

Application ref: 2021/3681/P
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Development Management
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CMA Planning
113 The Timberyard
Drysedale Street
London
N1 6ND

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**6 St Chad's Place
London
WC1X 9HH**

Proposal:

Change of use from restaurant/bar (formerly A3/A4/Sui Generis) to a live music and cultural venue with cafe, restaurant, drinking establishment and related activities and events (Sui Generis).

Drawing Nos: Mono Acoustics Ltd Sound Propagation Measurement August 2021, Waste and Delivery Management, Dispersal Policy, Site location plan, Existing ground floor plan, elevations EX01, Proposed layout Plan A100

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- Mono Acoustics Ltd Sound Propagation Measurement August 2021, Waste and Delivery Management, Dispersal Policy, Site location plan, Existing ground floor plan, elevations EX01, Proposed layout Plan A100.

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: Mondays to Wednesdays 10.00am to 00.00 midnight, Thursdays to Saturdays 10.00am to 01.00am, and Sundays and Bank Holidays 11.00am to 00.00 midnight.

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, TC2, and TC4 of the London Borough of Camden Local Plan 2017.

- 4 The approved sound proofing measures stated in 'Mono Acoustics Ltd Sound Propagation Measurement August 2021' shall be implemented prior to commencement of the use and all entertainment noise (LAeq), including from rehearsals shall be controlled to be not louder than 10dB below the background noise level (LA90) expressed in dB(A) without the entertainment noise present, in each octave band at the nearest noise sensitive location.

Reason: To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 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 amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, and TC3 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of the use hereby approved, details of security measures at the premises shall be submitted to and approved by the local planning authority. The approved measures shall be retained throughout the duration of the use.

Reason: To ensure community safety and reduce opportunities for crime in accordance with the requirements of policy C5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The single storey building already has a lawful use as a restaurant/bar (former A3 and A4 use, now Sui generis), having existed since 2004 but vacant since autumn 2020.

The proposed use largely continues the same constituent uses but with additional functions such as workshops, classes and live music. The use would be appropriate in this central location, being close to public transport, which would contribute to the character, vitality and vibrancy of the Kings Cross area. The proposed use throughout the day and evening would increase footfall between St Chad's Place and Gray's Inn Road and promote activity and natural surveillance to the benefit of the area.

The site is bounded by railway tracks, a service yard and commercial uses on St Chad's Place as well as fronting King's Cross Road and Pentonville Road. There are no residential properties adjacent to the application site. The nearest residential properties are flats above the ground floor commercial premises at the junction of Pentonville and Kings Cross Road, and are non-contiguous with the application site. Due to there being a number of other nearby late night venues, the decision includes a condition restricting the opening hours to minimise cumulative effects of late night activities and potential conflict with residential amenity.

An acoustic assessment has been submitted to determine the impact of noise from the operation of the venue during music events at the nearest noise sensitive receptors. The Council is satisfied appropriate noise guidelines have been followed within the report and operational noise limits have been adequately predicted. The site's close proximity to the uncovered railway lines ensures a consistent level of ambient noise from passing trains. The proposed uses would not significantly exacerbate current levels of background noise to the detriment of adjoining or nearby occupiers. However, some soundproofing improvements to reduce the potential noise breakout including through the walls to adjoining non-residential properties are a condition of this decision. The submitted 'dispersal policy' sets out how staff and door supervisors will direct customers when leaving the premises.

On balance, the proposed use would not result in harm to the character of the area or be detrimental to the amenity of the nearby occupiers, subject to the conditions attached to the decision.

Two objections have been received and duly taken into account prior to making this decision and addressed in the associated consultation summary. The site's planning history was considered in the determination of this application.

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 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, C3, C4, C5, TC2, and TC4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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).

- 3 You are advised that condition 3 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 4 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.

- 5 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <https://www.camden.gov.uk/business-waste-information#irye>
- 6 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 <https://www.camden.gov.uk/business-waste-information#irye>
- 7 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <https://www.camden.gov.uk/documents/20142/1130362/FINAL+Camden+Buisness+Waste+Leaflet+A4+%5Bpdf%5D.pdf/9ec087c3-4d22-4c46-1916-7d61dca23767?t=1618242607800>
- 8 Your attention is drawn to the need 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.
- 9 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.

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