

Application ref: 2021/4305/P
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Date: 21 February 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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planning@camden.gov.uk
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Drawing and Planning Ltd
Mercham House
25-27 The Burroughs
Hendon
NW4 4AR
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Basement & Ground Floors,
16 England's Lane
London
NW3 4TG**

Proposal:

Change of use of basement & ground floor levels of no.16 England's Lane from a health & well-being/therapy clinic (Class E) to a mixed-use wine bar and retail unit selling wines and wine related products (Sui Generis)

Drawing Nos: ENGLA-E001, ENGLA-P101, ENGLA-L001, ENGLA-L101, ENGLA-P000, ENGLA-P001, ENGLA-P002, ENGLA-P100, ENGLA-P101, ENGLA-P102, Planning, Design, Access and Heritage Statement, Noise Impact Assessment (07/01/2022) and Operational Management Plan

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 ENGLA-E001, ENGLA-P101, ENGLA-L001, ENGLA-L101, ENGLA-P000, ENGLA-P001, ENGLA-P002, ENGLA-P100, ENGLA-P101, ENGLA-P102, Planning, Design, Access and Heritage Statement, Noise Impact Assessment (07/01/2022) and Operational Management Plan

Reason:

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

- 3 The use hereby permitted shall not be carried out outside the following times:

Sundays, and Mondays to Thursdays: 17:00 - 22:00,
Fridays/Saturdays: 17:00 - 23:00

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4 and TC1, TC3, and TC5 of the London Borough of Camden Local Plan 2017.

- 4 Prior to use an appropriate automatic noise control device must be fitted to all amplified sound equipment. The device must be:

a) Set so that the volume of any amplified sound emanating from the premises does not cause a public nuisance. A Compliance Certificate must be supplied to the Planning authority for the installation of the unit before any regulated entertainment is carried out.

For information: The installation must be carried out by a competent/qualified person and submitted to licensing authority for approval. The compliance certificate must contain the following.

- 5 minute LAEQ
- Frequency analysis between 40Hz -125Hz

b) The devices must be fitted to all power outlets to the premises (i.e. to the main distribution unit)

Note: The Premises Supervisor can ensure that any amplified sound from the premises does not cause a public nuisance by ensuring that amplified sound is inaudible at the boundary of any properties where the occupiers are likely to be sensitive to noise.

Entertainment noise (LAeq) should be controlled to 10dB below the background noise level (LA90) without the entertainment noise present, in each octave band at the nearest noise sensitive location

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 5 The use shall not commence until all external doors to the premises have been fitted with self closing devices, which shall be maintained in an operational

condition and at no time shall any external door [nor windows] be fixed in an open position.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial parts of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'noise criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 7 No deliveries nor collections/ loading nor unloading shall occur at the development hereby approved other than between the hours of 08:00 to 18:00 on Monday to Friday, 09:00 to 18:00 on Saturdays and at no time on Sundays and Public/Bank Holidays.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 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).
- 2 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.

- 3 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.

- 4 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 5 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.

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