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3 April 2020

Our ref: LJW/HBR/AKG/AJA/J10003

Your ref: 2018/1715/P / PP-08555624

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)
Retail Arches at Hawley Wharf, Land bounded by Chalk Farm Road, Castlehaven Road,
Hawley Road, Kentish Town Road and Regents Canal, London, NW1
Application for Full Planning Permission**

On behalf of our client, Stanley Sidings Limited, (the 'Applicant') we enclose an application for full planning permission (retrospective) in respect of the: Retail Arches at Hawley Wharf, Land bounded by Chalk Farm Road, Castlehaven Road, Hawley Road, Kentish Town Road and Regents Canal, London, NW1 (the 'Site') for the:

"Installation of 34 wall mounted speakers to the shopfronts at fascia level and associated works [retrospective]".

Background

The original planning permission (ref: 2018/1715/P) relating to this development was granted on 23 January 2013 and granted planning permission for the following development:

"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). (This application is accompanied by an Environmental Statement and is a redesign of a scheme that was refused on 4 May 2012 [Ref: 2011/4932/P]. Key revisions include: increase in size of public open spaces across the site, reduction in height/bulk/massing to some buildings, reduction in floor space, and new facade designs, particularly along the canal frontage)".

The most recent planning permission (ref: 2018/1715/P) relating to the site was granted on 3 December 2018 and granted planning permission for the following development:

"Variation and removal of various conditions of planning permission dated 23/01/2013 ref: 2012/4628/P (for the mixed use redevelopment of the site), to reflect various physical amendments to permitted scheme, to provide temporary solution for retention of coal chute, and to refer to previously approved drawings and planning conditions; these include variation of

conditions 65 & 66 (approved drawings), variation of conditions 4 (east-west route) and 29 (skewed arch), and removal of condition 24 (privacy measures)."

The development is nearing practical completion and accordingly, this application is submitted as a standalone planning application relating solely to the retail arches.

The Site incorporates retail arches nos: S2, S3, S4, S5a, S5b, S6a, S6b, S8, S9, S10, S11, S12, S13, S15, S17, N5, N6, N7, E1, E2, E3, E4, E5 and E6 located along Water Lane and Hawley Quay at the Hawley Wharf Masterplan Site.

The Proposals

The proposals seek planning permission for the installation of 34 new wall mounted speakers along the shopfronts of the retail arches within the Hawley Wharf development, to improve the atmosphere and promote the function of the site as a shopping area along Water Lane and Hawley Quay.

The speakers are discrete in scale (245mm high by 188 mm wide by 203mm deep) and black to allow them to be sensitively integrated into the arch fascia. All of the speakers are JBL Control 25-1 model and are of a contemporary, attractive appearance.

The speakers are designed to be weather resistant so they can be installed externally and will not weather quickly.

The speakers are of varying heights from the floor, as they are attached to the shopfront fascia, which are located at different heights depending on the arch to which they relate. Although it depends on the shopfront fascia the speakers are mounted on the fascia circa 2160mm from ground level and 200mm from the edge of the fascia.

To protect local amenity the speakers will only operate from 10:00 – 21:00 Monday to Sunday and on Public/Bank Holidays. The speakers will be controlled centrally by the landlord to ensure that local amenity is not impacted.

It should be noted that the works to install the speakers were undertaken and completed by 1 February 2020. Accordingly, whilst the speakers are not yet in operation, this planning application is a retrospective application for the physical works to install the speakers.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan consists of:

- i. The National Planning Policy Framework ('NPPF') (as updated February 2019);
- ii. The London Plan, being the Spatial Development Strategy for Greater London (2016); and
- iii. The Camden Local Plan (2017).

Policy Assessment

Amenity

Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours through ensuring their amenity is protected. Noise is a factor that will be considered to protect the local amenity of communities, occupiers and neighbours.

Local Plan Policy A4 seeks to ensure that noise and vibration is controlled and managed. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.

The proposals are in line with Camden's Local Plan Policies A1 and A4 which seek to protect local amenity. A Noise Assessment, prepared by Scotch Partners and submitted in support of this application, demonstrates that the noise emissions to neighbouring noise sensitive properties are in line with the London Borough of Camden Council guidance and have given due consideration to Condition 54 of the extant Planning Permission (2018/1715/P). Condition 54 relates to limiting noise levels arising from external sources within all habitable rooms. During the night period (23:00 - 07:00) noise levels in habitable rooms shall not exceed 30dB LAeq (8 hours) nor 45dB LAm_{ax} (fast). Similarly, noise levels in habitable rooms shall not exceed 35 dB LAeq (16 hours) during the daytime (07:00 - 23:00).

A feasibility check has been undertaken by Scotch Partners to ensure that the proposed speakers can be played at the desired level whilst complying with the limits, so as not to impact local amenity. The feasibility check found that speakers emitting background music noise would have no adverse impact on local amenity. Whilst the speakers are capable of producing relatively high levels of music noise, they will be hard limited so that they will not produce their maximum output. This will be controlled centrally by the Landlord. This will protect the existing amenity of local occupiers and neighbours in line with Local Plan Policy A1.

The proposals are therefore considered to be in accordance with Local Plan Policies A1 and A4.

Design

Camden Local Plan D1 states that the Council will seek to secure high quality design.

The proposed speakers are discrete in design and location and will integrate into the shopfronts, thereby not jeopardising the shopfront designs that have already been approved by Camden under condition 21 (ref: 2019/6215/P). The proposed speakers will also preserve the street scene established in the area under the main permission and will promote movement through the site and wider area, in line with part (f) of Policy D1.

The proposed speakers will both animate and support the function of the area for retail use and will contribute to improving vitality and activity in the immediate area and wider development.

Therefore, in terms of design, the proposals comply with Camden's Local Plan Policy D1.

It is considered that proposed development accords with the Development Plan and on this basis, retrospective planning permission should be granted.

Application Documentation

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- A copy of this cover letter;
- Application form and notices;
- Site Location Plan;
- Completed CIL Form;
- Noise Assessment of Arches Speakers, prepared by Scotch Partners;
- Design Pack, prepared by LabTech.

The requisite planning application fee of **£234** (including a £25 planning portal charge) has been paid concurrent to the submission of this application.

We look forward to your confirmation of receipt and subsequent validation of this application. In the meantime, if you have any questions or require anything further, please do not hesitate to contact Anna Gargan (020 75618 7240) or Andrew Jackson (020 3486 3734) of this office.

Yours faithfully

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