



GERALDEVE

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

**FAO: David Fowler**

10 June 2021

Dear Sirs

**Town and Country Planning Act 1990 (as amended)**  
**Unit 1.18-1.21, Camden Market (Buck Street), 192-200 Camden High Street, London NW1 8QP**  
**Application for Planning Permission**

We write on behalf of our client, Camden Lock (London) Limited, to enclose an application for planning permission sought for the conversion of existing container unit (Unit 1.18-1.21) on the Site for a flexible retail and food & beverage use, and installation of associated ventilation equipment.

Planning permission is sought for:

**“Change of Use of existing container unit to flexible retail, and food & beverage use, and associated works.”**

**Application Documents**

In addition to this letter, we submit the following information in support of this application:

- Completed application form;
- CIL Form;
- Site Location Plan, prepared by LabTech;
- Existing and Proposed Floorplans and Elevations, prepared by LabTech;
- Design and Access Statement, prepared by LabTech;
- Ventilation Statement, prepared by Scotch Partners LLP; and
- Extract Fan Specification (included within Design and Access Statement).

**Site and Background**

The Site currently comprises a market use for a temporary period built with transformed recycled shipping containers stacked over three levels. The Site is bound by Camden High Street, Buck Street, Dewsbury Terrace, and Trinity Church.

A market started operating at this site in the 1980s. It fronts Camden High Street though there is also a secondary access on Buck Street. It is the closest market to Camden Town Underground Station and is surrounded by a number of eclectic shops, bars, restaurants and clubs, including The Electric Ballroom.

Similar to many businesses, markets have been deeply affected by COVID and have seen a negative effect on businesses, in part due to the reduction in customer footfall. The market is committed in providing solutions to improve the conditions for visitors and traders alike.

The site is subject to a number of planning designations, which include the Central Activities Zone, Camden Town Centre, Core Retail Frontage and Camden Town Conservation Area, as defined by Camden Local Plan.

### **Relevant Planning History**

From a review of Camden's Online Planning Register, a single relevant planning application is summarised below.

On 24 May 2019, planning permission (2018/3553/P) was granted for the continued use of the Site as a market, consisting of a ground plus two level container market (sui generis) comprising retail, restaurant/cafe, hot food takeaway and ancillary management / storage uses with associated stalls, partial roof canopy, landscaping, lifts, seating and servicing areas for a temporary five year period.

### **The Proposal**

Planning permission is sought for the change of use for existing container unit (Unit 1.18-1.21) to a flexible retail, and food & beverage use, and associated works, on the lower level of the market. The proposed tenant 'Clean Kitchen' is well known on the internet and this proposed conversion will continue to provide a diverse offering at the Market, with the aim of assisting to maintain and improve customer footfall on site and within Camden Town. In turn, this will aim in helping other traders on the Site following the COVID-19 pandemic.

There are no proposed changes to the methods of access to the market. Further details in relation to the proposal are provided in the enclosed Design and Access Statement, prepared by LabTech.

### **The Development Plan**

The statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:

- a) The London Plan (2021); and
- b) Camden's Local Plan (2017)

In terms of planning policy designations, the Site falls within the:

- Camden Town Centre;
- Core Retail Frontage; and
- Camden Town Conservation Area.

### **Planning Considerations**

#### Market Improvements

Policy TC6 of the Local Plan sets out that the Council will seek to promote and protect markets in Camden. In addition, London Plan Policy 4.8 states that support should be given to a range of markets including when enhancing their offer and contribute to the vitality of town centres.

Due to the current COVID pandemic, markets in general have seen a decline in footfall which has had a negative impact on the market vendors. Buck Street Market has and always will have a mixture of sui generis market uses. However, as a result of the pandemic, the face of retail and high street retail has completely changed with a number of retailers struggling to remain open even assistance through suspended rents etc.

The prospective tenant, Clean Kitchen, is keen to take space within Buck Street market on a prominent street frontage which we believe will drive footfall. We are strongly of the view that Clean Kitchen will drive the much-needed interest that bolsters the community of traders at Buck Street and brings greater exposure to the Market and Camden. It also proves the point that Camden has economic growth and is very much a strong proposition for retailers to set up shop, despite the Pandemic and the recession. It is very much a story of hope that the High Street will bounce back.

Although the sui generis use of the market would generally aim to offer the level of flexibility for uses, there is a level of ambiguity as part of the original temporary planning permission on whether such flexibility is afforded to this unit, hence the submission of the planning application. By seeking a change of use for flexible retail and food & beverage use within the unit, it will allow for future flexibility should the market demands change and a drive for retail uses returns.

Consideration should also be given to the introduction of Use Class E. This approach by the government is to assist in providing much greater flexibility to high streets to allow for continued viability in meeting changing customers demands. Although not directly relevant to the Sui Generis Market, it clearly demonstrates the need for increased flexibility within the commercial sector to allow for continued sustainable and viable premises.

The proposal will provide an appropriate use on the existing market site, while providing prospective customers with an increased offering to promote footfall on the Site. In turn, this will help to improve trade on the Site and therefore assist in maintaining the viability of the businesses.

The proposal is therefore considered to protect the viability of the markets during the pandemic whilst also enhancing the offer to customers by providing additional appropriate traders on the Site. Therefore, the proposal complies with Policies TC6 of the Local Plan and 4.8 of the London Plan.

#### Design and Heritage

Policy D1 of the Local Plan seeks to secure high quality design which, inter alia, respects the local context and character, incorporates outdoor amenity space, and is inclusive and accessible to all. Policy D2 sets out that Camden will seek to preserve and enhance heritage assets and their settings, including Conservation Areas.

The proposal will comprise of the change of use of the existing unit, with the only external change being the installation of ventilation equipment to be located on roof level to minimise visual impact.

As such, the proposal is considered to have minimal visual impact on the streetscene and is considered to preserve the character and appearance of the Conservation Area. Therefore, the proposal complies with Policy D1 and D2 of the Local Plan.

## Amenity

### *Noise*

The London Plan aims to reduce noise and enhance soundscapes under Policy 7.15. Camden Local Plan Policy TC4 part (i) sets out that the Council will consider the noise and vibration levels generated either inside or outside the site and the impact of these levels on the character, function, vitality and viability of a centre and amenity of nearby residential uses.

Camden Local Plan Policy A4 states that development should have regard to Camden's Noise and Vibration Thresholds. Supporting text paragraphs 6.102-6.103 states that where food, drink, entertainment and leisure noises may alter the noise environment planning conditions will be used to restrict opening hours.

As part of the original planning permission for the Site, a noise condition was imposed as follows:

**"Before the use commences, the total noise from fixed plant associated with the application site, when at a point 1m external to sensitive facades shall be at least 10 dB(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 is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level."**

The applicant has confirmed that any proposed noise generating equipment would adhere to the condition set out above and would agree to such a condition being imposed on a future decision notice.

Furthermore, to minimise noise impact on nearby residents during the night, the applicant would agree to the same hours of operation being imposed on this proposal as are set for the existing Market. These hours of operation are 08:00 to 23:30 daily.

As such, the proposal will not have an adverse impact on the local area in terms of noise and therefore complies with Policy 7.15 of the London Plan, and Policies TC4 and A4 of the Local Plan.

### *Ventilation*

Camden Local Plan Policy TC4, Town Centre Uses, seeks to ensure that the development of entertainment uses does not cause harm to the character, function, vitality and viability of a town centre. Part (j) specifies that the Council will consider the fumes likely to be generated and the potential for effective and unobtrusive ventilation.

Local Plan Policy A1 part (k) states that the Council will consider impact from odours, fumes and dust to manage the impact of new development. Paragraph 6.22 requires all developments likely to generate nuisance odours to install appropriate extraction equipment and other mitigation measures, which should be incorporated within the building or sited sensitively.

An extract fan is proposed to be installed at roof level, and details of the proposed extract fan have been enclosed within the submission. The proposed extract fan has been specifically located at roof level to avoid

smells from the food related use at street level. Furthermore, a Ventilation Statement, prepared by prepared by Scotch Partners LLP, has been submitted which demonstrates an appropriate ventilation system is proposed to mitigate grease and odours from the proposed use.

Dispersal of cooking odours above roof level would mitigate the potential effects of cooking smells on the surrounding area in line with Camden Local Plan Policies TC4 and A1.

#### **Summary**

The proposal is being brought forward to provide increased flexibility at the market, which will assist in improving footfall and the viability of the existing market.

The proposal is for a temporary period and will be removed upon the cessation of the existing market. Therefore, the proposal is in accordance with the development plan.

We trust that you have all the necessary information to validate this application and we look forward to confirmation of this shortly. If you have any queries, please contact Sam Neal or Gary Brook of this office.

Yours faithfully



**Gerald Eve LLP**