

Application ref: 2021/4707/P
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Date: 14 July 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
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WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

UK Surveyors Ltd.
4 Thorn Tree
Elmhurst Business Park
Park Lane
Elmhurst
Lichfield
WS13 8EX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**166 - 168 Clerkenwell Road
London
EC1R 5DE**

Proposal: Change of use of basement unit from beauty salon (Class E) to use as a cocktail bar (Sui Generis), works to existing railings, gates and structures over entrances and internal works.

Drawing Nos: 004609; 004610; Design and Access Statement dated Sept 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 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:

Reason:

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The use hereby permitted shall not be carried out outside the following times: 12:30 to 00:00 Monday to Wednesday, 12:30 to 00:30 Thursday, 12:30 to 01:00 Friday and Saturday, 12:30 to 00:00 on Sundays and Bank Holidays.

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 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 A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal is acceptable in land use terms. The site is not situated within a designated town centre. Whilst there is no existing Local Plan policy relating to the protection of Class E uses, if viewed as an A1 use, the proposal would accord with the aims of policy TC3 relating to shops outside of designated town centres. It is not considered that the proposed use as a cocktail bar would have any detrimental impact on the viability or character of the area, or as a result lead to any unacceptable cumulative impact. The use of the site as a cocktail bar is an acceptable town centre use in line with policy TC4.

There are no residential properties that are in the immediate vicinity of the site, with the nearest residential properties in Grays Inn Buildings opposite and Cavendish Mansions behind. By virtue of the site being at basement level, and the installation of acoustic glass at basement level, it is not considered that neighbouring residents would be unduly impacted in terms of noise and activity. This is also considering that the existing use would have already had visiting members of the public and activity. The opening hours suggested are in line with other late night uses in the immediate area, most notably at 'The Griffin' on the opposite side of Clerkenwell Road. Conditions are recommended to enforce these opening hours to protect residential amenity.

The Council's Highways Officer was consulted and has raised no objection to the proposal in terms of servicing. The area is well-served by public transport and it is not expected that the proposal would lead to any increase in parking demand or vehicular traffic. The applicant has also submitted statements relating to fire safety protocol.

The two entrance hatches to either side of Rosebery Avenue currently have a dilapidated appearance. The changes to the north side entrance structure to provide a pitched roof (maintaining the same footprint) and adding glazing would allow for a more lightweight structure. The minor works to the south side entrance structure to introduce more glazing is also uncontroversial. Overall, the works would enhance the appearance of the area and would not lead to any harm to the character and appearance of the wider conservation area.

No objections or other responses were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in accordance with policies A1, A4, D1, D2, T1, TC3 and TC4 of the Camden Local Plan. The proposed development also accords with the policies of the London Plan 2021 and 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 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.
- 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.

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 and title.

Daniel Pope
Chief Planning Officer