

Application ref: 2021/5503/P  
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Date: 4 February 2022

**Development Management**  
Regeneration and Planning  
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WC1H 9JE

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[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Rolfe Judd Planning  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**36-38**

**West Street**

**London**

**WC2H 9NB**

Proposal: Full planning application for the dual/alternative use of the ground and basement floors at 36-38 West Street for either continued use as a public house, wine bar, or drinking establishments (sui-generis); as a drinking establishment with expanded food provision (sui-generis) or as a restaurant (Class E(b))

Drawing Nos: 25293: A-001-P1, A-100-P2, A-200-P2, Covering Letter (Rolfe Judd Planning - 09/11/2021)

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 shall be carried out in accordance with the following approved drawings/letter:

25293: A-001-P1, A-100-P2, A-200-P2, Covering Letter (Rolfe Judd Planning - 09/11/2021)

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

- 2 The use as a public house, wine bar, or drinking establishments (sui-generis); as a drinking establishment with expanded food provision (sui-generis) or as a restaurant (Class E(b)) hereby permitted at 36-38 West Street shall not be carried out outside the following times 10:00 to 23:30 Monday to Thursday, 10:00 to midnight Friday and Saturday and 12.00 to 23.00 Sunday.

Reason: To safeguard the amenity of occupiers of adjoining dwellings, in accordance with policy A1 (Managing the impacts of development) of the Camden Local Plan 2017.

- 3 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenity of occupiers of adjoining dwellings, in accordance with policy A1 (Managing the impacts of development) of the Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

Planning permission (2011/1704/P) has previously been granted for the flexible use of the site as a restaurant or public house in connection with the adjoining public house at 142 Shaftesbury Avenue.

The application seeks permission for the dual/alternative use of the ground and basement floors at 36 - 38 West Street for either continued use as a public house, wine bar, or drinking establishments (sui generis); as a drinking establishment with expanded food provision (sui-generis) or as a restaurant (Class E(b)).

The proposed flexible use retains the opportunity for the ground floor to be either an extension of the pub (Sui Generis) use at 142 Shaftesbury Avenue, or in the future should it be required, to operate as a standalone restaurant.

The site is in the Seven Dials Conservation Area. It is not a Listed building and it is not noted as being a 'positive contributor' in the Seven Dials Conservation Area.

The site is located in the Central Activities Zone (CAZ) and the Council's policies state the need to support commercial and other associated uses in the CAZ.

The proposed uses would be in accordance with Camden's Town Centres and Retail CPG (2021) which notes that food, drink and pub uses are an important to the offer of Camden's centres and contribute to their vibrancy and vitality. Restaurants and drinking establishments are also identified as appropriate uses in Policy TC4 (Town Centres) of the Local Plan.

Policy C4 (Public houses) of the Local Plan seeks to retain public houses which are of community, heritage or townscape value. The premises are in use

as an extension to the public house at 142 Shaftesbury Avenue but the existing permission allows the premises to be used flexibly as a drinking establishment or as a restaurant. The proposal effectively seeks to continue such a flexible use and would not result in the loss of a public house per se. The continued flexible use of the premises would not result in the loss of the public house at 142 Shaftesbury Avenue.

Conditions 3 and 4 of planning permission 2011/1704/P apply restrictions to the hours of opening and the playing of music. These conditions were imposed to safeguard the amenity of neighbouring residents from either the public house or a restaurant use.

The same conditions are attached in this case for the same reasons.

(The proposed uses would also be subject to control by the Licensing Department. Effects on the security and amenity of neighbouring residents/the surrounding area would be taken into consideration in any license application).

Any material changes to the external elevations and signage would potentially require and could be controlled by subsequent planning and advertisement consent applications.

The site lies in a highly accessible location and it is envisaged that sustainable transport would predominantly be used. The proposed uses would not result in any significant change to the servicing requirements at the site and there should be no significant or adverse impacts upon the safety or efficiency of the highway.

No objections were received as a result of statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D2, C4, TC2, TC4, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.
- 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 You are advised that the Council's Transport Strategy Team will generally resist the formation of new pavement crossovers if their formation would necessitate an alteration that would be detrimental to an existing Controlled

Parking Zone, which would appear to be the case in the circumstances of this site, as the proposed position of the new pavement crossover is in an existing resident's parking bay. It is recommended that you contact the Council's Transport Strategy Team, Camden Town Hall, Argyle Street, London WC1H 8EQ, (tel: 020-7974 5543) or email [transportpolicyobs@camden.gov.uk](mailto:transportpolicyobs@camden.gov.uk) for further details.

- 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](http://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.

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



Daniel Pope  
Chief Planning Officer