

Application ref: 2020/3573/P  
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Date: 8 October 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Judd Street  
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WC1H 9JE

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Matheson Whiteley  
1-7 Orsman Road  
London  
N1 5RA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:

**47 Theobald's Road**  
**London**  
**WC1X 8SP**

Proposal:

Variation of condition 7 (opening hours) of planning permission ref 2019/6423/P dated 08/07/2020 for 'Alterations to shopfront and rear fenestration, replacement rear rooflights and rear roof extension at first floor all in association with the change of use from A2 (Solicitors) to D1 (Art Gallery).'

Drawing Nos: Planning statement by Matheson Whiteley dated 4.9.20

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2019/6423/P dated 08/07/2020.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless

otherwise specified in the approved application.

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:  
001; 002; 003; 004; 005; 006; 010; 011; 012 Rev.A; 013 Rev.A; 014 Rev.C;  
015 Rev.A; 016 Rev.A and 020 Rev.A.

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

- 4 Prior to occupation of the D1 unit, details of the external security grille to the front entrance including detailed elevations, sections and plans shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to maintain security in accordance with the requirements of policies C5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The D1 unit hereby permitted shall not be occupied until the whole of the cycle parking provision shown on the approved drawings is provided. The whole of the cycle parking provision shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 6 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the building shall only be used for an art gallery and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4, and T1 of the Camden Local Plan 2017.

- 7 The use hereby permitted shall not be carried out outside the hours of 9am - 11pm daily.

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

Informative(s):

1 Reason for granting permission:

The proposal seeks to alter the opening hours (condition 7) from 9am-5pm to 9am-11pm daily. It is noted that the surrounding area is primarily commercial in use with some residential on the upper floors of neighbouring buildings. However it is acknowledged that this a busy central London area and that the adjoining events venue at Conway Hall is open until 11pm. The proposed D1 use as art gallery with a programme of seminars and exhibitions is unlikely to create any harmful impacts of external noise and disturbance and traffic generation. It is considered that the extended opening hours would be appropriate in this instance and would not have such a detrimental impact on the amenity of neighbouring residents to an extent that would warrant a reason for refusal.

The full impact of the scheme has already been assessed during the determination of the permitted scheme, and it is considered that the amendments would have a minimal effect in terms of neighbouring amenity considerations. No external alterations are proposed, therefore there is no change to the character and appearance of the host property, streetscene or conservation area.

No objections were received during the consultation period. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, C3, TC2 and TC4 of the Camden Local Plan 2017, the London Plan 2016 and 2019 (intended to publish), and the National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras

Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is placed over a light grey rectangular background.

Daniel Pope  
Director of Economy, Regeneration and Investment