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20 May 2021

**Our ref: LJW/NFD/AKG/AJA/J10003**

**Your ref: 2020/0362/P / PP-09738501**

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)**  
**Retail Arches at Hawley Wharf, Land bounded by Chalk Farm Road, Castlehaven Road, Hawley Road, Kentish Town Road and Regents Canal, London, NW1**  
**Application for Full Planning Permission (retrospective)**

On behalf of our client, Stanley Sidings Limited, (the 'Applicant') we enclose an application for full retrospective planning permission in respect of the: Retail Arches at Hawley Wharf, Land bounded by Chalk Farm Road, Castlehaven Road, Hawley Road, Kentish Town Road and Regents Canal, London, NW1 (the 'Site') for the:

**“Installation of 34 wall mounted speakers (to be used for health and safety announcements only) to the shopfronts at fascia level and associated works [retrospective]”.**

The application Site incorporates retail arches nos: S2, S3, S4, S5a, S5b, S6a, S6b, S8, S9, S10, S11, S12, S13, S15, S17, N5, N6, N7, E1, E2, E3, E4, E5 and E6 located along Water Lane and Hawley Quay at the Hawley Wharf Masterplan Site.

## **Background**

The original planning permission (ref: 2012/4628/P) relating to this development was granted on 23 January 2013 for the :

*“Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, together with associated engineering works to create basements, plant and ancillary works, highways, public realm improvements, car and cycle parking and landscaping, tree removals, and associated works, following the demolition of all buildings across the site including single storey shopfront extensions at 1-6 Chalk Farm Road (excluding 1 Hawley Road and remaining structures at 1-6 Chalk Farm Road). (This application is accompanied by an Environmental Statement and is a redesign of a scheme that was refused on 4 May 2012 [Ref: 2011/4932/P]. Key revisions include: increase in size of public open spaces across the site, reduction in height/bulk/massing to some buildings, reduction in floor space, and new facade designs, particularly along the canal frontage)”.*

The most recent planning permission (ref: 2020/0362/P) relating to the site was granted on 28 October 2020 for the:

*“Variation of various conditions of planning permission dated 23/01/2013 ref: 2012/4628/P amended by planning permission dated 03/12/2018 ref. 2018/1715/P (Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, together with associated engineering works to create basements, plant and ancillary works, highways, public realm improvements, car and cycle parking and landscaping, tree removals, and associated works, following the demolition of all buildings across the site including single storey shopfront extensions at 1-6 Chalk Farm Road (excluding 1 Hawley Road and remaining structures at 1-6 Chalk Farm Road), to reflect various physical and land use amendments to the permitted scheme, to relocate cinema (Class D2) to the northern arches, provision of new family entertainment (sui generis) use in the basement of Building C, including new mezzanine floor, relocation of light industrial (Class B1c) to the basement of Building A1, loss of existing market retail (Class A1), reconfiguration of Buildings A1 and A2 roof terrace seating, variation of condition 10 (cinema plan) and conversion of four market residential units to intermediate residential units and associated works.”*

The development is nearing practical completion and accordingly, this application is submitted as a standalone planning application relating solely to the retail arches.

### **Recent Planning History**

On 17 June 2020 (ref: 2020/1637/P) an application for the following was refused at the site:

**“Installation of 34 wall-mounted speakers to the railway arches' shopfronts at fascia level and associated works [retrospective].”**

In summary, the reason for refusal cited on the decision notice was that the proposals would result in unacceptable harm to the amenity of residents and users in the adjoining Regents Canal area, due to the perceived cumulative impact and noise disturbance posed by the proposed speakers.

In order to respond to concerns raised by Camden in refusing the previous application, the proposals have been altered so that the speakers will be restricted to only providing health and safety announcements. The speaker system is only to be used for emergency announcements and will not play background music or other ambience for the purposes of shopper enjoyment.

### **The Proposals**

The proposals seek to install 34 new wall mounted speakers along the shopfronts of the retail arches within the Hawley Wharf development, to provide the health and safety announcements only along Water Lane and Hawley Quay.

The speakers are proposed to be discrete in scale (245mm high by 188 mm wide by 203mm deep) and will be black to allow them to be sensitively integrated into the arch fascia. All of the speakers will be JBL Control 25-1 model and are of a contemporary, attractive appearance. A hardware noise limiter will be installed, accessible and controllable by the Landlord.

The speakers are designed to be weather resistant and are appropriate for external installation .

The speakers will be of varying heights from the floor, as they will be attached to the shopfront fascia, which are located at different heights depending on the arch to which they are being applied. Although it will depend on the shopfront fascia the speakers will be mounted on the fascia circa 2160mm from ground level and 200mm from the edge of the fascia.

The speakers will be controlled centrally by the landlord to ensure that local amenity is not impacted.

## **Planning Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan consists of:

- i. The National Planning Policy Framework ('NPPF') (as updated February 2019);
- ii. The London Plan, being the Spatial Development Strategy for Greater London (2021);  
and
- iii. The Camden Local Plan (2017).

## **Policy Assessment**

### Amenity

Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours through ensuring their amenity is protected. Noise is a factor that will be considered to protect the local amenity of communities, occupiers and neighbours.

Local Plan Policy A4 seeks to ensure that noise and vibration is controlled and managed. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.

The proposals are in line with Camden's Local Plan Policies A1 and A4 which seek to protect local amenity. A revised Noise Assessment, prepared by Scotch Partners and submitted in support of this application demonstrates that the noise emissions to neighbouring noise sensitive properties are in line with the London Borough of Camden Council guidance and have given due consideration to Condition 54 of the extant Planning Permission (2018/1715/P). Condition 54 is related to limiting noise levels arising from external sources within all habitable rooms. During the night period (23:00 - 07:00) noise levels in habitable rooms shall not exceed 30dB LAeq (8 hours) nor 45dB LAm<sub>ax</sub> (fast). Similarly, noise levels in habitable rooms shall not exceed 35 dB LAeq (16 hours) during the daytime (07:00 - 23:00).

A feasibility check has been undertaken by Scotch Partners and concluded that the noise limits stipulated within Condition 54 of the original Planning Permission can be met by limiting the speakers to emit levels of noise similar to that of a person speaking normally. As the speakers are for emergency announcements only, it is proposed to permit these to be broadcast at levels a little bit higher than this, so that they are intelligible by those that need to understand them. Whilst the speakers are capable of producing relatively high levels of sound, they will be hard limited so that they will not produce their maximum output. This will be controlled centrally by the Landlord. This will protect the existing amenity of local occupiers and neighbours in line with Local Plan Policy A1.

The proposals are therefore considered to be in accordance with Local Plan Policies A1 and A4.

### Design

Camden Local Plan D1 states that the Council will seek to secure high quality design.

The proposed speakers are discrete in design and location and will integrate into the shopfronts, thereby not jeopardising the shopfront designs that have already been approved by Camden under condition 21 (ref: 2019/6215/P).

Therefore, in terms of design, the proposals comply with Camden's Local Plan Policy D1.

## Conclusion

It is considered that proposed development which has been revised to respond to concerns raised by Camden under a previous application, accords with the Development Plan and on this basis, retrospective planning permission should be granted.

## **Application Documentation**

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- A copy of this cover letter;
- Application form and notices;
- Site Location Plan;
- Completed CIL Form;
- Noise Assessment of Arches Speakers, prepared by Scotch Partners;
- Design Pack, prepared by LabTech.

The requisite planning application fee of **£234** (including a £25 planning portal charge) has been paid concurrent to the submission of this application.

We look forward to your confirmation of receipt and subsequent validation of this application. In the meantime, if you have any questions or require anything further, please do not hesitate to contact Anna Gargan (020 75618 7240) of this office.

Yours faithfully



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