realm improvements
* Highway and public realm improvements directly adjacent to the site
* Conclusion

Policy review

* 1. Camden Local Plan policies T1, T2, T3 and T4 and CPG Transport are relevant with regards to transport issues.

The site

* 1. The site has a PTAL rating of 6b (‘Excellent’). Camden Town Underground Station is the closest station, located approximately 500m to the south. Camden Road Station is located approximately 600m to the east and is served by Overground services. There are numerous bus services along Camden High Street and Kentish Town Road.

Travel plan

* 1. Camden Town Centre is an extremely busy area, with Camden Lock Market close by which is also extremely busy during peak hours. This development will lead to an estimated 2,253 increase to 7,719 from 5,466 trips during the AM and PM peak times.
	2. In this instance we would seek to mitigate the impact on this development by requesting a Workplace Travel Plan be put in place via a Section 106, this will be required to cover all visitors and staff traveling to the site.  Travel Plans are an effective tool for managing visitors, volunteers and employees at a site by helping to promote sustainable transport and raising awareness of their benefits.
	3. If planning permission is granted a Workplace Travel Plan would need to be secured as a section 106 planning obligation.  This would include a requirement for a Travel Plan Co-ordinator to be appointed before occupation.
	4. We would also seek to secure a financial contribution of £3,216 to cover the costs of monitoring and reviewing the travel plan over a 5 year period that the development will be in place.  This would also need to be secured by a Section 106 planning obligation if planning permission is granted.
	5. Transport for London encourages developers to use the TRICS database (formerly TRAVL) for trip generation predictions.  We will require the applicant to undertake a TRICS after study and provide TfL and Camden with the results on completion of the development.  TfL would then be able to update the TRICS database with the trip generation results for the various use categories associated with this development.  We will seek to secure the necessary after surveys and results by Section 106 agreement as part of the Travel Plan review and monitoring process.
	6. In this instance, officers feel that additional funding would be required for a ‘Smarter Travel Scheme’ for Camden Council to initiate a local area scheme, working with community groups such as Camden Cycle Campaign and Camden Unlimited to promote sustainable transport schemes and ensure that the existing problems that we are currently experiencing are not exacerbated by this development. A contribution of £20,000 is therefore recommended to be secured via section 106.

Car parking

* 1. The proposal is car free, in line with Council policy. A car-free obligation is not included in the heads of terms given that business permits are already limited to exceptional circumstances, and furthermore there is no space on site to provide car parking.

Cycle parking

* 1. Policy T1 of the Local Plan requires developments to sufficiently provide for the needs of cyclists. The London Plan provides guidance on minimum cycle parking standards and these are outlined in Table 6.3 of the London Plan. Table 6.3 of the London Plan requirements are as summarised in Table 1 below.



Table 1

* 1. This would equate to the following requirement to meet London Plan Standards:
* Flexible A1 378sqm = 3 long stay, 10 visitors
* Flexible A3 & A5 455sqm = 3 long stay, 4 visitors
	1. A total of 20 bicycle storage spaces is proposed to be provided, comprising 5 long stay spaces for staff use and 15 for short stay visitor use. This would means that the proposals falls short of the London Plan standards for long stay, but exceed it for short stay. These plans will need to be altered when discharging the condition for cycle parking, however officers feel that there is sufficient space on the north end of the site on Bucks Street which has been already outlined for cycle parking.
	2. The retails and visitor cycle storage would be provided in the form of two-tier racks and Sheffield Stands, accessible via Buck Street. If planning permission is granted a condition is recommended to ensure the final design and layout provides no less than 6 long term and 14 short term spaces that meet CPG7 design guidance (condition 10).

Management of construction impacts

* 1. The site is located on a London Distributor road (Camden High Street) in a busy central London area.  While the proposal will not involve a significant amount of demolition and construction works, we feel that due to the busy nature and heavy footfall in the area that the Council will require a Construction Management Plan.
	2. Our primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) unnecessary traffic congestion or impact on the road safety or amenity of other highway users. The proposal is also has potential to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality).
	3. A preliminary construction management plan (CMP) has been submitted in support of the planning application.  It provided a lot of the detail that officers require to mitigate our concerns, but a final CMP will need to be submitted if planning permission is granted and the final details confirmed with the contractor.
	4. The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. Therefore, if planning permission is granted a CMP should be secured as a Section 106 planning obligation. This would provide a mechanism to manage/mitigate the impacts which the proposed development would have on the local area.  The CMP would need to be approved by the Council prior to works commencing on site.
	5. It is also recommended that a financial contribution of £3,136 for CMP monitoring be secured as a section 106 planning obligation if planning permission is granted.

Deliveries and servicing

* 1. Council officers consider that servicing would need to be conducted via Buck Street, making use of the side access to the market, to ensure that any blockages from service vehicles are avoided on Camden High Street.  While the Service Management Plan submitted as part of this application does not predict an increase in servicing trips to the site, we do not feel that this portrays an accurate reflection of what is likely to happen on the ground.
	2. Servicing trips are likely to increase to the site given the intensification of use. While this increase will not have a significant impact on the public highways we need to take into consideration that Camden High Street, where the vehicles will need to exit onto, is an extremely busy area for pedestrians and will need to be managed.
	3. Transport for London has requested that delivery times are restricted to outside of 10am to 4pm, which will avoid the peak times in the area.  To ensure that we are able to properly manage the servicing and restricted time we recommend that a Service Management Plan is secured as a section 106 obligation.

Pedestrian, cycling, environmental and public realm improvements

* 1. As outlined above the area already suffers from high levels of pedestrian footfall and low comfort levels. This development will contribute to this situation and will need to be off-set if the application is to be acceptable. We have requested a Travel Plan be required as part of this application, but additionally we will need to launch a Smarter Travel Scheme to tackle to overcapacity issues on Camden High Street. We will therefore require a £20,000 contribution to work with local community groups such as Camden Unlimited and Camden Cycle Campaign to address these issues. As such we would require a PCE (pedestrian cyclist and environmental) contribution to allow the Camden Council to offset and address issues create by the intensification of use. We therefore seek to secure a financial contribution of £20,000 as a section 106 planning obligation in planning permission is granted.

Highway and public realm improvements directly adjacent to the site

* 1. Policy A1 of the local plan states that ‘Development requiring works to the highway following development will be secured through planning obligation with the Council to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces’. There are no alteration works required as part of this application, however we will need to take a contribution from the developer to cover any potential damage that may occur as part of the development on Camden High Street and Kentish Town Road.
	2. We would therefore need to secure a financial contribution for highway works as a section 106 planning obligation if planning permission is granted. This would allow the proposal to comply with Policy A1. An estimate has been submitted to our Highways team (£2,000) and will form part of the section 106 if planning permission is granted.

Conclusions

* 1. The proposals are acceptable in transport in terms of servicing, cycle parking and construction impacts, subject to section 106 obligations and conditions outlined above.
1. **Security**
	1. Camden Local Plan policy C5 and CPG Design are relevant with regards to secure by design.
	2. The Designing Out Crime officer was consulted prior to the application being submitted and was involved in the design process. This officer has no objections to the proposals.
	3. The proposal would widen the access routes through the market and thereby reduce the risk of pickpocketing which is an issue in the market at present. There would be greater visual permeability through the site which is enhanced through glazing. Recesses and potential hiding places have been minimised. The site would be closed off at night, in line with the police’s recommendations.
	4. Given the above security measures and that no objections have been received from the Designing Out Crime officer, the proposal is considered acceptable in terms of the principles of Secure by Design. Conditions are attached regarding CCTV (condition 12) and details of the proposed security gates (condition 6).
2. **Refuse and recycling**
	1. Camden Local Plan policies CC5 and TC6 and Camden Planning Guidance - Design are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.
	2. Waste and recycling would be stored at ground floor level at the south east corner of the site, close to where the premises would be serviced off Buck Street. The applicant would enter into a contract with a private refuse collector to collect waste on a daily basis. The proposed storage has sufficient capacity in line with policy guidance and would be secured via condition (condition 14).
3. **Planning obligations**
	1. The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.
	2. The proposed storage has sufficient capacity in line with policy guidance and would be secured via condition (condition 17). No CIL payments are required, given the proposed use as markets and given the temporary nature of the proposals. CIL payments would be obtained for any non-market uses when the permanent comes forward.

|  |  |
| --- | --- |
| **Contribution** | **Amount (£)** |
| Highways | 2,000 |
| Smarter Travel Plan | 20,000 |
| Travel plan monitoring | 3,216 |
| CMP monitoring | 3,216 |
| **TOTAL** | **28,432** |

1. **CONCLUSION**
	1. The proposals would provide additional market floorspace and employment floorspace which provide benefits for the local area. The proposals would improve the market in terms of accessibility, safety, circulation and offer.
	2. The bulk, scale, and height of the proposals is in keeping with the surrounding area and will not impact on the character of the Camden Town Conservation Area. The proposed container park is considered an appropriate solution to providing a temporary market, in-character with Camden Town.
	3. Given the character of the area and existing noise levels, the proposals will not materially affect amenity, subject to noise conditions.
	4. The proposals are considered acceptable in transport terms subject to section 106 obligations and conditions, mitigating and controlling any impacts.
	5. Given the benefits from the proposed land use mix and the design quality of the proposals, it is considered that the application is acceptable and in accordance with the development plan.
2. **RECOMMENDATIONS**
	1. **Planning Permission is recommended subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-**

Transport

* CMP, that shall restrict HGV movement to and from the site to with in the hours of 8:00 to 18:00 Monday to Friday and 8 till 13:00 Saturdays and fully restrict movement on Sundays and Bank Holidays unless agreed with the Council in advance.
* CMP monitoring contribution of £3,136
* Smarter Travel Scheme - a financial contribution of £20,000
* Delivery and Servicing Management Plan (DSMP). The SMP shall be approved prior to the first occupation of the site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority.
* Workplace Travel Plan (TP) that shall be approved prior to the first occupation of the site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority. The applicant shall undertake a TRAVL after survey and provide TfL and Camden with a copy of the results as part of the travel plan review and monitoring process.
* Travel Plan monitoring contribution of £3,216
* £2,000 Highways contribution

Land use

* No units to be occupied by traders which have more than five premises in the London Borough of Camden.
* Re-Accommodation Strategy, prior to implementation

Amenity

* Night-time Use Management Strategy
* Litter and Management Strategy
1. **LEGAL COMMENTS**
	1. Members are referred to the note from the Legal Division at the start of the Agenda.
2. **CONDITIONS**

|  |  |
| --- | --- |
| 1 | Three years from the date of this permissionThis development must be begun not later than three years from the date of this permission.Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended). |
| 2 | The temporary containers and structures hereby permitted, along with all other fixtures and fittings that facilitate the temporary use, shall be removed from the land and the use discontinued, within 5 years from the date of this permission.  Reason: A permanent use for market purposes would be likely to cause harm to the character and appearance of the conservation area contrary to policies D1 and D2 of the Camden Local Plan. |
| 3 | Approved drawingsThe development hereby permitted shall be carried out in accordance with the following approved plans:**Drawings:** Existing drawings:Location Plan 250\_511, L1214 Preliminary, L1214-200\_01, L1214-200\_02, L1214-200\_03, L1214-200\_05, L1214-300\_01, L1214-300 02.Proposed drawings:USM BSM 010A, USM BSM 011C, USM BSM 012C, USM BSM 013D, USM BSM 101C, USM BSM 102C, USM BSM 103B. **Supporting Documents:** Interim Travel Plan Issue 2 (Arup) 24 July 2018, Air Quality Assessment (Arup) 24 July 2018, Statement of Community Involvement (London Communications Agency) July 2018, Energy & Sustainability Strategy Rev 01 (Hoare Lea), Container Ventilation Strategy (Hoare Lea), Draft Construction Management Plan v2.2 (H. Fraser) 30.11.17, Structural Statement (Furness Partnership) July 2018, Market Management Plan & Crime Impact Statement, Daylight & Sunlight Assessment Issue 1.0 (Urban Space Management Ltd) 17 July 2018, ACOUSTIC STRATEGY FOR PLANNING Revision 01 (Hoare Lea) 18 May 2018, Planning Statement (Gerald Eve) July 2018, Design and Access Statement (Urban Space Management Ltd.) July 2018, Heritage & Townscape Assessment (Heritage Collective) June 2018, Transport Statement (Arup) July 2018, Servicing Management Plan REP/SMP/RM001 (Arup) 29 September 2018.Reason: For the avoidance of doubt and in the interest of proper planning. |
| 4 | Class A4 use (Drinking establishments) No more than 15% of the total floorspace shall be used for Class A4 use purposes at any one time unless otherwise agreed by the local planning authority.Reason: To safeguard the amenities of the area in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017. |
| 5 | Details of colour schemeDetails of the proposed painting and colour scheme for the containers facing on to Camden High Street and Buck Street shall be submitted to and approved by the Local Planning Authority prior to commencement of operations and shall be retained permanently thereafter. 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. |
| 6 | Details of security gatesFull details of the proposed security gates shall be submitted to and approved by the Local Planning Authority, including elevations, cross-sections and samples prior to commencement of operations and shall be retained permanently thereafter. 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. |
| 7 | External equipment 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 buildings, 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 Camden Local plan policies D1 and D2.  |
| 8 | Hours of operationThe market use hereby approved shall operate only between 08:00 and 23:30 hours.Reason: To protect the amenity of local residents in accordance with Camden local Plan policy A1.  |
| 9 | Tenant and trader handbook Prior to occupation, the tenant and trader handbook shall be submitted to the Local Planning Authority demonstrating inclusion of a “Green Building Guide” setting out energy efficient measures/steps that should be taken to reduce emissions associated with the fit-out of tenant units. This shall include, (but not limited to) advice on:- Sustainable materials selection- Energy efficient building fabric- Energy efficient heating (including a statement that outdoor space heaters are not allowed)- Energy efficient lighting- Reducing water use- Reducing energy from cooking and avoiding cooking operations that materially impact on air quality (gas cookers)- Low energy appliancesThe green building guide shall thereafter be retained in the tenant and trader handbook and updated from time to time within improved green building standards as appropriateReason: To ensure that the proposed uses within the development are energy efficient and to reduce emissions in accordance with Camden Local Plan policies CC1, CC2, CC3, CC4 and CC5.  |
| 10 | Cycle parking Prior to first occupation of development details of a minimum of 6 long-stay cycle parking spaces and 14 short stay cycle parking spaces, designed to Camden‘s specifications shall be submitted to and approved in writing by the Local Planning Authority.The development shall not be occupied until the facilities as approved are completed and available for use. All such facilities shall thereafter be retained and maintained for their designated use.Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2.  |
| 11 | Market Operational Plan A Market Operational Plan detailing how amenity issues will be resolved, especially concerning events, shall be submitted to and approved by the Local Planning Authority prior to commencement of operations. 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 London Borough of Camden Local Plan 2017. |
| 12 | CCTV  Prior to occupation, full details of any proposed CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved CCTV scheme should be implemented prior to first occupation of the development.  Reason: In the interest of crime prevention, ecology, visual amenity and the waterway setting.  |
| 13 | Plant Noise Before the use commences, the total noise from fixed plant associated with the application site, when at a point 1m external to sensitive facades shall be at least 10 dB(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 is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level.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 London Borough of Camden Local Plan 2017. |
| 14 | Refuse and recycling Prior to first occupation of the development the refuse and recycling storage areas shall be completed and made available for occupants. The development shall not be implemented other than in accordance with such measures as approved. Reason: To safeguard the amenities of the area in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017. |
| 15 | Acoustic isolation for fixed plant Before the use commences, details of all plant shall be provided with mitigation measures and shown on plans approved in writing by the Local Planning Authority. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.  Reason: To safeguard the amenities of the area in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017. |
| 16 | Ducting and ventilation Before any A3 use commences, details of ducting and ventilation, along with an odour management plan, shall be provided in accordance with a scheme to be first approved in writing by the local planning authority. The A3 and A5 uses, or any primary cooking, shall thereafter be carried only in complete compliance with the approved scheme. Reason: To safeguard the amenities of the area in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017. |
| 17 | No amplified sound emanating from the use shall be audible within any adjoining premises. Reason: To safeguard the amenities of the [adjoining] premises [and the area generally] in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017. |

1. **INFORMATIVES**

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| 1 | Thames Water Comments On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. |
| 2 | Thames Water Waste CommentsWith regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.  |