

Application ref: 2021/3516/P
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Development Management
Regeneration and Planning
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Gerald Eve LLP
72 Welbeck Street
London
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United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Arch N6
10 Arches 4-14
Dockray Place
London
NW1 8QD

Proposal:

Change of use of Arch N6 from Class B1(c) (light industrial) use to a Class B2 Brewery (general industrial) use.

Drawing Nos: VX-PP-N001, VX-PP-N002, VX-PP-N003 rev A, Gerald Eve letter dated 16 July 2021, Noise and Ventilation Statement rev 01 dated 9th July 2021, Operation Management Plan dated 12/08/2021.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents, and the use shall thereafter be operated in accordance with the same documents: VX-PP-N001, VX-PP-N002, VX-PP-N003 rev A, Gerald Eve letter dated 16 July 2021, Noise and Ventilation Statement rev 01 dated 9th July 2021, Operation Management Plan dated 12/08/2021.

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

- 3 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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

- 4 The brewery and production use hereby permitted shall not be carried out outside the following times: 08:00 - 21:30.

The ancillary drinking establishment use hereby permitted shall not be carried out outside the following times 11:00 - 21:00.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, A4 and TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

- 5 The supply of alcohol on the premises shall be ancillary to the use of the premises as a brewery, and no more than 33% of the internal floor area shall be used for the supply of alcohol for consumption on the premises.

Reason: In order to protect the business and employment function of the site and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies E2, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The number of persons consuming alcohol on the premises shall be no more than 50 at any one time.

Reason: In order to protect the business and employment function of the site and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies E2, A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The application site benefits from permission to be operated within Class B1c (light industrial) as part of the planning permission granted for the mixed use redevelopment of Hawley Wharf in 2013; however, the site has never operated under this use and remains vacant. Permission is sought to change the use to Class B2 (general industrial) for use as a brewery. The operator would use the site for production and limited distribution purposes, with an ancillary element of brewing and tasting classes, seminars and presentations, and a drinking establishment. The predominant function would be for the production of beer, with the intention of serving local premises within the Camden Market / Hawley Wharf area.

The proposed use would retain an industrial function at the site which is in keeping with the original approval, and is considered to accord with the policy intentions of policy E2 which seeks to protect business sites and industrial premises. The proposed use is similar in nature to the approved use, would also be an employment use providing the opportunity for local employment, and the site is considered an appropriate one for such a use given its location to the northern edge of the masterplan area where it is served by a rear servicing area. As such, the proposals are considered acceptable in land use terms.

The proposals do not include any external alterations and as such, would preserve the character and appearance of the site and this part of the Regents Canal Conservation Area.

The proposals do not include the installation of any plant or machinery, but a noise assessment has been submitted which provides an initial feasibility review of the type of plant that may be installed and which concludes that the Council's noise emission limits could be reasonably achieved with suitable selections and attenuation specifications. An informative is included reminding the applicant that separate permission would be required for external plant.

As there would be no external alterations or extensions, the proposals would not impact neighbouring amenity by way of loss of daylight/sunlight, privacy or outlook. The principal impact on neighbouring amenity would be from deliveries. An Operation Management Plan has been submitted in support of the application which sets out how the site will be operated in relation to deliveries and servicing, hours of operation, and employment and training opportunities. The intention is to provide one delivery / servicing trip per day within the area, and potential impacts would be lessened due to the fact that the site is located at the edge of the Hawley Wharf masterplan site and benefits from an existing rear service yard area and dedicated entrance on to Kentish Town Road. This will ensure that deliveries do not impact the east-west pedestrian route through the site and goods will be unloaded away from Kentish Town Road and straight into the Arches.

2 (cont/) Hours of operation for production would be 8am to 9.30pm, and alcohol service would be from 11am to 9pm on Mondays to Sundays, and these shall

be secured by condition. The drinking element would comprise both tasting sessions and social drinking, with set hours for the tasting sessions and the rest of the time operated as a social drinking establishment for walk in customers. The site would be operated in accordance with the Premises Licence granted on 17 July 2019, which limits the number of persons consuming alcohol on the premises to no more than 50 at any one time. It is noted that a condition attached to the Licence also requires that the supply of alcohol on the premises shall be ancillary to the use of the premises as a brewery, and that no more than 33% of the premises internal floor space shall be dedicated licensable area for the supply of alcohol for consumption on the premises. Permission of the current application shall be subject to the same conditions so that should the future occupier change, the same controls would be applicable.

No responses were received prior to determination and the site's planning history was taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A4, D1, D2, E2 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 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).
- 4 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 & Compliance Team, 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.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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)

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.

- 6 Your attention is drawn to the need for separate planning permission for external plant or extraction equipment and for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer