

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	16/11/2009
		N/A / attached	<b>Consultation Expiry Date:</b>	21/10/09
<b>Officer</b>			<b>Application Number(s)</b>	
Aysegul Olcar-Chamberlin			2009/3957/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
301 Finchley Road, LONDON, NW3 6DT			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Change of use of basement level from pool room (Class D2) to mixed pool room (Class D2) and place of worship (Class D1) while retaining retail (Class A1) and community facility (Class D2) on ground floor.				
<b>Recommendation(s):</b>		Grant Planning Permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice
<b>Informatives:</b>	

### Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>15</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 25/09/09 to 16/10/09.</p> <p>No reply from the adjoining occupiers is received.</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	No reply is received.					

### Site Description

The application relates to the ground and basement floors of mix-used four-storey property on the west side of Finchley Road. The application premise forms part of a shopping parade in Finchley Road / Swiss Cottage town centre. There are residential flats on the first, second and third floors of the building.

### Relevant History

**9101199** – Planning permission was granted on 04/02/1993 for the continued use of the ground floors as a mixed use of shops (A1) and pool room (D2). Additional condition 1 of this planning permission requires not less than 25% of the ground floor area to be used for retail purposes and such use to be located at the front of the premises. Additional condition 3 of that planning permission limits the operation hours between hours of 08.00am and 11:00pm.

### Relevant policies

#### Camden Replacement Unitary Development Plan 2006

SD1- Quality of Life

SD6 - Amenity of Occupiers and Neighbours

R6 – Other town centre uses

R7- Protection of shopping frontages and local shops.

C1A - New community uses

C4A - Protecting leisure facilities

#### Camden Planning Guidance 2006

## Assessment

The ground floor of the premises have authorised uses of retail (Class A1) at the front and community facility (Class D2) at the rear. The use of the basement level is annotated as 'pool room' (Class D2) on the existing basement floor plan. The proposal would retain the existing ground floor layout and would only add an additional Class D1 use to the basement floor level which is currently vacant. The existing layout of the ground floor would be retained. The proposed mix of uses of Class D1 and Class D2 would have a floor area of approximately 64.5sqm on the basement level. The proposed D1 use would involve studying ad hoc bible and praying.

No external alterations are proposed.

## Land Use

The proposed Class D1 use is outside the uses that are identified as suitable for town centres (A1, A2, A3, A4, A5, B1a or D2) in the adopted UDP. Policy R6 of the UDP states that the Council will only grant planning permission for development for other town centre uses where it considers the development would not cause harm to the character, amenity, function, viability and viability of the area. Additionally, policy C4A of the UDP states the Council will not grant planning permission for development that results in the loss of a leisure facility unless an adequate replacement facility will be provided or the loss would not create, or add to, a shortfall in provision for the specific leisure use and the leisure facility is no longer required. Amenity issues are discussed below.

Policy C4 requires a robust justification of the loss of a games room/pool room. However, this application proposes the pool room will largely continue in its present guise, except for days when place of worship has gatherings on the basement level. Given this flexible use and the small floor area of the basement level, it is considered that the proposed change of use would not be contrary to policy C4.

Policy C1A states that the Council will grant permission for the development of community uses in suitable locations. Facilities with a local catchment should be located close to the community they serve and/or be easily accessible by public transport. The proposed community use would be on a busy classified road in the town centre and would be accessible from the existing shopfront and rear service entrance.

The proposed community use would be for a small church members (approximately 30 adults and 7 children). The members of the church have been meeting in the Swiss Cottage area and use mainly public transport. The applicant expects limited number of attendance to the proposed bible study (not more than 10). Therefore it is considered that the proposed use would not generate excessive amount of traffic which would affect the existing transport conditions.

It is considered that the proposed D1 use on this location would be acceptable in land use terms as it would not affect the vitality and viability of the town centre.

## Amenity

The application form states the hours of operations for the proposed uses would be between hours of 8:00am and 11:00pm. The hours of operation would comply with the previous planning permission and would not raise significant amenity issue provided that no amplified music is played in the premises. In that respect, a condition for no audible music is in the decision notice. Subject to safeguarding conditions it is considered that the new use would not be likely to generate excessive noise and is consistent with the mixed use nature of the area and comply with policy SD6.

**Recommendation:** Grant Conditional Permission.

**Disclaimer**

*This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613*