



Planning Department, London Borough of Camden
2nd Floor, 5 Pancras Square, c/o Town Hall, Judd Street
London WC1H 9JE

28 December 2020

Attn: Laura Hazelton via email: Laura.Hazelton@camden.gov.uk

Cc planning@camden.gov.uk ; Katrina.Lamont@camden.gov.uk; patricia.callaghan@camden.gov.uk;
Richard.Cotton@camden.gov.uk;

RE: OBJECTION : 2020/5850/L and 2020/5789/A Stables Market, Chalk Farm Road, NW1 8AH

I am writing, as Chair of TRACT (Tenants Residents Associations, Camden Town) to object to the above application and to propose reasonable conditions that if applied might allow us to consider withdrawing our objections.

TRACT has been involved in numerous meetings with both Lab Tech and the Council over the past few years regarding the significant problems caused to local residents by the Horse Hospital's recent tenant FEST and the previous tenant Proud Galleries, both of them acting as nightclubs in full or in part and both of them using this 'terrace' area inappropriately and without proper permissions and with the knowledge of the landlord.

Background

Planning approval for a change of use from retail to mixed use comprising art gallery / exhibition space and bar (sui generis) was granted to Proud Galleries on 01 November 2007 with a number of conditions including Condition 2: The use hereby permitted shall not be carried out during the following times: **0100 to 0800 hours daily**. This condition was to safeguard the amenities of the nearby residential occupiers in accordance with the requirements of policies SD6, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006*. We are informed that the statute of limitations means that this condition no longer applies, but the Committee will agree that it should have applied and that it was the duty of the Council, rather than residents, to keep an eye on such matters.

Part of this planning approval allowed the area outside the Horse Hospital at the top of the ramp to be used as a seating area and smoking area, but both were conditioned to be vacated by mid-night and no live music was allowed. In both cases this was to protect the amenity of residents. Unfortunately, the operators chose to ignore this and developed this area into a bar, then a café/bar and event space with noisy screenings and live music.

Eventually, after many requests by residents, both planning and licensing reviewed this area and enforcement action was taken. This has resulted in the Landlord, Lab Tech, demolishing the

*Planning decision notice dated 01.11.2007

**TRACT document re Fest Wall

***Premises licence 3850 - extracts

structures that had been erected and seeking planning approval for a structure that would make the use of this area legal. Unfortunately, Camden's licensing panel have approved a license already for this area for alcohol, events, films, music etc without fully understanding how the area will be designed, with little enclosure that will allow noise breakout and disturbance to residents.

Objection

This part of the various applications for the Horse Hospital that cover the change to a new immersive theatre has the worst implications for residents in terms of noise disturbance from the actual premises.

In addition to our objection to the use of this area as a restaurant/bar/events space we believe that it causes harm to the listed Horse Hospital ** with the small area of enclosure sitting opposite the Horse Hospital impeding the view of the roofline and building end from Chalk Farm Road.

We also object to the proposed illuminated signage, which will cause harm to the listed wall, the Horse Hospital and may cause visual disturbance to residential properties on Chalk Farm Road opposite.

If you are minded to approve this listed building application we would like to see at least the same conditions applied to the 01.11.2007 planning decision notice* and with a number of additional conditions that seek to protect the amenity of local residents as follows:

1. All use of the 'terrace' area to cease at mid-night (in line with 2007 Horse Hospital approval conditions)
2. No live music (in line with 2007 Horse Hospital approval conditions)
3. No films, events to be allowed
4. No music to be audible from any nearby residential property
5. No waste / bottle deliveries before 8am and no removal after 9pm.

If you are minded to approve the illuminated signage application we would like a condition that ensures it is on a timer and is switched off between 23:30hrs- 10:00hrs the following day.

Camden Planning Officers are residents last hope in this application, as you are aware that a license has already been granted that aligns with the prior unauthorised use but without the conditions of the previous licence***.

We hope you will support the needs of the local community when considering these two applications.

Yours sincerely,



Kate Gemmell,
Chair of TRACT

(refer attachments)

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Matthew Roe
CgMs Ltd
Morley House
26 Holborn Viaduct
London
EC1A 2AT



Development Control
Planning Services
London Borough of Camden
Town Hall
Argyle Street
London WC1H 8ND

Tel 020 7278 4444
Fax 020 7974 1680
Textlink 020 7974 6866

env.devcon@camden.gov.uk
www.camden.gov.uk/planning

Application Ref: **2007/3365/P**
Please ask for: **Thomas Smith**
Telephone: 020 7974 **5114**

01 November 2007

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted

Address:
**Horse Hospital
The Stables Market
Chalk Farm Road
London
NW1 8AH**

Proposal:
Change of use of the first floor and part of the ground floor (Unit 93) from retail use (Class A1) to a mixed use comprising art gallery/exhibition space and bar (Sui Generis).
Drawing Nos: Site Location Plan APG01-1/01/003; 00/001A; 00/002A; 00/003A; 00/004; 00/005; 00/006; 01/002/G; 02/003/A; 02/001/E; 02/002/B; 02/003A; 02/004; 02/005; 02/006; 02/007; 02/009; 7991-cgms/6; Detail of fresh air intake.

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.



INVESTOR IN PEOPLE

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Director of Culture & Environment
Rachel Stopard

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

- 2 The use hereby permitted shall not be carried out during the following times: 0100 to 0800 hours daily.

Reason: To safeguard the amenities of the nearby residential occupiers in accordance with the requirements of policies SD6, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 3 Between the hours of 0800 to 2300 daily, the noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6, SD8, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 4 Between the hours of 2300 and 0800 the following day, the noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6, SD8, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 5 Prior to the commencement of the use, a sound limiting device (for example one with the capability of responding to sound levels in dB linear and frequencies) shall be installed and the threshold level of the sound limiting device shall be as agreed

in writing by the Environmental Health/Technical Officer prior to the installation of the device.

Thereafter, the sound-limiting device shall be permanently retained, and maintained in good working order to the reasonable satisfaction of the Council.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies SD6, SD8, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

- 6 Prior to the commencement of the use, a management plan to include measures to reduce noise and disturbance to nearby residents shall be submitted to and approved the local planning authority.

The use shall only be carried out in accordance with the provisions of the approved management plan.

Reason: To safeguard the amenities of nearby residential occupiers and the area generally in accordance with policies SD1, SD6, R2 and R3 of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

- 1 Reasons for granting permission.

The proposed development is in general accordance with the policy requirements of the London Borough of Camden Replacement Unitary Development Plan 2006, with particular regard to policies SD1, SD6, SD7, SD8, SD9, B1, B3, B6, B7, T9, R1, R2, R3 and R4. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).

- 3 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 are advised to consult the Council's Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

4 You are advised that condition 2 means that no customers should be on the premises outside the permitted hours.

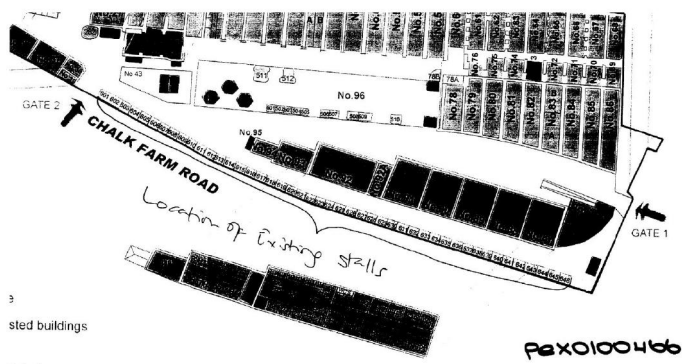
5 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Street environment Service (Recycling) on 0207 974 6914 or by email recycling@camden.gov.uk or on the website www.camden.gov.uk/recycling.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613

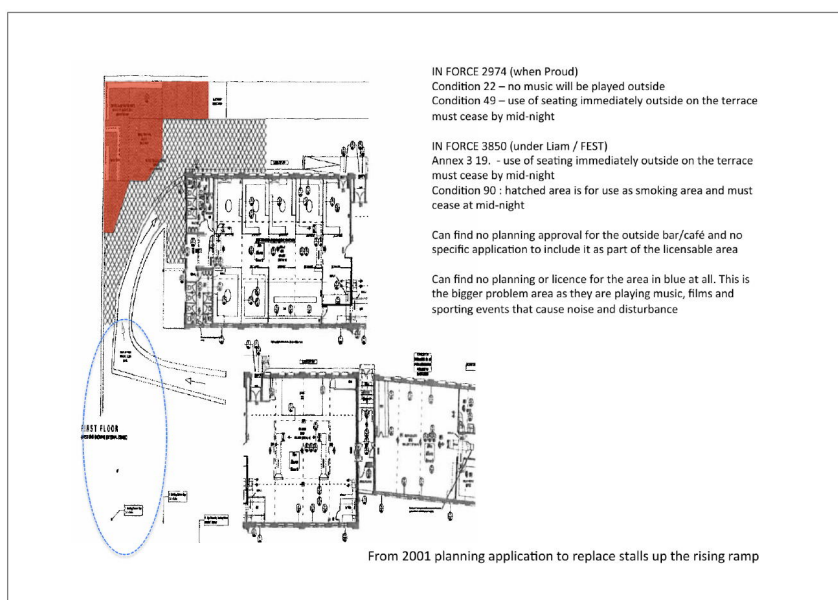
**** TRACT document re Fest Wall**

Fest Wall - overview
TRACT 20 November 2019



From 2001 planning application to replace stalls up the rising ramp

*Planning decision notice dated 01.11.2007
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***Premises licence 3850 - extracts



Extract showing how the proposed structure will block views and cause harm to the listed Horse Hospital building and the Stables Wall.

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SECRET LONDON

FOOD BARS & NIGHTLIFE ARTS & CULTURE THEATRE WELLNESS & NA

Taking over the 200-year-old horse hospital in Camden Stables Market is **FEST**, a nifty hybrid **Camden** bar/restaurant-club offering everything from club nights to singalong parties and cabaret. Having launched in April, this joint is now firing on all cylinders - here's what you need to know!

Let's start with their daytime darling – this smashing little roof garden.



The FEST terrace.

Underneath this lush pergola, you'll find live acoustic music by day, and DJs by night. The bar serves up delicious cocktails (Pimm's and Aperol Spritzes among them) and craft ales, while wood-fired pizzas are available from the outdoor pizza oven. A big screen shows major sporting events or serves as an outdoor cinema – see what's on here. **Offer:** get a pizza and a pint for £11 or two pints for £8.50.

From 2018 on line advertising

Example of the publicity for events and unauthorised use of the space previously that has lead to significant disturbance to local residents

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Annex 2 - Conditions consistent with the Operating Schedule

N/A

**Annex 3 - Conditions attached after a hearing by the licensing authority
18/12/07**

19. The use of the seating area immediately outside on the terrace must cease by Midnight.

**Annex 3 - Conditions attached after a review hearing by the licensing authority
06/11/2012**

20. That the telephone number of the DPS be made available for residents to contact the premises.
21. The premises noise management plan must be updated and agreed by Environmental Health responsible authority, and that the plan shall be proactively monitored and managed.
22. There shall be a written dispersal policy for the premises agreed with Environmental Health and that staff would be trained in its implementation.
23. **Bottle and glassware policy**
In all areas of the venue save the South Gallery Restaurant, all drinks shall be served or decanted into plastic/polycarbonated containers from 11pm until close on Thursdays, Fridays and Saturdays.
24. In the South Gallery restaurant, all drinks must be served or decanted into plastic/polycarbonated containers after the restaurant session finishes and before the club session starts on Thursdays, Fridays and Saturdays.
25. **Challenge 21 Policy**
The venue must have a Challenge 21 policy, where all customers who appear to be under the age of 21 and attempt to purchase alcohol or other age restricted products are asked for proof of their age.
26. All members of staff employed at the venue must undergo such training and documented proof of this is to be retained on site and made available to the Police or enforcements officers on request.
27. The venue is to prominently display notices advising customers of the Challenge 21 Policy, with the following proof of age to be the only ones accepted:
- (a) Proof of age cards bearing the "Pass" hologram symbol

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58. If the CCTV equipment is inoperative, or is otherwise not installed and working to the satisfaction of the Police or Licensing Authority, then within 48 hours the Police are to be notified and an estimate given of the repair timescale and the premises to comply with all reasonable requests from the Police which may include the suspension of licensable activities if necessary.
59. Notices shall be displayed at the entrance to the premises and in prominent positions throughout the premises advising that CCTV is in operation.
60. For the purpose of these CCTV conditions "the Police" refers to the Licensing /partnership officer of Holborn Police station and the "Licensing Authority" refers to the Licensing Authority of the London Borough of Camden.
61. There shall be no promotions that encourage the illegal, irresponsible or immoderate consumption of alcohol. There shall be no "Happy hour" or heavy reductions in the costs of the alcoholic drinks.
62. The capacity of the venue includes the outside area and the outside area will be agreed with the responsible authorities prior to use and to be permanently monitored by an SIA registered door supervisor after 20:00. No music will be played outside and after 01:00 no consumption of alcohol to take place.
63. Regular clearing of bottles outside and regular consultations with the Police Licensing Unit to make sure that the outside of the premises is operated professionally and with consideration.
64. A security log book must be maintained for recording incidents relating to crime and disorder and be available for inspection by the Police on request.
65. A burglar alarm linked to the police must be maintained in proper working order.
66. A zero tolerance to drugs must be adopted. On all nights when the premises are open for business the management must check the lavatories once an hour and log this in a register to be kept in the office.
67. Signs with the following statement should be properly sited. "Proud Galleries will not tolerate drug taking or dealing of any sort, and anyone caught will be handed to the Police and will be permanently barred from these premises."
68. A staff training programme must be maintained regarding the sale of alcohol to ensure that all staff understand their responsibilities to not sell alcohol to persons who are or who appear to be underage.
69. One hour after closing at least one door supervisor should be policing those leaving to ensure they leave quietly and calmly.
70. There shall be no adult entertainment at the premises.
71. The Council's Health and safety Team shall be notified of all public screenings and performances of plays and dance at least 10 days prior to the

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- (s), and over a comparable period, with no entertainment taking place.
85. Up to 2300 hours applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties:
- i. The noise climate of the surrounding area shall be protected such that the A weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any façade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5db as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.
 - ii. The Unweighted equivalent noise level (Leq) in the 63Hz Octave band measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s) and over a comparable period, with no entertainment taking place.
86. After 2300 hours applicable to all entertainment premises:
- i. The noise climate of the surrounding area shall be protected such that A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any façade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3db as compared to the same measure, from the same position, and over a comparable period with no entertainment taking place.
 - ii. The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows, open or closed over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s) and over a comparable period, with no entertainment taking place.
 - iii. No sound emanating from the establishment should be audible within any noise sensitive premises between 23:00 and 07:00 hours.
87. Deliveries to the premises shall be conducted during daytime hours between 08:00 and 20:00
88. A sound limiting device must be installed, the threshold level to be agreed by the Environmental Health Officer to meet Camden's noise condition.
89. All windows and doors must be kept closed except for access and egress.
90. The use of the outside space as hatched on the plans as the smoking area must cease at midnight

