

Application ref: 2020/3192/P
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Date: 10 December 2020

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

Phone: 020 7974 4444

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www.camden.gov.uk/planning

Gerald Eve LLP
72 Welbeck Street
London
W1G 0AY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Land within
Regent's Place Plaza
Regent's Place
London
NW1 3UE**

Proposal: Erection of temporary 2 storey container market including 6 shipping containers and terrace at 1st floor for flexible mix of uses including Class A1, A3, A4, B1, D1 and D2 for a period of 5 years. Works include external seating and other external works.

Drawing Nos:

Existing drawings: 0314_010_SX P2; 0314_000_SX P2

Proposed drawings: 0314_000_S P1; 0314_010_S P1; 0314_101_GA P1;
0314_102_GA P1; 0314_200_GS P1; 0314_201_GS P1; 0314_300_GE P1;
0314_301_GE P1; 0314_100_GA P2

Supporting documents: Design and Access Statement, prepared by Felix & Merlin Architects dated April 2020; Construction Management Plan, prepared by M3 Consulting dated 15/04/20; Planning Statement, prepared by Gerald Eve LLP dated June 2020; Planning Statement Addendum prepared by Gerald Eve dated 18/08/2020; Statement of Community Involvement, prepared by M3 Consulting dated 26/05/2020; Noise Emission Assessment, prepared by Scotch Partners dated 24/04/2020; Delivery, Servicing and Waste Management Plan, prepared by M3 Consulting dated 19/06/2020;

Ventilation Statement, prepared by Ramboll dated April 2020; Air Quality Assessment prepared by SLR dated September 2020; CMP pro forma completed by M3 Consulting dated 18/10/20

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 this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing drawings: 0314_010_SX P2; 0314_000_SX P2

Proposed drawings: 0314_000_S P1; 0314_010_S P1; 0314_101_GA P1; 0314_102_GA P1; 0314_200_GS P1; 0314_201_GS P1; 0314_300_GE P1; 0314_301_GE P1; 0314_100_GA P2

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

- 3 The use hereby permitted shall not be carried out outside the following times: 07:00 hours to 22:30 hours.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, A4, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 4 Noise levels

The external noise levels emitted from the site hereby approved shall not exceed Daytime (0700-1900): 83dB LAeq,5min and Evening (1900-2300): 82dB LAeq,5min

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

- 5 Prior to use of any plant or equipment at the development, full details of the external noise level emitted from plant/ equipment, including manufacturers specifications and mitigation measures as appropriate shall be submitted to and approved in writing by the Local Planning Authority in writing. The measures shall ensure that the external noise level emitted from plant / equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Landscape Management Plan

Prior to first use of the development hereby approved, a Landscape Management Plan shall be submitted to and approved by the local planning authority in writing. The management plan shall include full details of maintenance of the green roof and wall and shall include a schedule that identifies frequency of task/visits over the course of a calendar year.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 7 The cycle storage area for 8 cycles hereby approved, shall be provided in its entirety prior to the first use of the development, and permanently retained 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.

- 8 The structure hereby permitted is for a temporary period only and shall be removed on or before 30th November 2025.

Reason: The type of structure is not such as the local planning authority is prepared to approve, other than for a limited period, in view of its appearance and the need for a long term holistic approach to the design of the public open space. The permanent retention of the structure would be contrary to the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission

Regent's place plaza is designated public open space. While the Council protects public open space, Policy A2 identifies as an exception that the Council will support smallscale development which is associated with the use of the land as open space and contributes to its use and enjoyment by the public. The existing public space has an area of 3163sqm. The total floor area of the containers and the area they loosely enclose would be approximately 217sqm. The loss of public space is therefore relatively small.

There are currently limited places for visitors to sit and enjoy the public space and the proposed development would enhance the quality of the space. The containers would be orientated facing into the Plaza, creating an entrance to the space and providing a buffer between the busy Euston Road and the open space. The proposed works would enhance the visual quality and legibility of the open space at the Plaza. As the permission is only for a temporary period, once the 5 years has expired the Plaza would return to its previous state.

Flexible use of the floorspace is sought in the following Use Classes: A1, A3, A4, B1, D1 and D2. The flexible permission is to attract independent tenants and provide maximum flexibility. The flexible use is supported as it would enrich the mix of uses provided with the Regent's Place campus. The proposed opening hours '0700 to 2230' would be secured by condition.

At ground level 3 shipping containers would be installed horizontally with 1 container installed vertically, housing an access lift. Two shipping containers would be stacked above this with a terrace between them. The proposals are considered to provide a positive addition to the public space which forms the Regents Place Plaza. The uses proposed will also add to the animation of the space. The use of timber, green walls and planted roofs are considered to be complementary to the planting and materiality of the public realm improvements. A landscape management plan would be secured by condition.

Given the size of the development and the distance to any neighbouring buildings, the proposed container market would not harm neighbouring amenity in terms of loss of sunlight, daylight, privacy or outlook. A noise report has been submitted which demonstrates that noise levels at the nearest residential properties would be acceptable. A condition would be included requiring full details of any plant and requiring compliance with the Council's noise thresholds.

Waste will be transported from the site to the Euston Tower loading bay refuse store. The existing refuse store in the Euston Tower loading bay at basement level has available capacity for the expected waste, recycling and food waste generation.

The proposal would increase the width of the footway / clear space between the existing landscaping and the Euston Road bus stop. Moving the development further north has been investigated but this would impact on the operation of the basement service area. The provision of 4 Sheffield stands would be secured by condition.

Transport have reviewed the submitted Service Management Plan (SMP) and Construction Management Plan (CMP) pro forma. Both documents are considered to be acceptable. To deliver the six shipping containers to site, a HIAB lorry (truck with the lorry mounted crane situated behind the cab) will need to offload the containers from the Euston Road onto the site. This will be coordinated with the Camden Highway Authority and Transport for London (TfL) and a permit put in place for this to happen out of hours with the necessary traffic management arrangements.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

As such, the proposed development is in general accordance with policies D1, C2, C3, C5, C6, E1, A1, A2, A3, A4, CC2, CC4, CC5, TC1, TC2, TC4 and T1 of the Camden Local Plan 2017. The development also accords with the NPPF and the London Plan 2016.

- 2 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).
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 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.
- 5 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.

- 6 You are advised that condition 3 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 7 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

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 'DPope', is positioned above the printed name and title of the signatory.

Daniel Pope
Chief Planning Officer