

<b>Address:</b>	<b>Horse Hospital Stables Market London NW1 8AF</b>		<b>3/4/5</b>
<b>Application Number(s):</b>	(i) 2020/5793/P (ii) 2020/5850/L (iii) 2020/5789/A	<b>Officer: Laura Hazelton</b>	
<b>Ward:</b>	Camden Town with Primrose Hill		
<b>Date Received:</b>	<b>14/12/2020</b>		

**Proposals:**

**(i) & (ii): Installation of canopy structure across the terrace at first floor level, new plant equipment enclosure, flooring, lighting, planters, signage and all other associated works. Use of the terrace as a restaurant and drinking establishment (sui generis).**

**(iii): Installation of 3 x signs at fascia level on the canopy and 1 x sign above North Yard entrance.**

**Background Papers, Supporting Documents and Drawing Numbers:**

Existing drawings: 152\_X\_00\_01 rev P3, 152\_X\_00\_11 rev P3, 152\_X\_01\_01 rev P3, 152\_X\_02\_01 rev P3, 152\_X\_02\_02 rev P3, 152\_X\_03\_01 rev P3, 152\_X\_03\_02 rev P3, 152\_X\_03\_03 rev P3.

Demolition drawings: 152\_D\_01\_01 rev P4, 152\_D\_02\_01 rev P3, 152\_D\_02\_02 rev P3.

Proposed drawings: 152\_A\_00\_01 rev P3, 152\_A\_00\_01 rev P5, 152\_A\_01\_01 rev P8, 152\_A\_01\_02 rev P7, 152\_A\_02\_01 rev P5, 152\_A\_02\_02 rev P6, 152\_A\_02\_03 rev P5, 152\_A\_02\_04 rev P6, 152\_A\_03\_01 rev P5, 152\_A\_00\_01 rev P5, 152\_A\_03\_02 rev P5, 152\_A\_03\_03 rev P5, 152\_A\_03\_04 rev P6, 152\_A\_03\_05 rev P6, 152\_A\_07\_01 rev P6, 152\_A\_07\_02 rev P6, 152\_A\_07\_03 rev P5, 152\_A\_07\_04 rev P6, 152\_A\_07\_05 rev P6, 152\_A\_07\_06 rev P5, 152\_A\_07\_07 rev P5, 152\_A\_07\_08 rev P5, 152\_A\_07\_09 rev P5, 152\_A\_07\_10 rev P5, 152\_A\_07\_11 rev P5, 152\_A\_07\_12 rev P5, PL/101, ME.01 rev C, ME.02 rev C, ME.03 rev B, ME.04 rev B.

Supporting documents: Design and Access Statement ref: 152\_DOC18\_10; Horse Hospital Material Palette; Design response ref: 152\_DOC20\_v1; Heritage Statement; Structural Engineering Statement dated 1<sup>st</sup> December 2020; Horse Hospital Rooftop Terrace Signage dated April 2021; Entrance Signage North Yard dated April 2021; Lighting Strategy; Noise Impact Assessment ref: 20110972r1 dated 3<sup>rd</sup> December 2020.

**Recommendation Summary:**

**(i) Grant conditional planning permission subject to S106 agreement**

**(ii) Grant conditional listed building consent**

**(iii) Grant conditional advertisement consent**

<b>Applicant:</b>	<b>Agent:</b>
LabTech c/o agent	Gerald Eve LLP 72 Wellbeck Street London W1G 0AY

## Analysis Information

Land Use Details:			
	Use Class	Use Description	Floorspace (Gross Internal Area GIA sqm)
Existing	N/A		424
Proposed	Restaurant and drinking establishment (Sui Generis)		424

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

## Executive Summary

- i. The site comprises the external terrace area and ramp of the Grade II\* listed Horse Hospital in the Stables Market, within Camden Town, Town Centre.
- ii. The proposed use as a restaurant and drinking establishment is considered an appropriate town centre use which would attract locals, families and tourists to the market, contributing to the function, vitality and viability of the markets and the Town Centre.
- iii. The proposed canopy would alter the appearance of the heritage asset and would be visible in its setting, but is not considered to cause harm to the significance of the listed building, wall or ramps which are included within the listing. The significance of these assets derives from their architectural interest and intactness, as a fine example of 19th Century industrial stabling with interior fittings; and their historic interest and group value. These elements would not be harmed by the proposals. Likewise, the development would not harm the character and appearance of the Regents Canal Conservation Area.
- iv. The objections received relate principally to the previous management of the first floor of the Horse Hospital, the resultant noise and disturbance to local residents from the use, patrons leaving the site and anti-social behaviour, and the potential for the proposed use to result in the same impacts. It is recognised that the previous occupier of the first floor was operating in breach of a number of their

conditions, but with proper management and controls, officers are satisfied that the proposed development could be operated whilst preserving the amenities of nearby residents.

- v. As such, should permission be granted, it is recommended that it is subject to a S106 legal agreement securing a full Operational Management Plan (OMP) for approval prior to commencement of use. Hours of operation and noise controls would be secured by planning condition.

## Officers' Report

**Reason for Referral to Committee: Consideration of any application which, in the view of the Director of Economy, Regeneration and Investment, should be considered by the Committee [Clause 4]**

### 1 Site

- 1.1 The application site covers an area of 424 sqm and comprises the external terrace area and ramp of the Horse Hospital in the Stables Market. The Horse Hospital is Grade II\* Listed, and the Chalk Farm Wall and ramps are included within the listing.

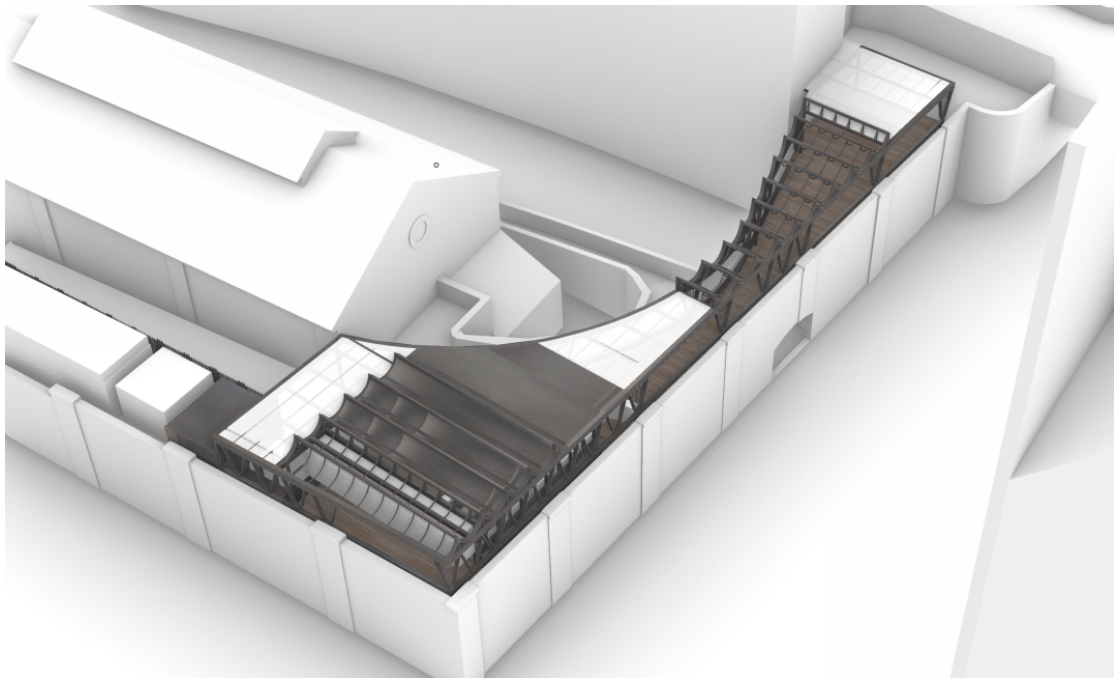


*Figure 1 – Application site*

- 1.2 The site is located within the Regents Canal Conservation Area and sits within the Stables Market which contains a number of listed buildings and historic buildings which make a positive contribution to the conservation area. The markets comprise a mix of uses including market retail, food and beverage and restaurant uses, leisure uses and employment floorspace. The nearest residential use is located opposite the site to the upper floors of the properties on the north side of Chalk Farm Road.
- 1.3 The application site is also located in the Camden Town, Town Centre, Camden's largest Town Centre, and contributes as part of the wider commercial character of the Stables Market which has a mix of retail, food, event, and other commercial uses.
- 1.4 The site has an excellent Public Transport Accessibility Level (PTAL) of 6a. The nearest London Underground Station is Camden Town which is located approximately 380m to the south and Camden Road Overground Station is located 650sqm to the east. Numerous bus routes serve Chalk Farm Road.

## 2 The Proposal

- 2.1 Planning permission and listed building consent are sought for the installation of a new external bar and canopy structure across the terrace at first floor level and the use of the terrace as a restaurant and drinking establishment.
- 2.2 The new use would be operated in association with the ground floor restaurant and drinking establishment space recently granted planning permission in the Horse Hospital, and the first floor immersive theatre space, drinking establishment and ancillary event space on which a resolution to grant was recently made at Planning Committee (see history section below).
- 2.3 Associated works include the installation of a new plant equipment enclosure, new flooring, lighting, and planters.
- 2.4 Advertisement consent is sought for the installation of three signs to the eastern elevation of the canopy fascia overlooking the North Yard and Makers Alley, and one externally illuminated sign above the entrance archway into the North Yard.



*Figure 2: Proposed aerial view of canopy*

### Revisions

- 2.5 The proposals were amended during the course of the application to incorporate the following revisions:
  - Change in the proposed material of the canopy structure from a copper colour to a blackened steel patina finish.
  - Change in the roof material from polycarbonate to glass.
  - Removal of two proposed fascia signs from the western elevation overlooking the petrol filling station and one from the northern elevation overlooking Chalk Farm Road.

- Removal of projecting hanging sign and lamp from the North Yard Entrance.
- Change of proposed flooring from a grey to walnut coloured timber composite decking.

### 3 Relevant history

#### Horse Hospital

- 3.1 A canopy structure and external bar have been installed at the site for several years (although they have now been removed); however, these were installed without the benefit of planning permission or listed building consent.
- 3.2 **2020/4731/P** – Use of the first floor as an immersive theatre space, drinking establishment with ancillary events (sui generis). Resolution to grant conditional planning permission subject to S106 agreement at planning committee on 04/03/2020, pending completion of S106 agreement.
- 3.3 **2020/4732/P** - Change of use of two ground floor units from restaurant and retail use to use as a restaurant and drinking establishment space with ancillary events (sui generis). Conditional planning permission granted 17/03/2021.
- 3.4 **2020/4269/P & 2020/4300/L** - Alteration works to the external elevations of the Horse Hospital, including replacement fire escape doors, bird perching deterrents, varnished timber windows, replacement of existing first floor level awning and 3 x additional wayfinding signs. Granted 09/11/2020.
- 3.5 **2016/4733/P & 2016/5329/L** - Change of use of units 87 & 93 from retail (Use Class A1) and Sui Generis to Restaurant (Use Class A3), external alterations including installation of replacement mechanical and ventilation equipment. Granted 13/12/2016.
- 3.6 **2016/3606/P & 2016/3812/L** - Alterations to front elevation of Horse Hospital Building; sub-division of building into 5 single retail units. Granted 10/08/2016.
- 3.7 **2007/3365/P & 2007/3366/L** - 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). Granted 01/11/2007.

#### Makers Alley

- 3.8 **PEX0100466** - The erection of new market stalls to the rising ramp in front of the Horse Hospital building. Granted 23/10/2001.

#### Camden Goods Yard and Petrol Filling Station

- 3.9 **2017/3847/P** – Redevelopment of petrol filling station site to include the erection of a new building of up to six storeys and up to 11,243 sq m GEA floorspace to accommodate a petrol filling station (Sui Generis use), flexible retail/food & drink floorspace (Class A1, A3 uses), Class B1 floorspace and a winter garden; with

cycle parking, public space, public toilets and other associated works and highways works; all following demolition of existing petrol filling station. Use of part ground/1st floors as a foodstore (Class A1 use) with associated car parking for a temporary period of up to thirty months. Redevelopment of the main supermarket site to include the erection of seven buildings (Blocks A, B, C, D, E1, E2, F) of up to 14 storeys accommodating up to 573 homes (389 market and 184 affordable in up to 60,568 sq m GEA of residential floorspace) together with up to 28,345 sq m GEA non-residential floorspace comprising foodstore (class A1), flexible retail/food & drink (Class A1/A3), office and workshop (Class B1a and B1c), community centre (Class D2), roof level of 'Block B' for food and plant growing/production facility including small scale brewing and distilling (Sui Generis use); with associated ancillary office, storage, education, training, cafe and restaurant activities; together with new streets and squares; hard and soft landscaping and play space; lifts; public cycle parking and cycle hire facility and other associated works, including removal of existing surface level car parking and retaining walls, road junction alterations; all following demolition of foodstore. Granted 18 July 2018.

## **4 Consultation Summary**

### **Statutory**

#### **4.1 Historic England**

- *On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.*

### **Local groups/stakeholders**

#### **4.2 Jeffreys Street CAAC objected, summarised below:**

- The existing Grade II\* Horse Hospital, Stables Yard and surrounding brick wall are fine reminders of Camden's industrial past. The buildings that remain from then are for the most part intact and in recent years have been sensitively restored. The new uses for the buildings have created a vibrant market which has become one of London's major tourist attractions.
- The existing ramshackle stalls and glass screens which presently surround the Horse Hospital destroy the integrity of the protective wall and views of the Horse Hospital positioned behind it. To make matters worse these cheap structures are highly visible from Chalk Farm Road.
- Preferably nothing should appear above the parapet of the wall or interfere with view of the top of the Horse Hospital – the Jeffreys Street CAAC wholeheartedly approves of the proposal to demolish the existing stalls, screen and canopies surrounding the Horse Hospital. What we cannot support is the appalling structure that the applicant intends to build as a replacement.
- The form is completely alien to the industrial structures around it, the top of the Horse Hospital vanishes, the wall is subsumed by this timber and steel structure sited behind it.

*Officer Response*

- *Please refer to section 8 (Design and Heritage) for full assessment.*

4.3 **TRACT** (Tenants Residents Associations, Camden Town) objected, summarised below:

- TRACT has been involved in numerous meetings with both Labtech 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 and both of them using this 'terrace' area inappropriately and without proper permissions and with the knowledge of the landlord.
- 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.
- 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 midnight 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.
- The current application 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.



*Officer Response*

- *Please refer to section 9 (Amenity) for full assessment and section 17 for proposed planning conditions.*

**4.4 Castlehaven Community Association** objected, summarised below:

- This is an outdoor area under a canopy, very similar to a pub garden. The terminal hour should be the same as such premises which is 11/11.30. There should be no live music or films in this area. The site is elevated and all noise will thus travel further.
- Residents will have to deal with any anti-social behaviour as a result of yet another late-night establishment plus the problems of people returning to their cars, loudly talking, slamming doors and often urinating in gardens.
- Objection to the design – a mass of galvanised steel is not an attractive look around these historic buildings.

*Officer Response*

- *Please refer to sections 8 (Design & Heritage) and 9 (Amenity) for full assessment.*

**4.5 Harmood, Clarence, Hartland Residents Association** objected, summarised below:

- The Residents Association (RA) is a member of TRACT and agrees with their objections.
- Unauthorised use – the suggestion that this breach of planning regulations should be forgiven and forgotten with the departure of the previous tenants is disingenuous: it is the responsibility of Labtech to be aware of planning permissions.
- The RA are concerned about the bar and restaurant proposed for the terrace, and especially the bar which will be open until midnight. We are concerned about noise escaping and disturbing residents, but there is a more immediate impact on the three roads making up the RA. Hartland Road immediately opposite is often used for parking and we have suffered from the effects of drunken drivers returning to their cars in the early hours. The terminal hour is midnight, but that still brings drivers back to their cars when children are asleep.
- While we assume that the planning committee will not object to the use of the wall to some degree, we very much hope that you refuse to allow a bar, and if a bar, one that closes well before midnight every night of the week.
- The RA agrees with TRACT in the conditions we would like imposed: that there should be no live music or any music audible from nearby residential properties, no films or events, and no waste or bottle deliveries before 8am or after 9pm.

*Officer Response*

- *Please refer to section 9 (Amenity) for full assessment and section 17 for proposed planning conditions.*

### **Adjoining Occupiers**

- 4.6 The planning application was advertised in the local press on 24/12/2020 and multiple site notices were displayed surrounding the site on 23/12/2020.
- 4.7 There is no statutory requirement to advertise applications for advertisement consent.

### **Letters of objection**

- 4.8 The owner/occupier of 12 Jeffrey's Place (and representative to the Hawley Wharf Client Liaison Group and member of TRACT), objected:
- To my mind everything that Labtech have done to date in and around Stables Market has been of a high visual quality using appropriate materials, in keeping with the industrial character of the site and the listed buildings within. They have "preserved and enhanced" the area and TRACT's only quarrels have been related to the proliferation of alcohol licences.
  - The current proposal is tasteless and vulgar. A mass of galvanised steel, "inspired by contemporary stable design", painted in copper coloured paint, and completely obscuring the Horse Hospital behind.
  - On a technical note, you have never been able to successfully paint galvanised steel, whatever primer was used, the paint rapidly flaking off.
  - I believe that these design proposals will cause irreparable visual harm to the area and the listed buildings adjacent.
- 4.9 Four objections were received from residents of Harmood Street, Ivor Street and Gilbeys Yard, summarised below:
- The design is unimaginative, ugly and cheap in appearance and completely hides the Horse Hospital behind it. It won't wear well and the colour bears no relation to the brickwork behind it.
  - Support of points raised in TRACT's letter, and the conditions suggested should be observed.
  - This proposal would completely obscure the main building, and make permanent the harm to its heritage quality that are caused by the temporary stall structures. This complete obscuring would cause substantial harm to the setting of this grade II\* structure, which is not offset by any public benefit from the development.
  - Previous conditions were never adhered to or enforced.
  - Please keep the people and event activity off the wall. It is meant to contain the market for residents.

### ***Officer Response***

- *Please refer to sections 8 (Design & Heritage) and 9 (Amenity) for full assessment.*

## **5 Policies & Guidance**

### **5.1 National Planning Policy Framework 2019**

### **5.2 NPPG**

### **5.3 The London Plan 2021**

### **5.4 Mayor's Supplementary Planning Guidance**

### **5.5 Camden Local Plan (2017)**

- A1 Managing the impact of development
- D1 Design
- D2 Heritage
- D4 Advertisements
- TC2 Camden's centres and other shopping areas
- TC4 Town Centre Uses
- TC6 Markets
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development

### **5.6 Supplementary Planning Guidance**

Amenity CPG 2021  
Town centres and retail CPG 2021  
Transport CPG 2021  
Adverts CPG 2019

**Regents Canal Conservation Area Appraisal and Management Plan 2008**

## 6 Assessment

The principal considerations material to the determination of this application are considered in the following sections of this report:

7	<b>Land use</b>
8	<b>Design and Heritage</b>
9	<b>Amenity</b>
10	<b>Advertisements</b>
11	<b>Biodiversity</b>
12	<b>Transport Considerations</b>
13	<b>Community Infrastructure Levy (CIL)</b>
14	<b>Conclusion</b>
15	<b>Recommendations</b>
16	<b>Legal comments</b>
17	<b>Planning Conditions</b>
18	<b>Planning Informatives</b>
19	<b>Listed Building Conditions</b>
20	<b>Listed Building Informatives</b>
21	<b>Advertisement Conditions</b>

## 7 Land Use

### *Policy framework*

- 7.1 The application site is located within Stables Market in Camden Town, Town Centre where Policy TC2 (Camden's centres and other shopping areas) seeks to promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. The policy aims to protect and enhance the role and unique character of each of Camden's centres; provide for and maintain a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice.
- 7.2 Policy TC4 (Town centre uses) seeks to ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. In doing so, the Council will consider the effect of development on shopping provision and the character of the centre in which it is located; and the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses.
- 7.3 Policy TC6 (Markets) seeks to promote and protect markets in Camden by resisting the permanent loss of market uses unless comparable replacement provision is made or there is no demand for continued market use; and taking into account the character of the existing market when assessing proposals for the refurbishment and redevelopment of markets.

- 7.4 London Plan policy HC6 promotes the night time economy where appropriate, and particularly in town centres where public transport such as the night tube and night buses are available.

### *Background*

- 7.5 The first floor of the Horse Hospital benefits from a previous permission for mixed use as an art gallery/exhibition space and drinking establishment (sui generis) as permitted under planning permission ref: 2007/3365/P, dated 1 November 2007. The space was formerly operated by Proud Galleries, although has more recently been operated by 'Fest'. The external terrace area which is the subject of the current application has previously been used as an external bar and terrace area for a number of years in association with the approved drinking establishment use of the Horse Hospital, although planning permission and listed building consent were never obtained for the construction of an external bar or the use of the terrace in this manner.
- 7.6 Although the 2007 planning permission did not include the full terrace area within the site location boundary; it is noted that the Premises Licence granted in December 2007 did include part of the terrace area subject to the condition that 'the use of the seating area immediately outside on the terrace must cease by midnight'. Further conditions were added in 2012 requiring no music to be played outside, no consumption of alcohol after 01:00, and the use of the space as a smoking area must cease at midnight. The previous occupiers of the Horse Hospital were in breach of these conditions, using the terrace for events, live music and streaming of sporting events.
- 7.7 A new Premises Licence was approved in December 2020 which included the ground and first of the horse hospital as well as the external terrace. The hours for the supply of alcohol on the terrace were secured by condition and were set at the following:
- Monday to Thursday: 10:00 – 23:30  
Friday and Saturday: 10:00 – 00:00  
Sunday: 10:00 – 22:30.
- 7.8 Planning permission was recently granted for the use of two ground floor units as a restaurant and drinking establishment space with ancillary events (sui generis) (reference 2020/4732/P). A resolution to grant planning permission subject to S106 agreement was also made for the use of the first floor as an immersive theatre space, drinking establishment with ancillary events (sui generis) (reference 2020/4731/P). The proposed terrace and bar, the ground floor units and the first floor would all be operated by the same operator - Hartshorn-Hook Enterprises.
- 7.9 The recent application for the use of the first floor as an immersive theatre space, drinking establishment and ancillary events (sui generis) was considered to be fairly similar to the 2007 permission in terms of land use impacts on the market and was considered an appropriate town centre use which would attract locals,

families and tourists to the market, contributing to the function, vitality and viability of the markets.

### *Assessment*

- 7.10 Planning permission is now sought for the installation of a new bar, canopy and the use of the terrace area as a restaurant and drinking establishment. The existing unlawful structures have been removed on site following the submission of the current application.
- 7.11 Camden Town is the borough's biggest centre with the largest range of shops and services. It is a vibrant centre, internationally renowned as a tourist destination, famous for its extensive range of markets, its wealth of independent retailers and creative industries, as well as legendary music and entertainment venues including the Roundhouse. It is also home to many residents and to numerous businesses, small and large, notably media, cultural and creative industries, attracted by the area's unique atmosphere.
- 7.12 The current proposals for a restaurant and bar will sit alongside the restaurant, drinking establishment and immersive theatre uses within the Horse Hospital which were recently approved or resolved to grant, adding to the vibrancy of this part of the Stables Market and acting as an anchor which will draw people through the market. The proposed use would accord with the intentions of policy TC2 to provide food, drink and entertainment uses to provide variety, vibrancy and choice within Camden's centres. The proposed use would contribute towards the character, vitality and viability of the markets and this part of the major Town Centre.
- 7.13 It is acknowledged that the site has been used for a similar function for a number of years; however, given this was without the benefit of planning permission, the previous use does not form a material consideration that should be weighed in the determination of the current application. Nevertheless, the current application offers the opportunity to impose controls on the previously uncontrolled use and operation of the site to address amenity issues raised by neighbouring residents (impacts on local amenity are discussed in section 5).
- 7.14 In terms of land use, the proposed use is considered to protect and enhance the role and unique character of Camden Town Centre, providing variety, vibrancy and choice for residents and visitors; and would not cause harm to the character, function, vitality and viability of the Town Centre or Stables Market. The proposed use would be appropriate in this town centre location, and would be in accordance with policies TC2, TC4 and TC6 of the Camden Local Plan and is acceptable in this regard.

## **8 Design and Heritage**

### Policy Framework

- 8.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are

proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan is supported by CPG document 'Design' and the Regents Canal Conservation Area Statement.

- 8.2 Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 8.3 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

#### The National Planning Policy Framework 2019 (NPPF)

- 8.4 The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 193-196 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 196 states:

*'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

#### Application site and assessment of significance

- 8.5 The application site is located to the north west corner of the Stables Market, and consists of a long narrow platform at the top of the old roadway to the former Goods Yard, bound by the retaining Chalk Farm Wall to the north, the 1990s wall forming the road to the Morrison's superstore to the west, the railway to the south, and the Horse Hospital ramp to the east. The site is accessed from two ramps – one is the former Goods Yard road, a linear ramp lined with market stalls along the Chalk Farm Road (known as 'Makers Alley'), and the other is a curved ramp originally for horses.
- 8.6 The site is located within the Regents Canal Conservation Area and the 'Horse Hospital with ramps and boundary wall at north of site' are Grade II\* listed. Figure

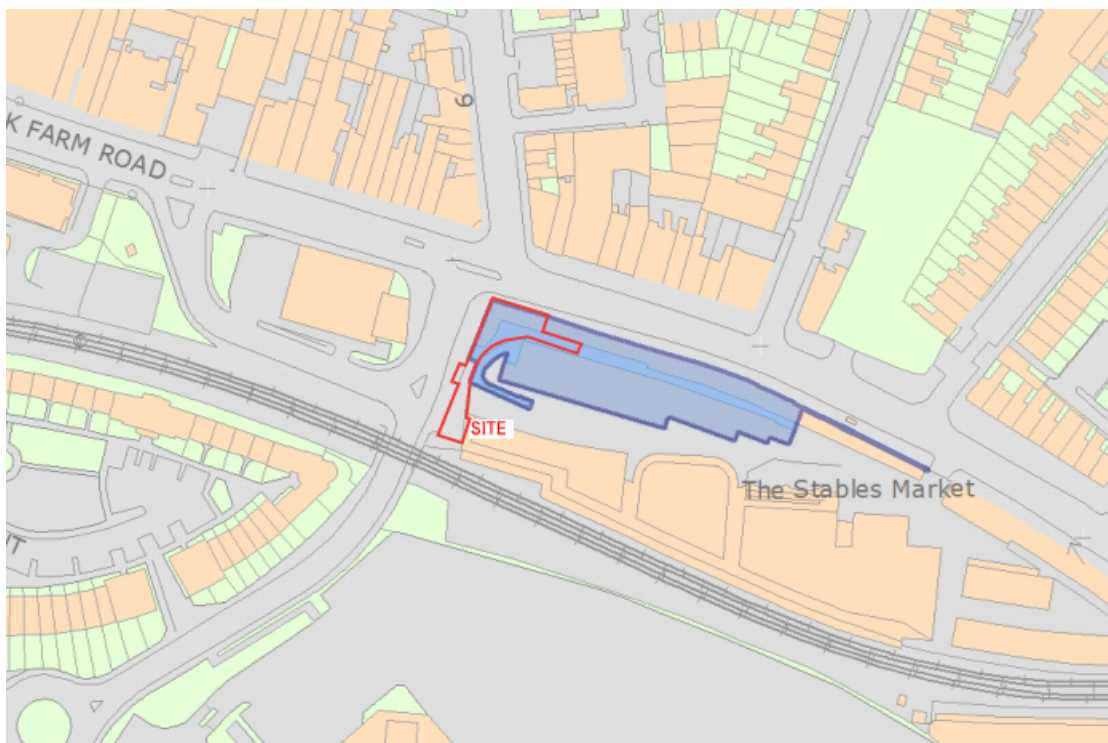
3 shows a map with the designated heritage asset highlighted in blue. The Stables Market was established on the former site of the coal yard and stables of the Camden Goods Depot, which was originally constructed as the London terminus for goods traffic on the London and Birmingham Railway (L&BR), the capital's first inter-city main-line railway and the largest civil engineering project yet attempted in the country.

- 8.7 The building consists of two adjoining ranges. The larger western range was constructed in 1882-3 during the 1880s expansion of the depot to accommodate 92 horses, and further extended by the eastern range in 1897 to accommodate an additional 40 horses. The building is built on a narrow sloping site along the boundary wall to Chalk Farm Road. The building is of yellow stock brick laid in English bond with a pitched slate roof. Details are in red brick, consisting of floor bands, dentilled cornices, segmental window heads and oculi to the end gables of the western range. The two storey southern elevation is stepped back to mark the building phases.
- 8.8 The site was first listed in 1981 and the listing description was updated in 2013. The listing description provides the following as the principal reasons for designation.
- Architectural interest and intactness: a fine example of a 19<sup>th</sup> Century industrial stabling complete with horse ramps and interior fittings, including stalls, mangers and hay racks;
  - Historic interest and group value: an important component of the Camden Goods Depot, one of the most complete groups of 19<sup>th</sup> Century railway buildings and associated canal structures in England.
- 8.9 The Horse Hospital, like the other Stables Market former stable buildings is a utilitarian building, but unlike the other buildings, it exhibits a certain aesthetic intent in its detailing which sets it apart from its neighbours. As well as the elevational treatments already described, it features cast iron pilasters framing openings to the ground floor level south elevation. It is the quality of the external aesthetic in combination with the remaining original interior stables fixtures and fittings which contribute to the building's Grade II\* designation.
- 8.10 The listing description also includes the high boundary wall to the north of the Horse Hospital fronting Chalk Farm Road as a subsidiary feature. It was built in 1854-6 to retain the fill deposited to raise the level of the Camden Goods Depot. The infill between the wall and the horse hospital is topped by a sloping roadway with stone setts and kerbs of stone sleeper blocks from the early days of the railway (the modern stalls which were approved in 2001 and line the northern side of the roadway are not of special interest). At the west end of the building it joins the horse ramp which curves round the western end of the Horse Hospital and gave additional access to its upper storey. The horse ramp has brick retaining walls with stone copings and a stone setted ramp. The curve to the east is a later realignment.
- 8.11 The western boundary wall fronting the Petrol Filling Station upon which the canopy largely sits is not original. In the 1990s, a new road to the supermarket



was created in this location which cut through the boundary wall to provide access from Chalk Farm Road, resulting in the demolition of over 100m of the wall. The new wall is constructed in concrete and faced in yellow brick. As such, this part of the site does not hold heritage significance in itself, but rather as part of the setting of the Horse Hospital by continuing to provide a heavy and robust retaining wall.

- 8.12 In addition to the formal designations, the Horse Hospital also forms part of Camden Market, which has a colourful and eclectic 20th Century cultural history and is now a popular national and international tourist destination. The market is known for its association with the punk and rock scenes that emerged during the 1970s, with the legacy of counter culturalism continuing into the present day.



*Figure 3: Listing map showing GII\* designation in blue. Application site boundary shown in red.*

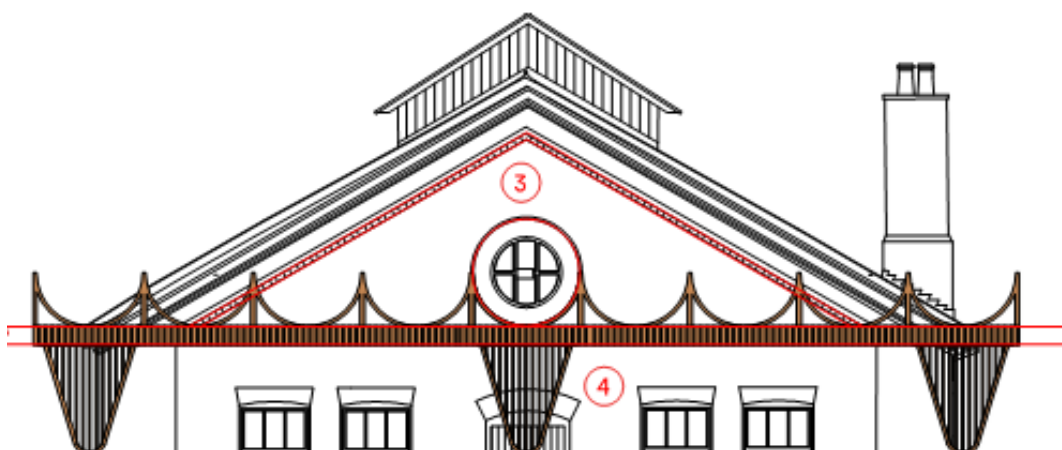
#### Regents Canal Conservation Area

- 8.13 The site is located within Sub Area 1 (Camden Lock, Southampton Bridge to Kentish Town Bridge, Stanley Sidings and the Roundhouse) of the Regents Canal Conservation Area. The Regents Canal Conservation Area Appraisal and Management Strategy describes how the concentration of industrial archaeology along the Camden section of the canal, with its associated railway features is of exceptional interest and quality, unparalleled in London. It is an important feature of historic and visual interest in the wider townscape and, following the decline of traditional canal-related commercial activities, has been increasingly recognised as a valuable resource for water-based leisure activities, for its tranquil seclusion, for its ecological value and its potential for transportation and informal recreation.

- 8.14 The ever changing views, the variety and contrast of townscape elements and the informal relationship between buildings and canal make significant contributions to the character of the canal. Different sections of the canal vary considerably in terms of aspect, level, width and orientation and in the nature and function of adjacent buildings and landscape.
- 8.15 The special character of the area is largely derived from the almost hidden nature of the canal to the west of the site. The surrounding townscape largely turns its back on the canal creating a tranquil space distinct from the business of the surrounding city. This character has in part arisen from the topography of the canal located as it is in shallow cuttings along part of its length and partly as a result of canal side development forming an effective barrier, cutting off views towards the canal.

### Proposals

- 8.16 The proposed development involves the following works:
- The demolition of all existing unauthorised structures on the terrace (these works have been completed on site as part of an associated enforcement investigation).
  - Erection of a new contemporary canopy structure across the western boundary wall associated with the proposed use of the terrace as a bar and restaurant.
  - Installation of a new plant enclosure, lighting, flooring and planting.
  - Installation of new metal screens to improve the appearance of the existing storage space and substation at the top of the old Goods Yard Road, now known as 'Maker's Alley'.
  - Installation of signage to the eastern elevation of the new canopy, and new illuminated signage above the entrance to the North Yard.
- 8.17 The architectural concept seeks to celebrate the history of the site as horse stables, and to extend the well preserved interior of the Horse Hospital (which contributes to the building's significance) to the outside, with a contemporary take on the traditional horse stable design. The architects, vPPR have conducted a thorough analysis of the existing building, the stables within it, the wider markets and the materiality of the site. The rhythms and materials of the historic stable design, as well as the design of contemporary horse stables, have inspired the proposed design which seeks to be lightweight and playful in its design.
- 8.18 In terms of the scale and siting of the canopy, the structure would be set back behind the existing wall parapet and would incorporate v-shaped elements inspired by the design of horse stables which would be positioned above each pier of the wall and provide structural support for the canopy above. The horizontal canopy line would align with the eaves of the Horse Hospital behind, with projecting structural elements above the canopy at certain points to pick up on the rhythms and proportions of the wall and the Horse Hospital and provide a sculptural quality to the structure.



*Figure 4: Diagram of Horse Hospital gable elevation and proposed canopy in front.*

- 8.19 The taller elements are located on the north west corner along Chalk Farm Road where the proposed bar is to be located, and above the entrance to the North Yard to frame the entrance and yard beyond. The height is reduced in front of the Horse Hospital west elevation to avoid blocking views of the listed building from the west, although it is noted that the approved design for the Petrol Filling Station would significantly block most views from the west along Chalk Farm Road if constructed. The canopy is also pulled back from the west elevation of the Horse Hospital to leave a clear separation and more space around the building.
- 8.20 A small enclosed terrace would be created to the north west corner between the bar area and the Chalk Farm Road boundary to break down the mass on the exterior elevation and activate the terrace on the street.
- 8.21 An acoustic wall is proposed to the north west corner surrounding the bar to protect the amenity of neighbouring residents, which would be partially concealed by integrated planters in these locations. Final details and a sample of the wall material would be secured by condition to ensure it is an appropriate quality (condition 3). The final planting proposals and a scheme of maintenance would also be secured by condition (condition 4).
- 8.22 The canopy would be constructed from structural galvanised steel with a blackened finish. A copper colour was initially proposed but this was changed at officers' request to a darker colour which would better complement the palette of the historic listed structures and would provide a better visual link to the industrial heritage of the site. The material and colour would be subtle but have strength, ensuring the canopy would not detract from or dominate existing historic buildings. A sample panel would be secured by condition (condition 3) to ensure a high standard of finish.
- 8.23 The roof of the structure is a mixture of glass, metal and a retractable fabric blind. The glazing and retractable blinds give the structure more transparency and

permeability. Final details and samples of the materials shall be secured by condition (condition 3).

- 8.24 New composite timber decking is proposed to replace the existing astroturf and decking in a rustic walnut colour. The applicant was encouraged to explore the option of exposing the existing granite setts on the terrace; however, following the removal of the existing temporary structures on the terrace, it was established that the floor levels were very varied, with a level change of approximately 900mm across the site, and that much of the surface to the southern end was a mixture of concrete and crazy paving. Officers considered whether it would be preferable to retain the existing setts and provide a new stone floor to replace the concrete, but the removal of the concrete would likely cause damage to the listed wall, and the existing granite setts are very uneven. Relaying a new and level stone floor above the setts was also considered but would also likely cause significant and permanent damage to the remaining setts. As such, the installation of new timber composite decking is considered the most appropriate solution in this instance, as it would be fully reversible, would not damage the remaining historic fabric, and would clearly be a modern intervention.
- 8.25 The canopy structure itself would be supported by a series of pad foundations beneath the cobblestones at the base of each structural column. The granite setts would be carefully removed for the pad foundation and then re-laid above them to preserve the historic fabric. Other than these, the pergola is freestanding and there are no other interventions into historic fabric. A new steel raft is proposed beneath the new decking to provide a level base.
- 8.26 The proposals include new screening to mask the storage space and substation at the top of Makers Alley which would provide a significant improvement to the appearance of this area of the listed building. A new screen composed of vertical slats in keeping with the horse stable concept would conceal the substation, storage areas and plant units behind. The slats have varied profiles with v-shaped patterns, and metal planters in front. The proposal is for grasses and other robust plants but final planting details shall be secured by condition (condition 4).

#### *Signage and lighting*

- 8.27 Signage would be incorporated into the horizontal band of the canopy, with signs to the eastern elevation which face the North Yard and Makers Alley. The proposals originally included outward facing signs on the Chalk Farm Road elevation and the Juniper Crescent elevation, but these were removed at officer's request. A new externally illuminated sign is also proposed above the entrance to North Yard to replace the existing sign in this location, with extruded metal lettering. The signage location, design and size is considered appropriate and would not dominate the listed wall or buildings with its simple design. The font would match Labtech's wider signage strategy within the markets and as such, would be in keeping with the existing aesthetic. The illumination of the North Yard entrance sign would be fairly low level (not exceeding 600cd/sqm in accordance with Camden's Advertisements CPG) which would ensure the signage remained discreet.

- 8.28 The proposed lighting scheme includes a combination of amenity and architectural accent lighting, with a mixture of soft uplighting to the canopy elevations, shielded wall lights to pathways, and feature lighting integrated into the planters and handrails. Final details would be secured by condition 9. The entrance lighting into North Yard would be improved with the replacement of the existing floodlights with a new shielded wall light which would produce a softer light.

#### *Heritage improvements*

- 8.29 The proposals include the removal of the existing harmful timber and Perspex balustrade from the Horse Hospital gable entrance platform to the western elevation, and the reinstatement to its original form. The existing timber decking in this area would also be removed to reveal the historic granite setts.
- 8.30 Around the corner, the proposals would provide significant improvements to the appearance of the top end of Makers Alley. The existing timber deck and steps would be removed to reveal the historic ramp and granite setts, and the existing timber pergola structure which is fixed to the west elevation of the Horse Hospital would be removed. The new screens would shield views of the existing substation and storage areas which is welcomed. Other than the screens, which are welcomed, these improvements could otherwise be secured through enforcement action and so limited weight should be attached.

#### Design and Heritage assessment and conclusion

- 8.31 The proposed canopy would add an artistic and sculptured structure to the north and western elevations of the site. Views of these elevations will be altered, however these views are not of high significance. Furthermore, the structure has been designed to complement the existing architectural and historic characteristics of the horse hospital and surrounding structures.
- 8.32 The new canopy and bar would not involve any intervention to the main building. The setting of the Horse Hospital would undoubtedly be altered, but it is not considered to be harmed by the proposals, nor would the proposals harm its significance. The significance is considered to derive predominantly from the building's architectural interest and intactness, including original internal fixtures and fittings, and the historic interest and group value derived from being part of a group of 19<sup>th</sup> Century railway buildings. These features would not be harmed or impacted by the installation of a new canopy in the setting of the listed building. The structure has been designed to be erected independently from the historic boundary wall, so that the existing historic fabric will not be harmed. The historic wall is very large and robust, and would retain its visual prominence.
- 8.33 The proposed development would deliver a number of heritage improvements, including the removal of harmful modern interventions and improvements to the existing structures at the top of Makers Alley. In addition, the development would result in this area becoming a better utilised and more integrated part of the market, boosting the night time economy in this part of Camden Town Centre.

- 8.34 Furthermore, the site has been used as a market building for a long time, almost 50 years, and this later use could be considered to be of dual significance. The proposed design is playful and would appear almost sculptural yet industrial in appearance, which complements and draws on the existing and historic market character.
- 8.35 The development would be visible within the Regents Canal Conservation Area, but would not harm the character and nature of the canal, or the changing views, variety and contrast of townscape elements which make significant contributions to the character of the canal. Indeed the proposed design would contribute to this variety and contrast of character. As such, the works would preserve the significance of this part of the conservation area.
- 8.36 In summary, the proposed canopy is considered to preserve the architectural and historic significance of the listed building and the character and appearance of the Regents Canal Conservation Area. Although contemporary and sculptural in its design, the proposal would contribute to the eclectic market character of Stables Markets, reference the historic character of the buildings, and the proposals are considered to be in accordance with policies D1 and D2 of the Local Plan. The detail, materials and final execution of the canopy will be critical to its success, and so a planning obligation will be secured to ensure the project architects are retained during construction. Final details and samples will also be required to be submitted for approval by condition to ensure a high quality finish (condition 3).

## **9 Impact on neighbouring amenity**

### Policy review

- 9.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and does not harm the amenity of neighbouring residents. This includes daylight/sunlight, privacy, outlook and noise disturbance.
- 9.2 The nearest residential properties are on the opposite side of Chalk Farm Road to the north at nos. 45-46 and 49 which are located 22m and 21m away respectively. The Morrison's Petrol Filling Station sits to the west of the site which benefits from planning permission for a new six storey building to provide a replacement petrol filling station, flexible retail/food & drink floorspace and business floorspace. The development would not contain any residential floorspace.

### Overlooking / privacy / outlook / daylight

- 9.3 The Council's Amenity CPG advises that to ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed (either residential or non-residential) development. In this instance, the nearest residential windows would

be at least 21m away from the site and as such, use of the new terrace is not considered to result in harmful overlooking of residential occupants.

- 9.4 Likewise, at this distance, although the new canopy structure would be visible from the windows of neighbouring dwellings, it would not materially harm the outlook from these windows or impact daylight / sunlight levels.

#### Noise / disturbance

- 9.5 The principal amenity consideration would be the potential impact of noise and disturbance arising from the new bar and restaurant and use of the terrace.
- 9.6 Objections have been received in relation to hours of use, noise from the venue and from customers arriving and leaving, antisocial behaviour, and general disturbance arising from the formal use of the terrace as a bar and restaurant. Reference has also been made to disturbance arising from the previous use of the Horse Hospital and unlawful use of the terrace area by the previous tenants.
- 9.7 By way of background, planning permission was granted for the change of use of the first floor from retail to a mixed use comprising art gallery / exhibition space and bar (sui generis) in November 2007 subject to a number of conditions controlling hours of use (0800 to 0100), noise standards, the installation of a sound-limiting device, and the requirement for a management plan to reduce noise and disturbance. Despite planning conditions restricting the hours of use until 1am, a Premises Licence was granted allowing the sale of alcohol until 2am and opening hours until 2:30am on Thursdays to Saturdays (the planning and licensing regime consider different matters so it does not always follow that they would impose the same controls). The premises were operated until 2:30am in breach of the planning condition. It is noted that the applicant has submitted an application for a premises licence for the first floor for the same hours of alcohol sale and opening times as previously approved by Camden's Licensing Team in 2007 (until 2am/2.30am), and this was recently approved on 8 December 2020. A premises licence for the terrace has also been approved permitting the sale of alcohol until 23:30 on Mondays to Thursdays, 00:00 on Fridays and Saturdays and 22:30 on Sundays.
- 9.8 Two planning applications were recently presented to planning committee for the use of two ground floor units and the first floor as a restaurant, drinking establishment, and immersive theatre. The proposed uses were considered acceptable in land use terms provided they are properly managed and do not result in the same disturbance as previously occurred. It is recognised that the previous occupier of the first floor was operating in breach of a number of their conditions, but with proper management and controls, officers were satisfied that the proposed development could be operated whilst preserving the amenity of nearby residents.
- 9.9 The proposed use of the terrace would be by the same operator and in association with the approved use of the Horse Hospital to provide an outside seating area for patrons. Objections have been received regarding potential impacts to neighbouring amenity including proposed opening hours, noise

emissions, and concerns about disturbance arising from live music, films or events.

#### *Opening hours*

- 9.10 Permission is sought for opening hours of 08:00 to 00:00 seven days a week. Given the location of the site within a Town Centre, a closing time for the terrace of midnight is considered reasonable and appropriate. Opening hours would be secured by condition (condition 5).
- 9.11 It is noted that the Premises Licence granted in December 2020 set out the following hours for the sale of alcohol on the terrace:
- Monday to Thursday: 10:00 – 23:30
  - Friday and Saturday: 10:00 – 00:00
  - Sunday: 10:00 – 22:30
- 9.12 A further condition requires staff to “actively encourage and disperse patrons” from outside the venue and close proximity of the venue at the end of licensed hours and continue to do this until all patrons have left the area. The difference in hours between Licensing and Planning would therefore allow for the gradual dispersal of customers once sale of alcohol ceases on the terrace.

#### *Noise and disturbance*

- 9.13 An acoustic assessment has been submitted in support of the application by Big Sky Acoustics which assesses the use of the terrace by customers and the impact of the use of speakers. The sound equipment on the terrace will be low level background sound ancillary to the use as a bar and restaurant rather than being for performances or live events. A sound limiting device will be installed and set to pre-set decibel levels to ensure acoustic levels do not exceed limits as agreed by the Council’s Environmental Health Officer (details to be submitted for approval as secured by condition 7).
- 9.14 In terms of noise disturbance from customers entering and leaving the site, given the use as a bar and restaurant, arrivals and departures would be staggered (in contrast, for example, to arrival for a show at a set time). The gradual dispersal of patrons would assist in reduce noise associated with this. The applicant has also advised that noise management procedures would be an integral part of all employee training and will be regularly reviewed. Following the submission of the application, the applicant has also prepared a dispersal strategy to address concerns raised about potential disturbance from patrons leaving the site. To mitigate any impact, the operator proposes to work with market security each night to disperse guests onto the high street via Camden Lock Place, so customers would be travelling through the markets rather than directly out onto Chalk Farm Road. The exit point would be directly onto the busy Camden High Street and down towards Camden Town Station. The exit door by the Petrol Filling Station would be closed at 23:30 except in the case of emergencies. Full details and compliance with the dispersal strategy would be secured as part of an Operation Management Plan secured by S106 agreement (discussed below).



- 9.15 The acoustic assessment demonstrates that the resultant noise level will be significantly below the background noise level at all residential properties and would be in accordance with Camden's noise standards and relevant guidance. The calculations indicate that noise from patron activity on the terrace will be below the Lowest Observed Adverse Effect Level (LOAEL) at the nearest residential properties and therefore compliant with local and national policy. The acoustic assessment has been reviewed by the Council's Environmental Health Officer who confirmed the acoustic report is satisfactory in environmental health terms and there is therefore no objection to the proposed development.
- 9.16 The proposals include the creation of a small terrace area to the north west corner of the site which would face residential properties on the opposite side of Chalk Farm Road, however, access would be restricted for use for private dining with a maximum occupancy of approximately 15 people. Low level speakers are also proposed for this space. Given the limited numbers using the terrace and the control on amplified noise levels, use of this terrace would not result in undue noise disturbance.
- 9.17 Overall, subject to appropriate controls including conditions to control music noise levels (condition 6), the installation of a sound limiting device (condition 7), and an operation management plan (discussed below), potential noise disturbance would be sufficiently mitigated.

*Live music, films or events*

- 9.18 Concerns have been raised by residents about the use of the site for live music, films or events. The proposals is for the use as a bar and restaurant, but the applications for the use of the ground and first floor of the Horse Hospital included ancillary uses such as these, with the intention that the site could be used for corporate hires, filming, fashion shows, pop up restaurants, and music events in fallow periods in between theatre productions.
- 9.19 These uses would operate during the fallow periods between theatre productions in line with the operation management plan to be secured by S106 legal agreement.
- 9.20 Any such uses of the terrace space would be ancillary to its main function as a bar and restaurant, and would need to be operated in line with the same opening hours and controls secured by conditions and the operation management plan. Given the Town Centre location, this is considered an appropriate location for such uses. Any activity that represented a change from the approved use or become such that it was no longer ancillary to the approved use would require further planning permission.

*Lightspill*

- 9.21 An objection was received from TRACT regarding the potential for the illuminated signage to cause visual disturbance to residents on the opposite side of Chalk Farm Road. Since the application was submitted, the proposals were revised to remove the canopy signage fronting Chalk Farm Road and Juniper Crescent, so

that the only signage facing the public realm would now be the signs at the lower level by the North Yard entrance. These signs would not be facing the Chalk Farm Road properties, and given the low level illumination (not exceeding 600cd/sqm in accordance with Camden's Advertisements CPG), the illumination would not result in harmful disturbance of neighbouring properties.

- 9.22 The Council's Environmental Health Officer has also reviewed the submitted lighting strategy and confirmed it sets out a practical approach for the installation of lighting that should not have an adverse effect from their use. Permission would be granted subject to a condition requiring details of measures to prevent glare (condition 9).

#### *Plant noise*

- 9.23 The proposals include the installation of a new plant enclosure at the top of Makers Alley adjacent to the existing substation and storage areas to accommodate future requirements. The proposals do not include the installation of any plant or equipment, nevertheless, permission would be granted subject to the condition that noise levels emitted from plant, machinery or equipment must comply with Camden's noise standards (condition 8), and an informative will be included to remind the applicant of the requirement for separate planning permission and listed building consent.

#### *Operation management*

- 9.24 Should permission be granted, it is recommended that it is subject to a S106 agreement securing a full operation management plan (OMP) for final approval prior to commencement of use. The operation management plan would be a 'live' document allowing for continual review and revision where necessary, and would need to be finalised in consultation with local residents groups and stakeholders. The OMP would be expected to account for the cumulative impact with the ground floor and first floor use, and to cover the following details:

- Details of the maximum occupancy.
- Queue management.
- Details of how the space will be operated and managed.
- Details of notification to neighbouring residents regarding who to contact to report antisocial behaviour or noise disturbance.
- Details of access and egress points to include how customers vacating the premises will be managed.
- Measures to prevent noise and disturbance to neighbouring residents.
- Identifying means of ensuring the provision of a mechanism for review and update as required from time to time.
- Identifying means of ensuring the provision of a mechanism for a review of the plan 12 months after the Occupation Date taking into account consultation with local residents.

- 9.25 Subject to careful management of the premises by an existing reputable operator, the proposed use is considered appropriate in this location whilst

boosting the night time economy and the vitality and viability of the Stables Markets.

### Conclusion

- 9.26 Subject to controls securing the hours of operation, noise management, and operation management, the proposed use as a terrace and bar area is considered acceptable in this town centre location and could be successfully operated without resulting in harmful disturbance to neighbouring residents, in accordance with policy A1 of the Camden Local Plan 2017.

## **10 Advertisements**

- 10.1 The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.
- 10.2 Local Plan Policy D4 (Advertisements) establishes that the Council will require advertisements to preserve or enhance the character of their setting and host building. Advertisements must respect the form, fabric, design and scale of their setting and host building and be of the highest standard of design, material and detail. Furthermore, advertisements will not be considered acceptable where they impact upon public safety.
- 10.3 The proposed signage is considered to be acceptable given the discrete size, design, colour, materials, location, method of illumination and luminance levels.
- 10.4 As such, the proposed display of signage would not have any adverse impact on neighbouring amenity, especially given the modest luminance levels, nor would they be harmful to either pedestrians or vehicular safety in accordance with guidance. The signs would therefore preserve the street scene and character of this part of the Regents Canal Conservation Area, in accordance with Camden Local Plan Policy D4 and related CPG, and are acceptable.

## **11 Biodiversity**

- 11.1 Local Plan Policy A3 seeks to enhance biodiversity. Part d of this policy states that developments will be assessed against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development, proportionate to the scale of development proposed. Part f seeks to improve opportunities to experience nature, in particular where such opportunities are lacking.
- 11.2 The proposals include the installation of a number of planters which will provide significant biodiversity improvements given there is currently no greenery or soft landscaping at the site. Full details of the proposed planting scheme including a species list and a maintenance plan will be secured by condition 4 to ensure the landscaping provides a good mix of biodiverse planting.

## **12 Transport**

### Policy review

- 12.1 Camden Local Plan policies T1 and T2 and the Transport CPG are relevant with regards to transport issues.

### Delivery and Waste

- 12.2 Refuse will be managed in accordance with The Stable's waste collection infrastructure and delivery arrangements will comply with The Stable's loading strategy. The Council's Transport Officer has confirmed this is acceptable and a delivery and servicing plan would not be necessary. Concerns have been raised as to noise disturbance arising from the disposal of empty bottles, but it is noted that this is dealt with under Licensing, and the Premises Licence includes a condition that no empty bottles are to be tipped or thrown into the outside storage receptacles between 23:00 and 08:00.

## **13 Community Infrastructure Levy (CIL)**

- 13.1 The proposal would not be liable for either the Mayor of London's CIL2 (MCIL2) or Camden's CIL as there is no net increase in floorspace over 100sqm or creation of residential units.

## **14 Conclusion**

- 14.1 In conclusion, the proposed use is considered appropriate in this town centre location, and would preserve and enhance the vitality, function and viability of the Stables Market and Camden Town Centre. The development would not cause harm to the significance of the listed building or the character of the conservation area. It is acknowledged that the previous use of the first floor caused disturbance to neighbouring residents, but it is considered that subject to the suggested conditions and operation management plan secured by legal agreement, the proposed development could be operated without resulting in harmful disturbance to residential neighbours. As such, the proposed development is considered acceptable and in general accordance with policies TC2, TC4, TC6, D1, D2, D4, A1, A4 and T1 of the Camden Local Plan (2017), the relevant policies of the London Plan (2021) and the National Planning Policy Framework (2019).

### *Public benefits*

- 14.2 No harm has been identified to heritage assets, but if the committee decides there is harm, there are a number of public benefits that could weigh against that harm:
- Heritage improvements to the appearance of the existing substation and storage areas.
  - Ecology and biodiversity improvements from the additional greening and landscaping of the site.

- High quality architecture.
- Improved activation of this end of the market, boosting the market and night time economy, and supporting the viability of uses within the markets and town centre.

## 15 Recommendation

15.1 Planning Permission is recommended subject to conditions and a Section 106 Legal Agreement covering the following Heads of Terms:

- Operation Management Plan.
- Retention of scheme architects.

15.2 Listed buildings consent and advertisement consent are recommended subject to conditions.

## 16 Legal Comments

16.1 Members are referred to the note from the Legal Division at the start of the Agenda.

## 17 Planning Conditions 2020/5793/P

1	<p><b>Implementation</b></p> <p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p><b>Approved drawings</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>152_A_00_01 rev P3, 152_A_00_01 rev P5, 152_A_01_01 rev P8, 152_A_01_02 rev P7, 152_A_02_01 rev P5, 152_A_02_02 rev P6, 152_A_02_03 rev P5, 152_A_02_04 rev P6, 152_A_03_01 rev P5, 152_A_00_01 rev P5, 152_A_03_02 rev P5, 152_A_03_03 rev P5, 152_A_03_04 rev P6, 152_A_03_05 rev P6, 152_A_07_01 rev P6, 152_A_07_02 rev P6, 152_A_07_03 rev P5, 152_A_07_04 rev P6, 152_A_07_05 rev P6, 152_A_07_06 rev P5, 152_A_07_07 rev P5, 152_A_07_08 rev P5, 152_A_07_09 rev P5, 152_A_07_10 rev P5, 152_A_07_11 rev P5, 152_A_07_12 rev P5, PL/101, ME.01 rev C, ME.02 rev C, ME.03 rev B, ME.04 rev B.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>

3	<p><b>Details and samples</b></p> <p>Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:</p> <p>a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site), including, but not limited to: acoustic wall, retractable blinds, glazed roof, and galvanised steel structure.</p> <p>The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.</p> <p>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.</p>
4	<p><b>Planting details</b></p> <p>Prior to commencement of the relevant works, full details of proposed landscaping including a scheme of maintenance shall have been submitted to and approved by the local planning authority in writing.</p> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>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, D1 and D2 of the London Borough of Camden Local Plan 2017.</p>
5	<p><b>Opening hours</b></p> <p>The use hereby permitted shall not be carried out outside the following times: 08:00 to 00:00.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, D1, A1, A4, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
6	<p><b>Noise breakout</b></p> <p>Music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq), respectively.</p>

	<p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1, A4, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
7	<p><b>Sound limiting device</b></p> <p>A sound limiting device shall be installed, set and locked at a level agreed in writing by the Council prior to the commencement of use of the terrace hereby approved.</p> <p>The sound limiting device shall be permanently retained in accordance with the approved details thereafter.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1, A1, A4, TC1, TC2, and TC4 of the London Borough of Camden Local Plan 2017.</p>
8	<p><b>Noise levels</b></p> <p>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).</p> <p>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.</p>
9	<p><b>Lighting</b></p> <p>Lighting must be in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes for the Reduction of Obtrusive Light'. No external lighting shall be switched on until details have been submitted and approved for measures to prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to use of any external illumination and shall thereafter be permanently retained and maintained in accordance with the details.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies D1 and A1 of the London Borough of Camden Local Plan 2017.</p>

10	<p><b>Retractable blinds</b></p> <p>All retractable blinds must remain open at all times outside of opening hours except for maintenance and during adverse weather conditions.</p> <p>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.</p>
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## 18 Planning Informatives

1	<p>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).</p>
2	<p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <a href="https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319">https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319</a> 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)</p> <p>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.</p>
3	<p>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 &amp; 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.</p>
4	<p>Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which</p>



	this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
5	This permission is granted without prejudice to the necessity of obtaining separate planning permission for any necessary plant and equipment required by the use hereby approved.

## 19 Listed Building Conditions 2020/5850/L

1	<p><b>Implementation</b></p> <p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
2	<p><b>Approved drawings</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>152_A_00_01 rev P3, 152_A_00_01 rev P5, 152_A_01_01 rev P8, 152_A_01_02 rev P7, 152_A_02_01 rev P5, 152_A_02_02 rev P6, 152_A_02_03 rev P5, 152_A_02_04 rev P6, 152_A_03_01 rev P5, 152_A_00_01 rev P5, 152_A_03_02 rev P5, 152_A_03_03 rev P5, 152_A_03_04 rev P6, 152_A_03_05 rev P6, 152_A_07_01 rev P6, 152_A_07_02 rev P6, 152_A_07_03 rev P5, 152_A_07_04 rev P6, 152_A_07_05 rev P6, 152_A_07_06 rev P5, 152_A_07_07 rev P5, 152_A_07_08 rev P5, 152_A_07_09 rev P5, 152_A_07_10 rev P5, 152_A_07_11 rev P5, 152_A_07_12 rev P5, PL/101, ME.01 rev C, ME.02 rev C, ME.03 rev B, ME.04 rev B.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>New work of making good to match original</b></p> <p>All work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.</p>

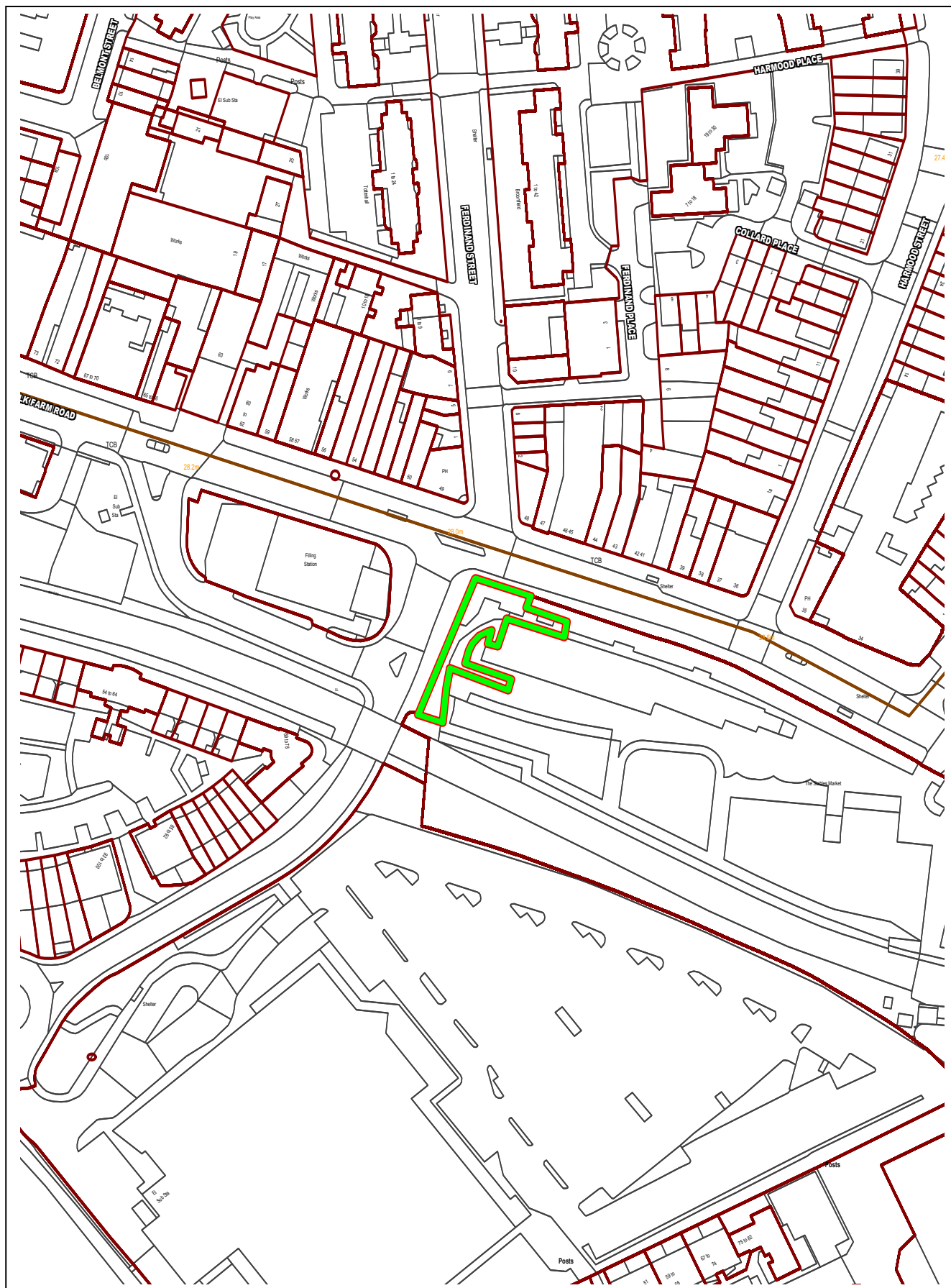
## 20 Listed Building Informatives

1	You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
2	This permission is granted without prejudice to the necessity of obtaining separate listed building consent for any necessary plant and equipment required by the use hereby approved.

## 21 Advertisement Conditions 2020/5789/A

1	<b>Advert not to be displayed without permission of owner</b>  No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.  Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.
2	<b>Advert should not obscure any road traffic sign</b>  No advertisement shall be sited or displayed so as to:  (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle  Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.
3	<b>Advert maintenance</b>  Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.  Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

4	<p><b>Safe condition</b></p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town &amp; Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
5	<p><b>Advert removal</b></p> <p>Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.</p> <p>Reason: - As required by regulation 2(1) and Schedule 2 of the Town &amp; Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
6	<p><b>Advert illumination</b></p> <p>Illumination of advertisements hereby approved shall not exceed 600cd/sqm.</p> <p>Reason: To ensure that the illumination of the sign is not detrimental to the visual amenities of the area in accordance with the requirements of Policy D4 of the London Borough of Camden Local Plan 2017.</p>



**Application Nos: 2020/5793/P, 2020/5850/L & 2020/5789/A**

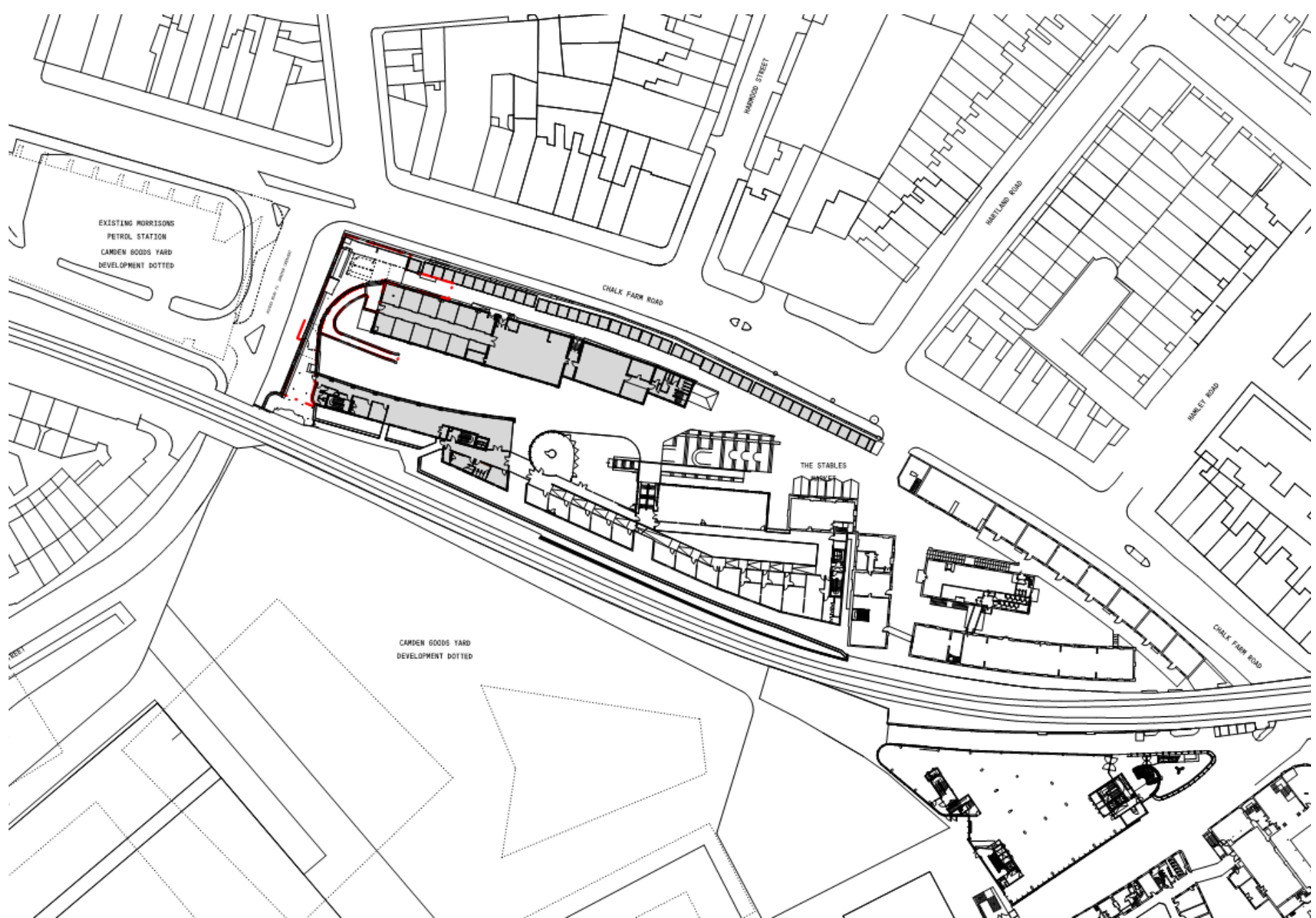
**Horse Hospital, The Stables Market, Chalk Farm Road, London, NW1 8AF**

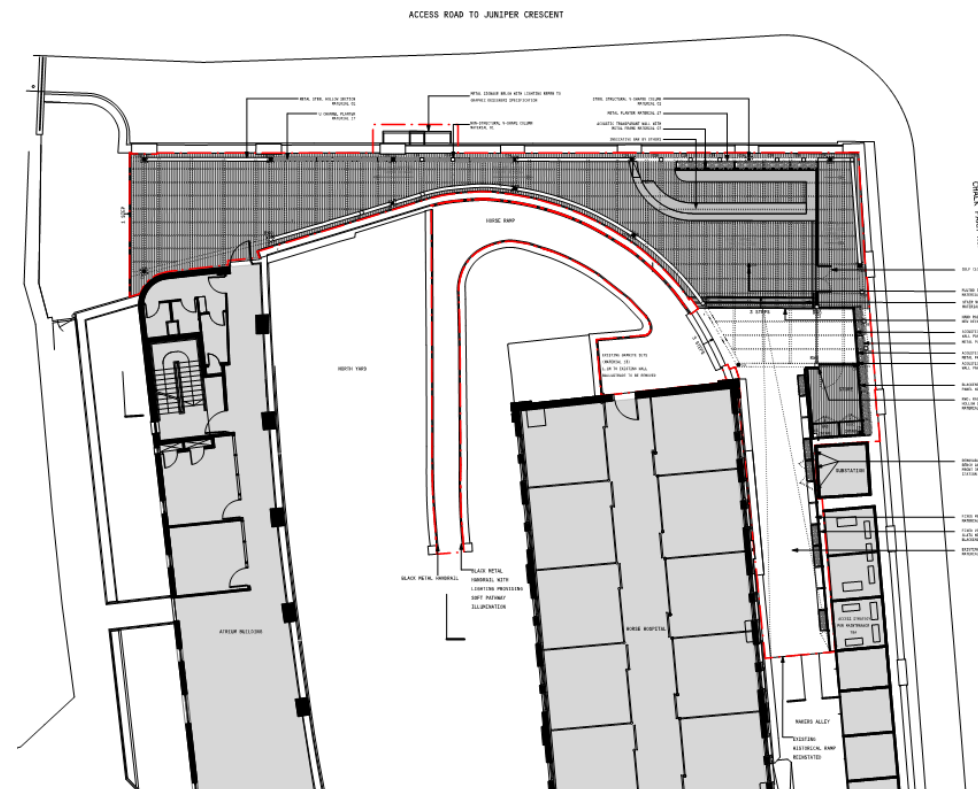
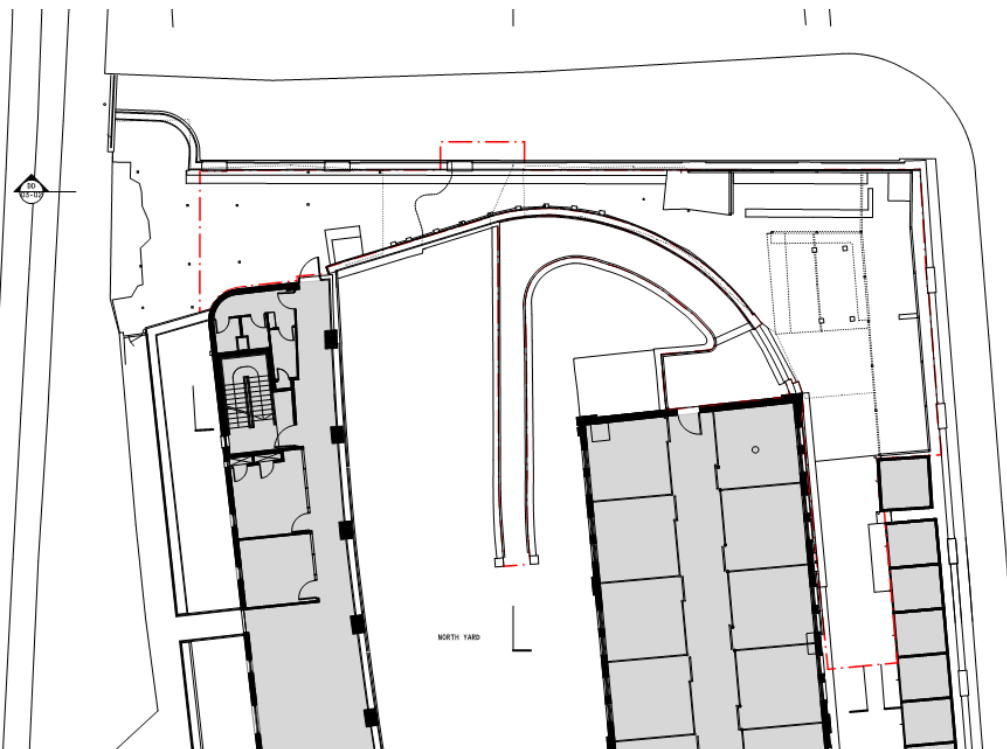
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**Scale:  
1:1527**

**Date:  
19-Apr-21**

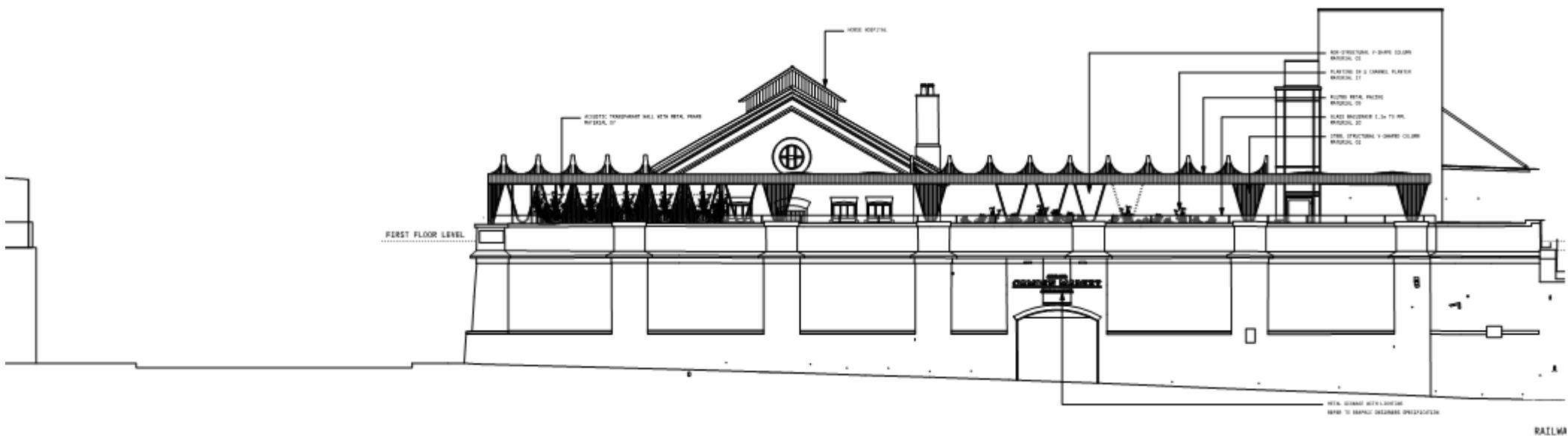
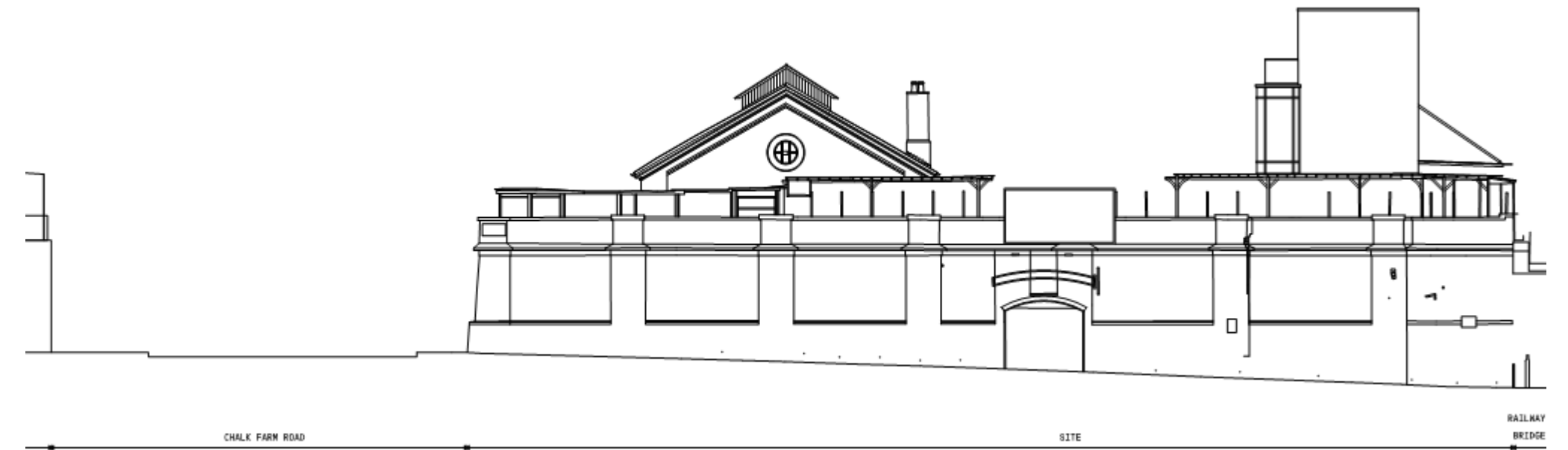




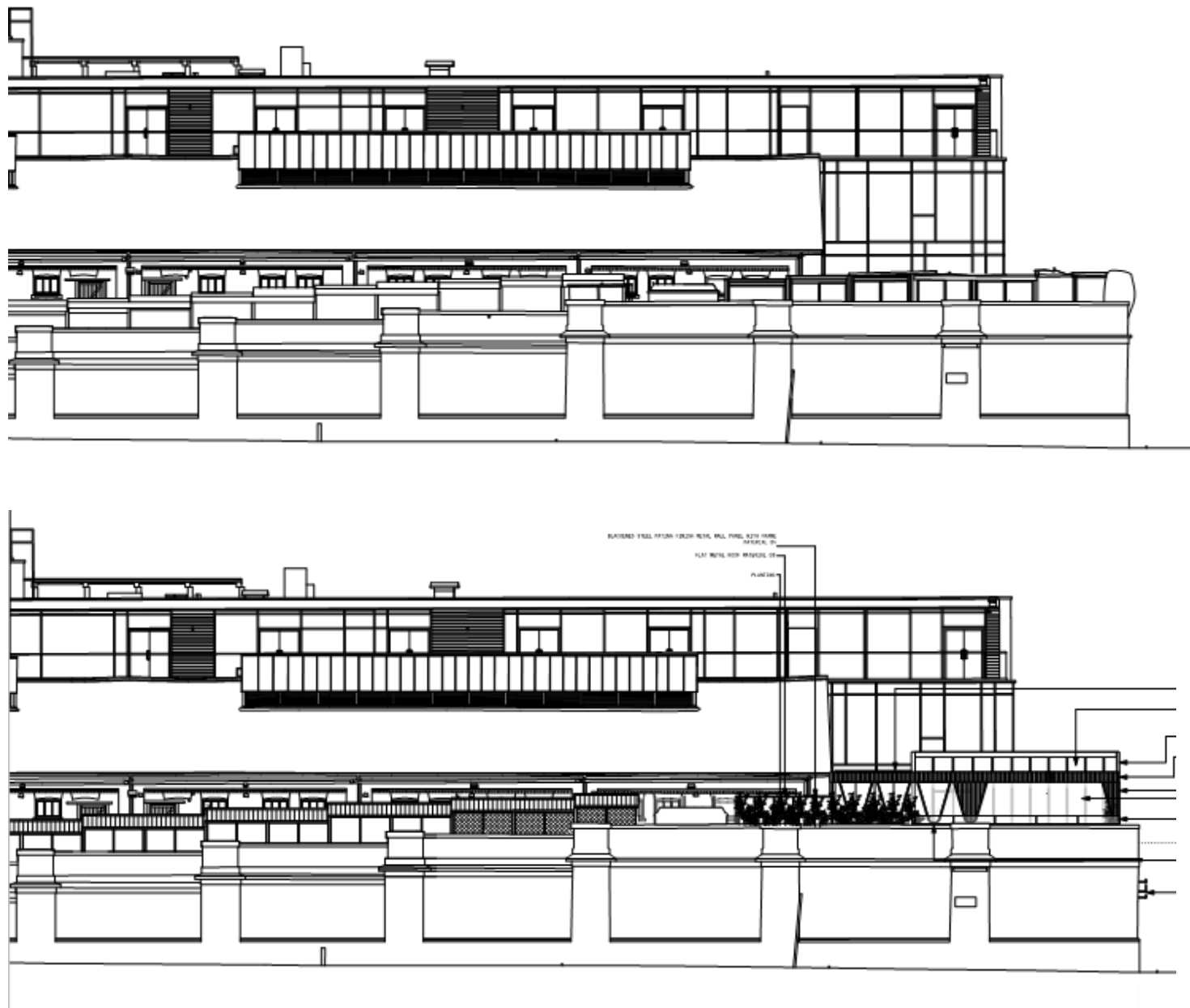




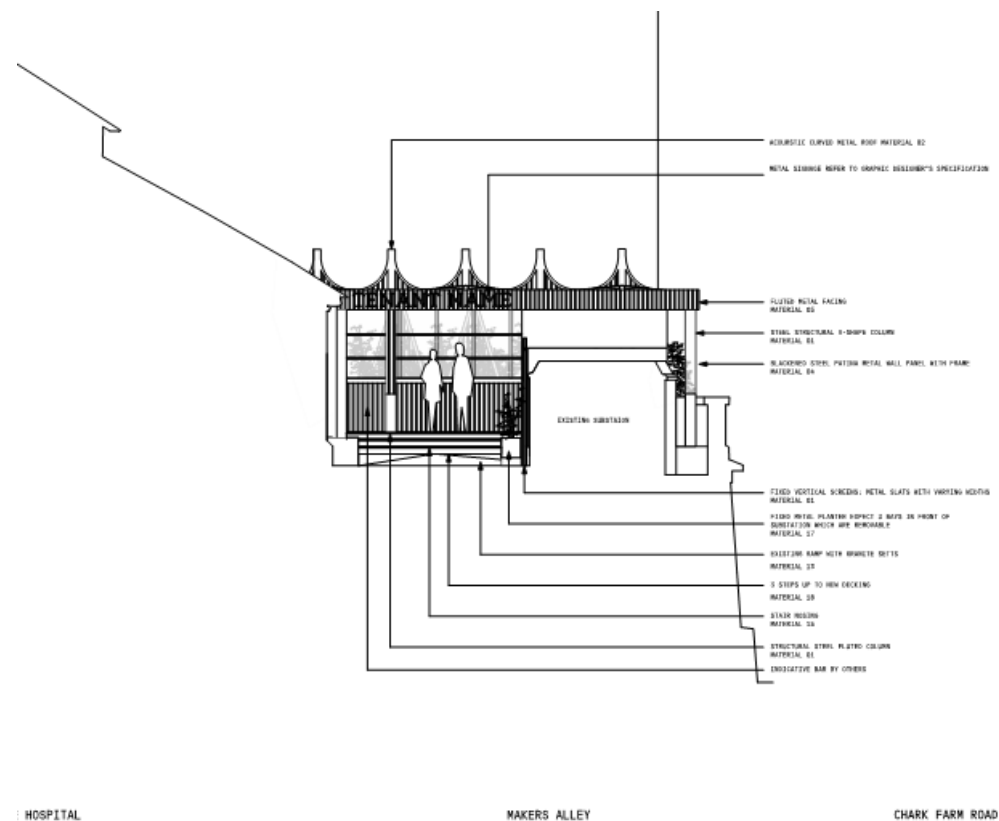
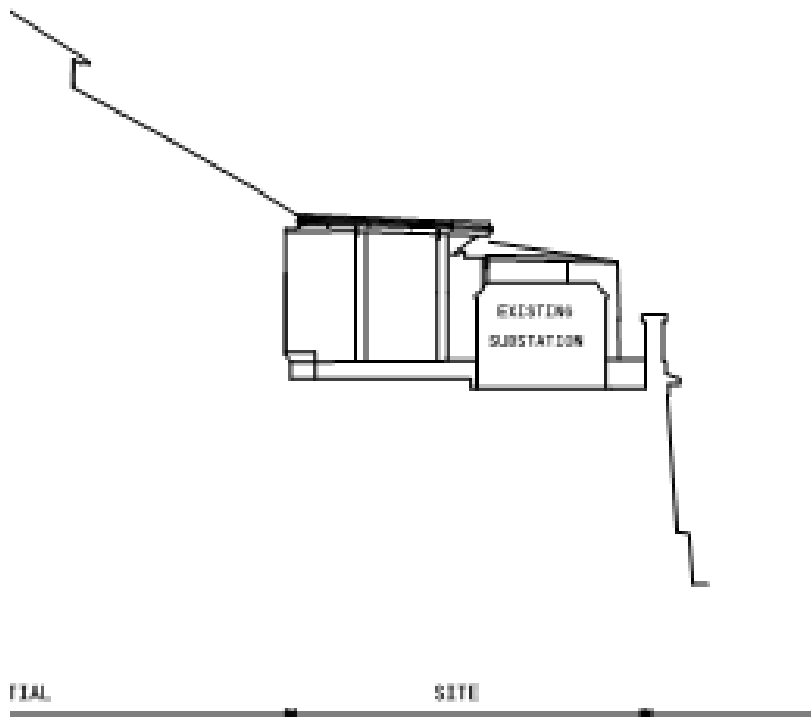
Architectural site plan of the North Yard area. The plan shows a large curved structure with a central 'HORSE RAMP'. The structure is divided into sections with different roof types: 'TRANSPARENT ROOF WITH FALL MATERIAL 06', 'CURVED OPEN METAL PERGOLA WITH RETRACTABLE COVERING MATERIAL 08', 'TRANSPARENT ROOF WITH FALL MATERIAL 06', 'ACOUSTIC FLAT METAL ROOF MATERIAL 03', 'ACOUSTIC CURVED METAL ROOF MATERIAL 02', and 'CURVED OPEN METAL PERGOLA WITH RETRACTABLE COVERING MATERIAL 08'. The plan also shows a 'NORTH YARD' area, a building with a staircase, and a 'FALL' area. A red dashed line outlines the perimeter of the main structure.

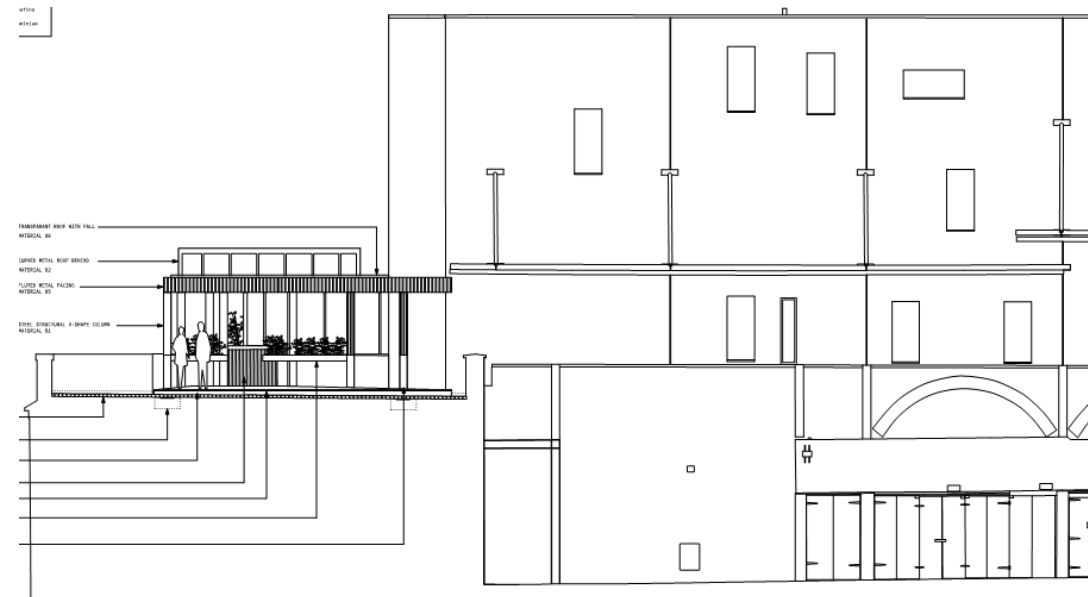
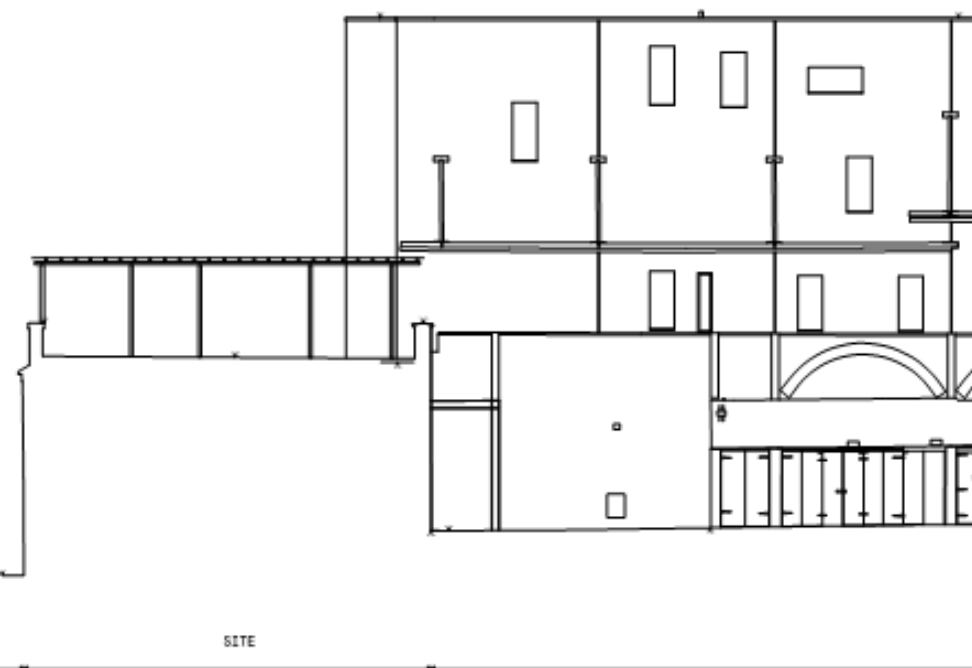


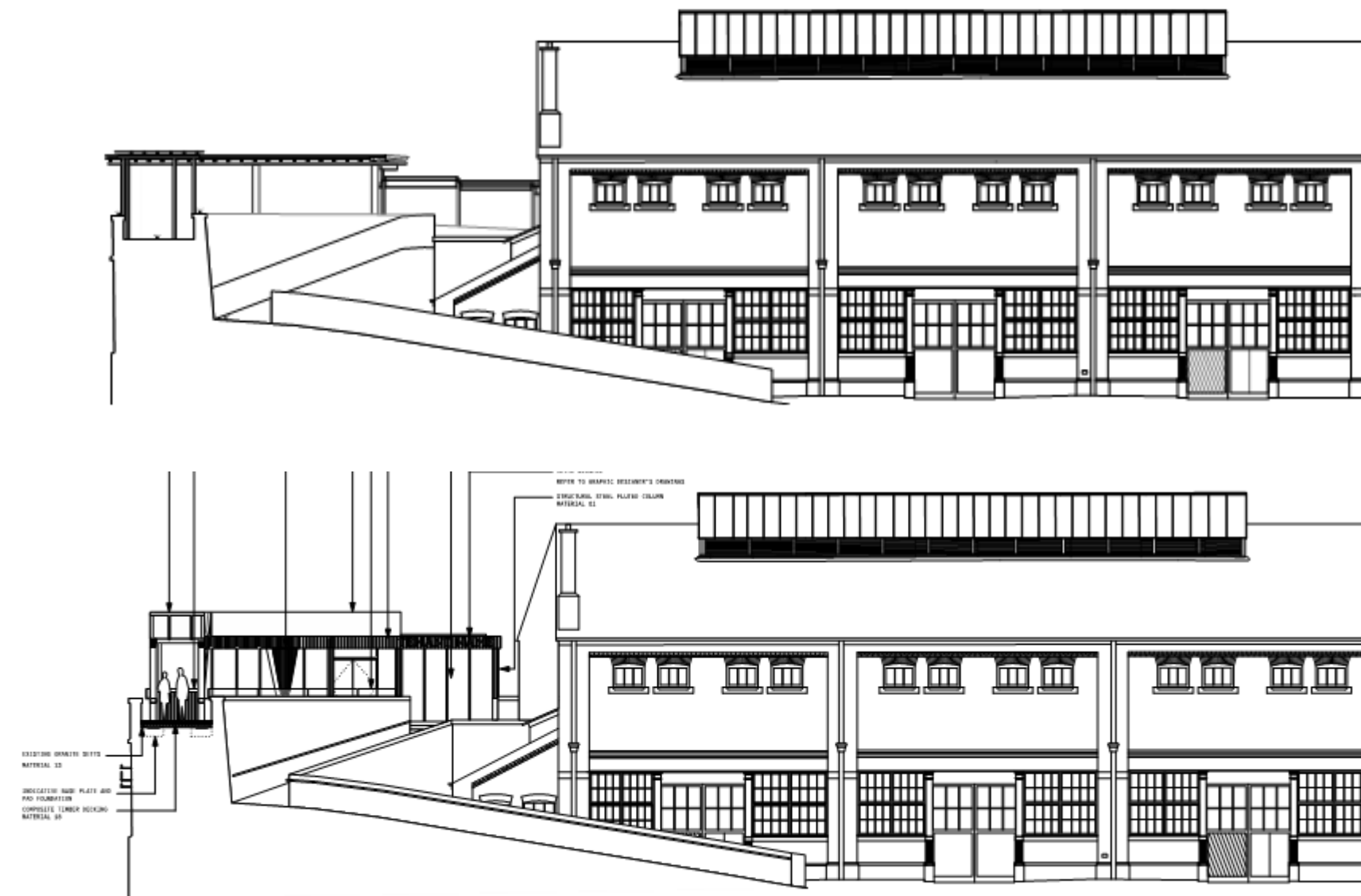


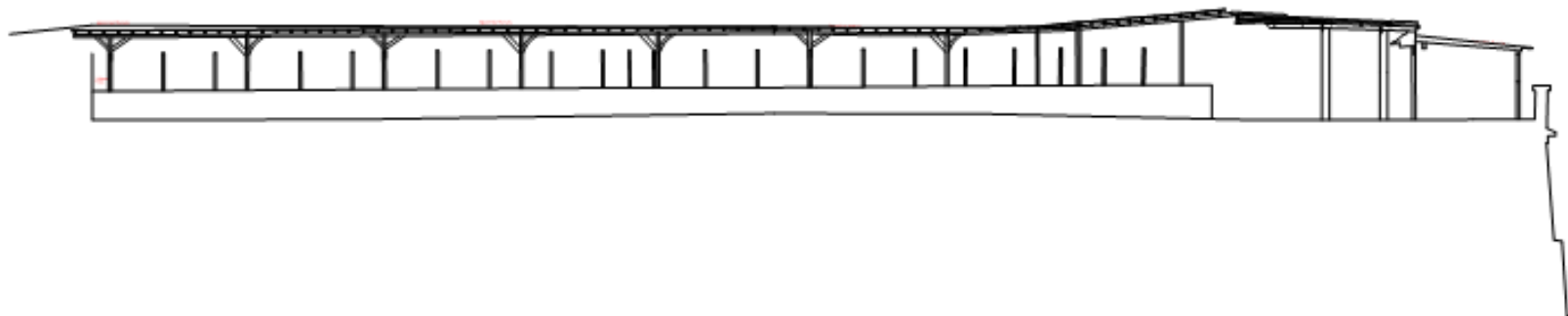








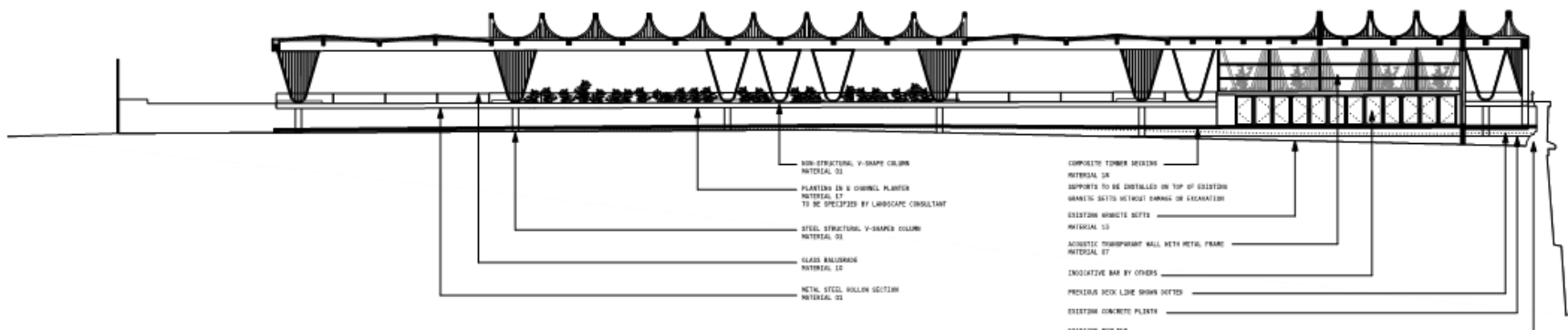




RAILWAY

SITE

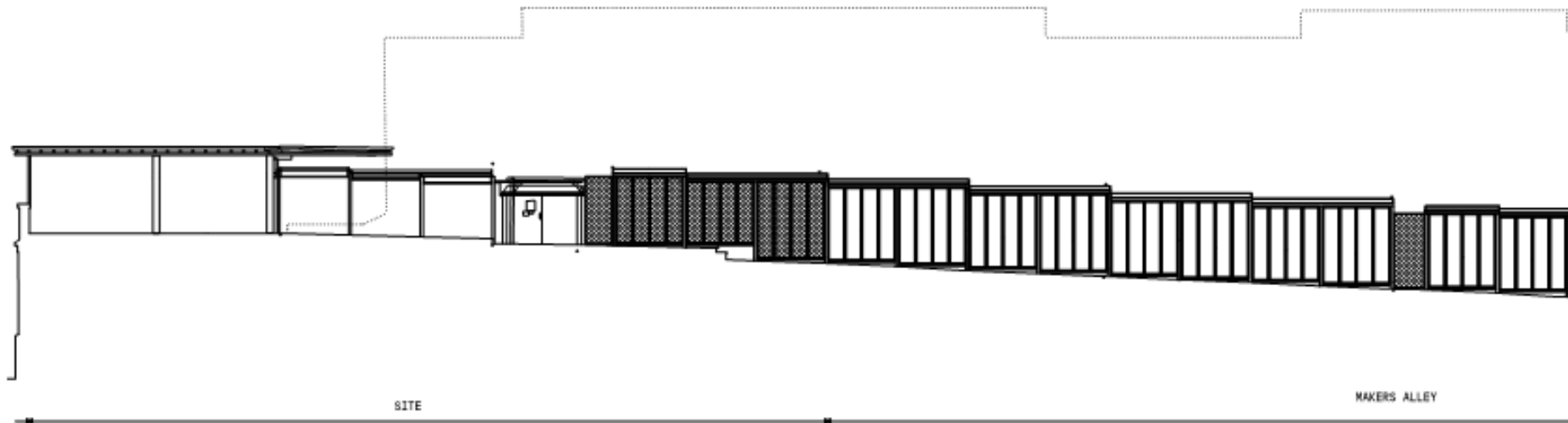
CHALK FARM ROAD



RAILWAY

SITE

CHALK FARM ROAD



EXISTING SITE SECTION FF

