

Mr Nick Panayiotou
Koupparis Associates
95 Kentish Town Road
London
NW1 8NY

Application Ref: **2014/6374/P**
Please ask for: **Angela Ryan**
Telephone: 020 7974 **3236**

4 December 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
127 Kentish Town Road
London
NW1 8PB

Proposal:
Change of Use from retail use (Class A1) to an estate agent (Class A2) (Retrospective)

Drawing Nos: Site location plan (Ref: 13-97-15 Rev D); 12-91-21; Design and Access Statement by Nick Panayiotou dated 7th October 2014

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 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Class IA) [and Part 2 (Classes IA.2 (1) a- bb) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the amenity, character, vitality and viability of the Kentish Town Centre and to ensure compliance with the requirements of policies CS7 and CS8 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:- Site location plan (Ref: 13-97-15 Rev D); 12-91-21; Design and Access Statement by Nick Panayiotou dated 7th October 2014

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

Informative(s):

- 1 Reasons for granting permission.

The retention of the A2 use (from A1 retail) is considered to be an appropriate use for this town centre location. In accordance with paragraph 3.46 of CPG5, the proposal does not meet the required quota of 50% of retail use for a site located within a secondary shopping frontage. The percentage of retail use within the shopping parade currently stands at 42% of retail use (although it would be at 52% if unauthorised development had not taken place). There is the potential for 61% of retail use within the shopping parade as the current A3 and A5 uses within this shopping parade are permitted to change to retail use under permitted development rules. Paragraph 3.49 of CPG5 supported by paragraph 12.6 of DP12 advises that other uses may be permitted where they are not considered to cause harm to the amenity, character, vitality, or viability of the Town Centre or the local area, and it is considered that on balance an A2 use in the location is considered to be acceptable and therefore complies with current policy and guidance. In order to protect the character, viability and vitality of the shopping parade and shopping frontage an appropriate condition will be added to the decision notice taking away permitted development rights. There are currently 21 shops within this particular shopping parade (nos. 97-137); 9 of which are in retail use and 12 of which are in other uses appropriate to this town centre location, one unit is currently vacant (no. 109). In addition to the 50% requirement for retail use within secondary frontages; the guidance as set out in paragraph 3.46 of CPG5 advises that the Council would seek to prevent a concentrations of uses that harm the attractiveness to shoppers and residential amenity and in this respect would resist proposals that would result in more than 2 consecutive non-retail units within a shopping frontage. In this context the application site is situated between two A1 retail units which is considered to be acceptable. Due to the nature of the use the proposal would not significantly harm the amenity of any adjoining residential

occupiers in terms of loss of light, outlook, enclosure, privacy or noise.

6 neighbours were consulted and a site notice was displayed on 14/11/14, expiring on 05/11/2014. No objections have been received. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS1, CS5, CS7 and CS8 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP12, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 2.15, and 4.7- 4.8 of the London Plan 2011; and paragraphs 14, 17 and 23 of the National Planning Policy Framework.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson
Director of Culture & Environment