

Application ref: 2022/0974/P  
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Date: 27 June 2022

**Development Management**  
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Gerald Eve  
72 Welbeck Street  
London  
W1G 0AY

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**192-198 Camden (buck Street) Market**  
**Camden High Street**  
**London**  
**NW1 8QP**

Proposal: Variation of Condition 2 (Temporary Permission) and Condition 3 (Approved Plans) for an extension of time to the existing temporary permission, installation of balustrades at roof level, regularisation of design amendments, and associated works granted under Planning Permission reference 2018/3553/P dated 24/05/19 (as amended) for continued use of land 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.

Drawing Nos:

Plan nos:

Site location plan, BSM A100, BSM A101, BSM A102, BSM A103, BSM A104.

Documents:

Applicant covering letter NDA/SNE/J10161 (Gerald Eve) 08 March 2022, Design and Access Statement (LabTech) 2022, Container Ventilation Strategy D6076 (Michael Jones & Associates LLP) 21st December 2020, Manufacturer Specification Roof mounted Fan (S&P), Kitchen Ventilation Design Report P02 (Scotch Partners) 07/06/2021, Manufacturer's Specification - balustrading (Interclamp).

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

Condition(s) and Reason(s):

- 1 The limited period for the use shall be until 5 years from the date of this permission, by which date the use shall be discontinued.

Reason: The approval of the containers on a permanent basis would be likely to cause harm to the character and appearance of the conservation area contrary to policies D1 and D2 of the Camden Local Plan.

- 2 Plan numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan nos:

Site location plan, BSM A100, BSM A101, BSM A102, BSM A103, BSM A104.

Documents:

Applicant covering letter NDA/SNE/J10161 (Gerald Eve) 08 March 2022, Design and Access Statement (LabTech) 2022, Container Ventilation Strategy D6076 (Michael Jones & Associates LLP) 21st December 2020, Manufacturer Specification Roof mounted Fan (S&P), Kitchen Ventilation Design Report P02 (Scotch Partners) 07/06/2021, Manufacturer's Specification - balustrading (Interclamp).

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

- 3 Odour abatement

The installation, operation and maintenance of the odour abatement equipment and extract system shall be in accordance with the 'Guidance on the assessment of odour for planning 2018 by the Institute of Air Quality Management.

Reason: To safeguard the amenities of the 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 Noise

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.

5 Servicing

No loading or unloading of goods for market activities shall take place between 0830 and 1730.

Reason: To avoid obstruction of Camden High Street and to protect the environment of the area generally in accordance with the requirements of policy T1 of the Camden Local Plan 2017.

6 Aisle width

The minimum width between the stalls of all the aisles shall be two metres.

Reason: To ensure that the market is laid out to an acceptable standard in terms of accessibility and means of escape in the case of emergency in accordance with policies C5 and C6 of the Camden Local Plan 2017.

7 Music

No music shall be played between the hours of 0900 and 1230 on Sundays.

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

8 Hours of operation

The market use (sui generis) hereby approved shall operate only between 08:00 and 23:30 hours.

Reason: To protect the amenity of local residents in accordance with policy A1 of the Local Plan 2017.

Informative(s):

1 Reason for approval:

Continued use as market

There is a history of a temporary market use operating on this site since at least 2006, when the first temporary permission was granted. Whilst the Council would not allow the loss of the market use in any redevelopment schemes, given the temporary nature and design of the shipping containers market, temporary permissions have been granted.

The last temporary permission (2017/3343/P - granted on 27/09/2017) expires on the 27th of September 2022. TfL have previously requested that this site not be developed until they have brought forward their plans to develop the site to the north, across Buck Street, as a new entrance to Camden Town Underground Station. TfL has requested that the applicant delay developing their site until construction at the TfL site progresses. Given these special circumstances, officers consider that the extension of the use is acceptable.

The applicant has requested 5 years temporary permission as was previously granted, given these circumstances. Officers acknowledge that TfL are not likely to be finished developing their site within the next 5 years, and 5 years is therefore considered acceptable.

The continued use as a market would not harm the amenity of residents in the area, subject to the same conditions, including on noise, odour and hours, attached to the previous permissions.

#### External alterations

Under the current application, the following alterations are proposed:

- A new fire escape
- Balustrading at roof level
- Reconfiguration of cycle parking

The fire escape and balustrading are required for safety purposes. The balustrading is of a simple industrial design as per the market and are therefore considered acceptable in design terms. Given their lightweight nature, they will not impact on terms of loss of light or sense of enclosure.

The new fire escape is within the site and will have no design or amenity impact.

There would be no loss of cycle parking under the proposals, just moving the eight spaces to the Buck Street entrance of the market, rather than at the rear of the site.

#### Regularisation with regards previous consents

Permission was granted under 2021/0017/P for the change of use of one of the containers to food and beverage use, with a related extraction fan. Permission was granted under 2021/2827/P for the change of use of another container to food and beverage use, with associated ventilation. These approved changes have been incorporated into the current application.

The conditions attached to the above applications have been attached to the current application.

#### Conclusion

No objections have been received and the site's planning history was taken into account in coming to this decision. A comment was received from the Camden Town Conservation Area Advisory Committee stating that the temporary containers visually detract from the conservation area and that they look forward to its removal. The containers already have approval and the current application is only to extend the period of the permission as well as very minor changes. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 (LB's) and s.72 (CA's) of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed details are in general accordance with policies G1, E1, E2, D1, D2, T1 and T6 of the Camden Local Plan.

- 2 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 Street Environment Service (Rubbish Collection) on 020 7974 6914. or by email [recycling@camden.gov.uk](mailto:recycling@camden.gov.uk) or on the website [www.camden.gov.uk/recycling](http://www.camden.gov.uk/recycling)).

- 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).

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 written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer