

Application ref: 2022/4711/P
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Date: 26 July 2023

Development Management
Regeneration and Planning
London Borough of Camden
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planning@camden.gov.uk
www.camden.gov.uk/planning

Greenhayes Planning
Greenhayes Studio
106 Hastings Road
Battle
TN33 0TW
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**47 England's Lane
London
Camden
NW3 4YD**

Proposal:

Proposed change of use from launderette ('Sui Generis') commercial use (Class E).
Drawing Nos: 995/PL/01, 995/PL/02, 995/PL/03, 995/PL/04, 995/PL/05, and Planning Statement.

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:

995/PL/01, 995/PL/02, 995/PL/03, 995/PL/04, 995/PL/05, and Planning Statement.

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

- 3 No primary cooking shall take place on site until details and full specifications of fume extraction and filtration equipment, their noise mitigation, and an ongoing maintenance plan, have been submitted to and approved in writing by the local planning authority. No primary cooking shall take place until those approved details are fully implemented. The approved fume extraction and filtration equipment, and any noise mitigation, shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: To safeguard the appearance of the premises and the wider area and to ensure no unreasonable nuisance or disturbance is caused to the amenity of adjoining occupiers or to the area generally in accordance with Policies TC2, A1, A4, and D1 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application relates to the ground floor and basement unit of the three-storey mid-terrace building. It is located along the eastern side of England's Lane. The ground floor and basement unit comprise a Laundrette (Sui Generis), while the upper floors contain two residential flats (Class C3). The building is not listed but located in the Belsize Conservation Area and the England's Lane Neighbourhood Centre. It is noted that the laundrette suffered damage from a fire in 2021 and has been sitting vacant since then.

A previous identical application was refused (ref. 2022/0626/P, dated 19/04/2022) based on the loss of the laundrette, the lack of supporting marketing evidence, and the absence of s.106 agreements for car-free development and cycle parking. The application was submitted for appeal, where it was dismissed (ref. APP/X5210/W/22/3302422, dated 09/01/2023). The inspector concluded that the effects of the proposed change of use upon the character, function, vitality, and viability of the England's Lane Neighbourhood Centre would be acceptable, however, it does not outweigh the absence of a s.106 agreement for car-free development and contribution towards cycle parking.

The current application is proposing the same change of use from Sui Generis to Class E and involves 153sqm over the basement and ground floor levels. No external alterations are proposed. Supplementary documentation was submitted demonstrating the viability of a laundrette use at this location, as well as 5 years of marketing evidence. The documents were reviewed by staff and found to be sufficient in demonstrating that the laundrette is not a viable or in demand use in this location.

It is understood that the use of the site as a laundrette is no longer viable, thus,

the change of use to Class E is supported. The proposed use would be appropriate in the neighbourhood centre and would uphold the function, character, and vitality of the commercial frontage. It would be a suitable and appropriate change within the local context as part of the England's Lane Neighbourhood Centre, thus complying with Policies TC2 and TC4 of the Local Plan.

The proposed development is required to be car-free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking. A s.106 legal agreement would be secured if planning permission is granted and would prevent future occupiers from obtaining on-street parking permits.

Secure cycle parking should be provided in accordance with Policy T1, CPG Transport, and the London Plan. Long-stay parking could be waived as the floorspace is under the threshold. Short stay cycle parking should be within the curtilage of the development, however as the development does not have a forecourt, we can accept a financial contribution for cycle parking on the public highway. Each Sheffield stand would cost £300 and can accommodate 2 bicycles, a total of £1,200 for 4 stands. The financial contribution would be secured by a s.106 legal agreement.

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.

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 2013.

As such, the proposed development is in general accordance with Policies TC2, TC4, T1, T2, and CC1 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 You are advised that the Council's Transport Strategy Team will generally resist the formation of new pavement crossovers if their formation would necessitate an alteration that would be detrimental to an existing Controlled Parking Zone, which would appear to be the case in the circumstances of this site, as the proposed position of the new pavement crossover is in an existing resident's parking bay. It is recommended that you contact the Council's Transport Strategy Team, Camden Town Hall, Argyle Street, London WC1H 8EQ, (tel: 020-7974 5543) or email transportpolicyjobs@camden.gov.uk for further details.

- 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



Daniel Pope
Chief Planning Officer