

Application ref: 2022/5322/P
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Date: 15 March 2023

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

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Mr Dawit Nigussied Zewuge
Basement
57 Camden Road
London
NW1 9EU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**57 Camden Road
London
NW1 9EU**

Proposal:

Change of use at basement level from bar (Sui Generis) to cafe (Class E)
Drawing Nos: Site Location Plan DAW-00, DAW-01,

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:
Site Location Plan DAW-00, DAW-01,

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

- 3 No primary cooking of raw food shall take place on the premises without a flue and/or mechanical plant first being installed on the premises, for which full details shall be submitted to the Local Planning Authority and approved in writing beforehand.

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.

- 4 The café use hereby permitted shall not be carried out outside the following times: 07:30 - 22:30 Sundays to Thursdays and 07:30 - 23:30 Fridays and Saturdays.

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:

Planning permission is sought for the change of use of the basement only from a bar/lounge (Sui Generis) to a café (Class E). The premises were unlawfully changed from an office (Class E) to a bar (Sui Generis) without permission. Following a planning enforcement case ref. EN21/1196, a retrospective application was then submitted under ref. 2022/0068/P dated 22/08/2022 and was refused with warning of enforcement action to be taken; it was refused on grounds of amenity harm through noise disturbance from late night use as a bar and the unjustified loss of Class E commercial space. This application now seeks to return the use back to Class E.

The application site is located within the Royal College Street - Camden Road neighbourhood centre. Camden seeks to secure a successful and inclusive economy through protecting and encouraging business premises especially within neighbourhood centre areas. This includes providing a range of commercial and retail uses that fall within Class E. The use of the premise as Class E is therefore considered acceptable in this location.

No external alterations are proposed as part of this application. The proposal is therefore considered to preserve the character and appearance of the conservation area.

The use as a bar previously caused harmful amenity impacts by noise disturbance at anti-social hours to the adjoining neighbouring residential properties. It is therefore considered necessary to control the hours of use of the premises by condition to ensure that such harm does not continue. This condition is intended to reduce noise disturbance for customers entering and leaving the premises at anti-social hours. The closure of the cafe at 10.30pm during the week and at 11.30pm on Friday and Saturday nights is in line with other cafes and restaurants in the vicinity and is thus considered to be

acceptable in amenity terms.

It is considered that the basement would not provide adequate kitchen facilities for the preparation and cooking of raw food due to a lack of extraction flue and ventilation equipment. A condition is therefore attached stating that the installation of such equipment would be needed and would also require planning permission.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, E1, E2, TC2, D1 and D2 of the 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 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:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

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