

Application ref: 2021/0017/P
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Date: 12 March 2021

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Gerald Eve
72 Welbeck Street
London
W1G 0AY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Camden (Buck Street) Market
192 - 198 Camden High Street
London
NW1 8QP

Proposal:

Change of use of existing container units to food & beverage use (Sui Generis) and associated works including a rooftop ventilation extract fan, for a temporary period aligned with the original planning permission 2018/3553/P dated 24/05/19 for the continued use of the site as a market, consisting of a ground plus two level container market (Sui Generis)

Drawing Nos: Existing: 02 A, 03 A, 04 A. Proposed: Covering letter (Gerald Eve) 22 December 2020, Location Plan, 05 A, 06 A, 07 A, 08 A, Extract Fan Specification (S&P), Ventilation Strategy D6076 (Michael Jones & Associates LLP) 21st December 2020, Design and Access Statement (Lab Tech) 2020.

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: 02 A, 03 A, 04 A. Proposed: Covering letter (Gerald Eve) 22 December 2020, Location Plan, 05 A, 06 A, 07 A, 08 A, Extract Fan Specification (S&P), Ventilation Strategy D6076 (Michael Jones & Associates LLP) 21st December 2020, Design and Access Statement (Lab Tech) 2020.

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

- 3 The installation, operation and maintenance of the odour abatement equipment and extract system shall be in accordance with the 'Guidance on the assessment of odour for planning 2018' by the Institute of Air Quality Management.

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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.

- 5 The use of the containers hereby permitted shall be discontinued, and all other fixtures and fittings that facilitate the use removed from the land, within 5 years from the date of the original permission reference 2018/3553/P dated 24 May 2019.

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.

- 6 The food and beverage use hereby approved shall operate only between 08:00 and 23:30 hours.

Reason: To protect the amenity of local residents in accordance with the requirements of policies A1 and A4 of the Camden Local Plan.

Informative(s):

- 1 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).
- 2 Reason for approval:

Permission is sought to change the use of the container units at second floor level, fronting Camden High Street to food and beverage (Sui Generis use) and associated works including extraction ventilation and the infilling of an opening fronting Camden High Street. The containers would remain part of the approved market which has a mixture of retail and food and beverage. The use would be temporary, along with the whole market, until May 2024 and is ensured as such by condition. The change of use would not materially affect the market in terms of land use.

The container units that are the subject of this application could not operate independently of the market. The original permission for the market included conditions making it temporary for five years and limiting hours of operation between 08:00 and 23:00; these have been attached to this permission also. The proposed change of use would not have a material impact on amenity, subject to these conditions. The Council's Pollution Officer has assessed the proposals and is satisfied in terms of noise impact, subject to conditions on noise and odour levels.

As part of the proposals an opening at second floor level, with balustrade, would be filled in with a glazed panel. This would not impact on the design quality of the container market. The extract fan would be located on the roof, set back from the edge and would not be visible from street level.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections have been received prior to making this decision. 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, D1, D2, TC4 and TC6 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

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', written in a cursive style.

Daniel Pope
Chief Planning Officer