

Application ref: 2021/6085/P
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Date: 29 June 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
1-3 Denmark Street
London
WC2H 8LP

Proposal:

Variation of condition 3 (music playing on the premises) in relation to planning permission (2013/7022/P) dated 14/02/2014 for the change of use of basement and ground floor from existing Jobcentre (Class A2) to cafe & bakery (mixed A3 & A1), namely to read: No music shall be audible within 1m of windows serving noise sensitive uses.

Drawing Nos: Approved drawings (2013/7022/P): Siteplan, (191_X_20_) 01P1 and 02P1 and (191_P_20_) 03P1 and 04P1.

New documents (2021/6085/P): Cover Letter from Iceni Projects dated 08/12/2021.

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 the original planning permission (2013/7022/P) dated 14/02/2014.

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 drawings (2013/7022/P): Siteplan, (191_X_20_) 01P1 and 02P1 and (191_P_20_) 03P1 and 04P1.

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

- 3 For the purposes of this decision, condition no.3 of planning permission (2013/7022/P) dated 14/02/2014 shall be replaced with the following condition:

REPLACEMENT CONDITION 3

No music shall be audible within 1m of windows serving noise sensitive uses.

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

- 4 The ground and basement unit shown on the approved plans shall not be open to customers outside of the following times: 0730 hours - 2330 hours Monday to Saturdays and 0900 hours - 2230 hours on Sundays and Bank Holidays, unless with the prior written consent of the local planning authority. No customers shall be on the premises and no sound emanating from these premises shall be audible within any adjoining premises outside of these hours.

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

- 5 No primary cooking shall take place on the premises.

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

- 6 The premises shall only be used as a mixed Class A1/Class A3 use with a takeaway counter and seating located in accordance with the layout as shown on the floorplan ref 191_P_20_03P1 hereby approved.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and loss of retail frontage, in accordance with the requirements of policies A1, A4, T1 and TC4 the Camden Local Plan June 2017.

Informative(s):

- 1 Reason for granting permission:

The proposal seeks to vary condition 3 of planning permission (2013/7022/P) dated 14/02/2014 which relates to music played at the premises.

It is firstly noted that the site is situated within a busy central London locality with the surrounding area being primarily commercial in use with some residential dwellings occupying mainly the upper floors of neighbouring buildings. The locality has strong historic connections to music publishing which led to Denmark Street being known as, 'Tin Pan Alley'. The link to the music industry still survives today in the form of many specialist musical instrument shops and workshops, with related businesses on the upper floors. In addition, the wider redevelopment of St.Giles Circus (2012/6858/P) will provide restaurant, bar and basement events space, in addition to, retail, hotel, residential and office floorspace as a general uplift within the immediate and wider area.

The proposed variation of the condition's wording is in response to the above redevelopment of the St.Giles Circus area, and in particular, the renewed interest and extensive music related regeneration within the locality. The proposed condition is therefore intended to allow for an increase in the vitality and viability of the application site in keeping with the revived character and historic music association of Hanway Street (aka 'Tin Pan Alley') and consistent with similar conditions attached to the wider St.Giles redevelopment.

In this context, a Council Environmental Health Noise Officer has confirmed that the variation in the wording of condition 3 would unlikely have any significantly different impact in terms of external noise or disturbance over and above that already present at the site. The replacement condition would therefore continue to provide a safeguard to the amenities of the adjoining premises and area generally as intended by the original attachment of the condition to the approved scheme at the site.

Furthermore, there are no external alterations proposed, and as such, there would be no change to the character and appearance of the host property, streetscene or wider Denmark Street Conservation Area. As such, the proposed variation is considered to be appropriate in this instance.

The full impact of the scheme has already been assessed during the determination of the permitted scheme (2013/7022/P).

The site's planning and appeal history has been taken into account when coming to this decision. No objections have been received.

As such, the proposed development is in general accordance with policies A1 and A4 of the Camden Local Plan 2017 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 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 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 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.
- 6 You are advised that planning permission would be required for any external alterations to the shopfront.
- 7 You are advised that condition 4 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.

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 printed name.

Daniel Pope
Chief Planning Officer