

LDC (Proposed) Report		Application number	2023/4966/P
Officer		Expiry date	
Brendan Versluys		16/01/2024	
Application Address		Authorised Officer Signature	
10-11 Northways Parade Finchley Road London NW3 5EN			
Conservation Area		Article 4	
-		Article 4 Direction (Basements) Article 4 Direction (Land Use)	
Proposal			
Operate a nail bar at the existing Class E unit.			
Recommendation:		Issue Certificate	
Introduction			
<p>The application site is a six storey building, with residential dwellings at the upper levels and retail units at ground level.</p> <p>The site is not listed and is not located in a conservation area.</p> <p>The existing ground floor unit has previously been used for Class E (commercial, business and service) use, and is understood to have last been occupied by a furniture showroom.</p> <p>No external alterations are proposed to the retail unit.</p> <p>The application seeks to demonstrate that, on the balance of probability, the use of the retail unit as a nail bar, does not constitute a change of use, such that the change in tenancy to a nail bar would not require planning permission.</p>			
Applicant's Evidence			
The applicant has submitted the following documents in support of the application:			
<ul style="list-style-type: none"> • Head of terms document for the proposed nail bar lease, prepared by the landlord's agent (Orme Property) • Ground Floor Unit plan, prepared by SPS Associates Ltd. • Location Site Plan, prepared by SPS Associates Ltd. 			
Council's Evidence			
There is no other relevant planning or enforcement history for the subject site.			
Assessment			
'Nail bar' use is included within Use Class E.			

The existing ground floor unit was last used for Class E use. The proposed change in tenancy to a nail bar would therefore occur within the same use class and not constitute a change of use class.

In this respect, the occupation of the existing ground floor unit by the nail bar, is lawful and would not require planning permission. In this respect, it is recommended that a Certificate of Lawfulness be granted.

RECOMMENDATION: Grant Certificate of Lawfulness

