

Application ref: 2022/3973/P
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Date: 26 October 2022

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Gerald Eve LLP
1 Fitzroy Place
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

Ground Floor Units 87 and 88
Horse Hospital
Stables Market
London
NW1 8AF

Proposal: Amendment to condition 4 (noise levels) of planning permission ref: 2020/4732/P granted 11/03/2021 (for the use of the ground floor as restaurant and drinking establishment space with ancillary events).

Drawing Nos: Letter dated 14 September 2022.

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.4 of planning permission 2020/4732/P shall be replaced with the following condition:

REPLACEMENT CONDITION 4

Music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq), respectively.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4, TC1, TC2 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting approval-

Permission is sought for an amendment to the wording of condition 4. The condition is currently worded as follows:

'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'.

It is proposed to amend the condition to relate more specifically to the requirements of the Local Plan and to improve the enforceability of the condition. The following wording is proposed:

'Music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq), respectively'.

The revised wording has been considered by the Council's Environmental Health Officer, who has confirmed that the amendment is acceptable and would give a more measurable criteria to control noise from the proposed development. The revised wording would ensure the development did not cause noise disturbance to neighbouring residents in accordance with the reason for the original condition and would ensure the development continued to comply with the requirements of policies A1 and A4 of the Local Plan.

The full impact of the proposed development has already been assessed by virtue of the approved scheme reference 2020/4732/P granted 11/03/2021. In the context of the permitted scheme, it is considered that the amendment would not have any material effect on the approved development in terms of appearance and neighbour impact. It is considered that the reworded condition can therefore be regarded as a non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes set out in the description and shall only be read in the context of the substantive permission granted on 11/03/2021 under reference number 2020/4732/P and is bound by all the conditions and obligations attached to that permission.

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.

Yours faithfully



Daniel Pope
Chief Planning Officer

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