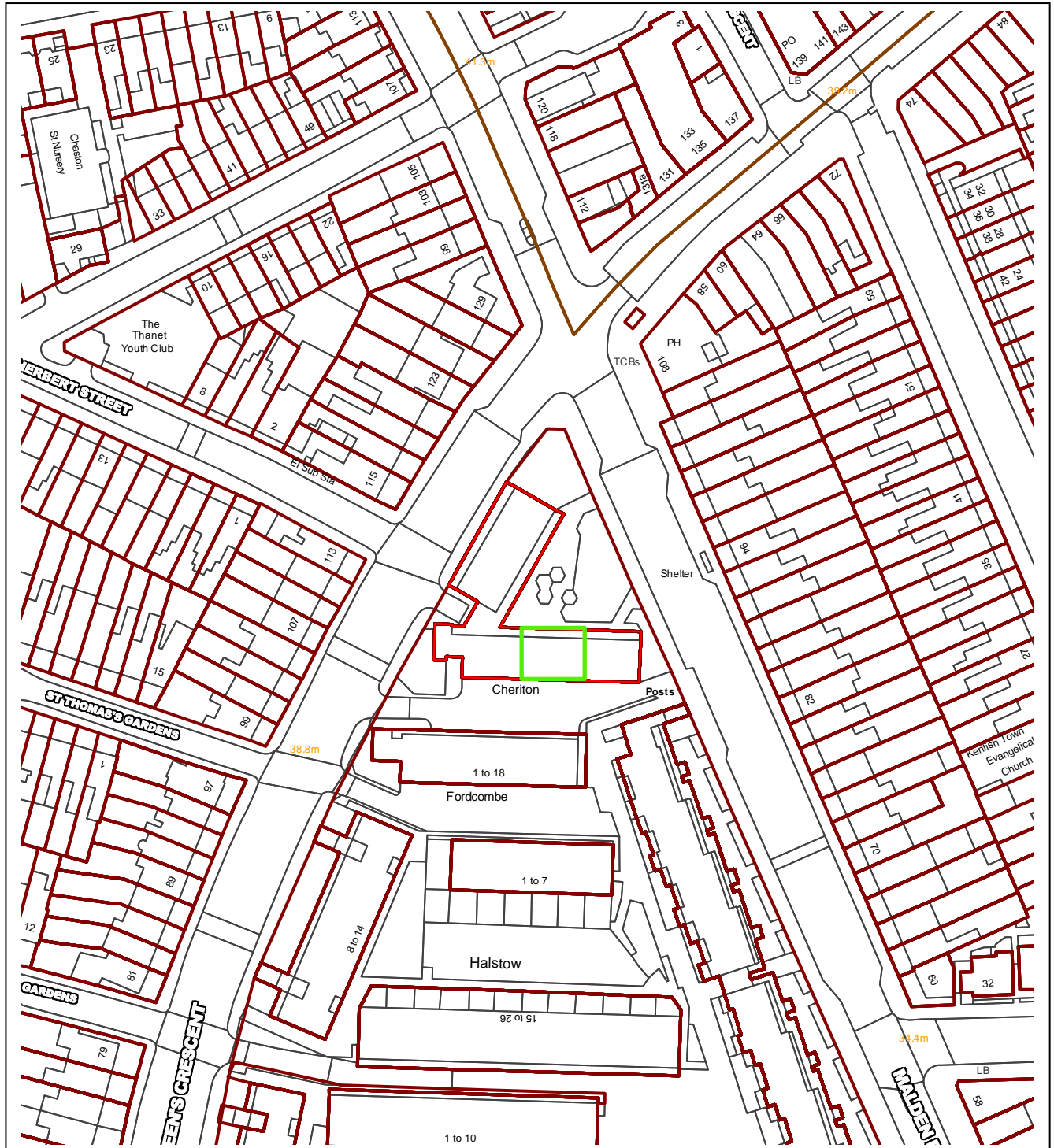


Unit 23-24 Cheriton, Queen's Crescent,
NW5 4EZ 2015/4077/P



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Site Photos –

Photo 1: Front elevation of application site



Photo 2: Rear of application site



Photo 3: Basement room interior



Photo 4: Ground floor room interior



Photo 5: Ground floor room interior



Photo 6: Ground floor room interior



Photo 7: Ground floor main access

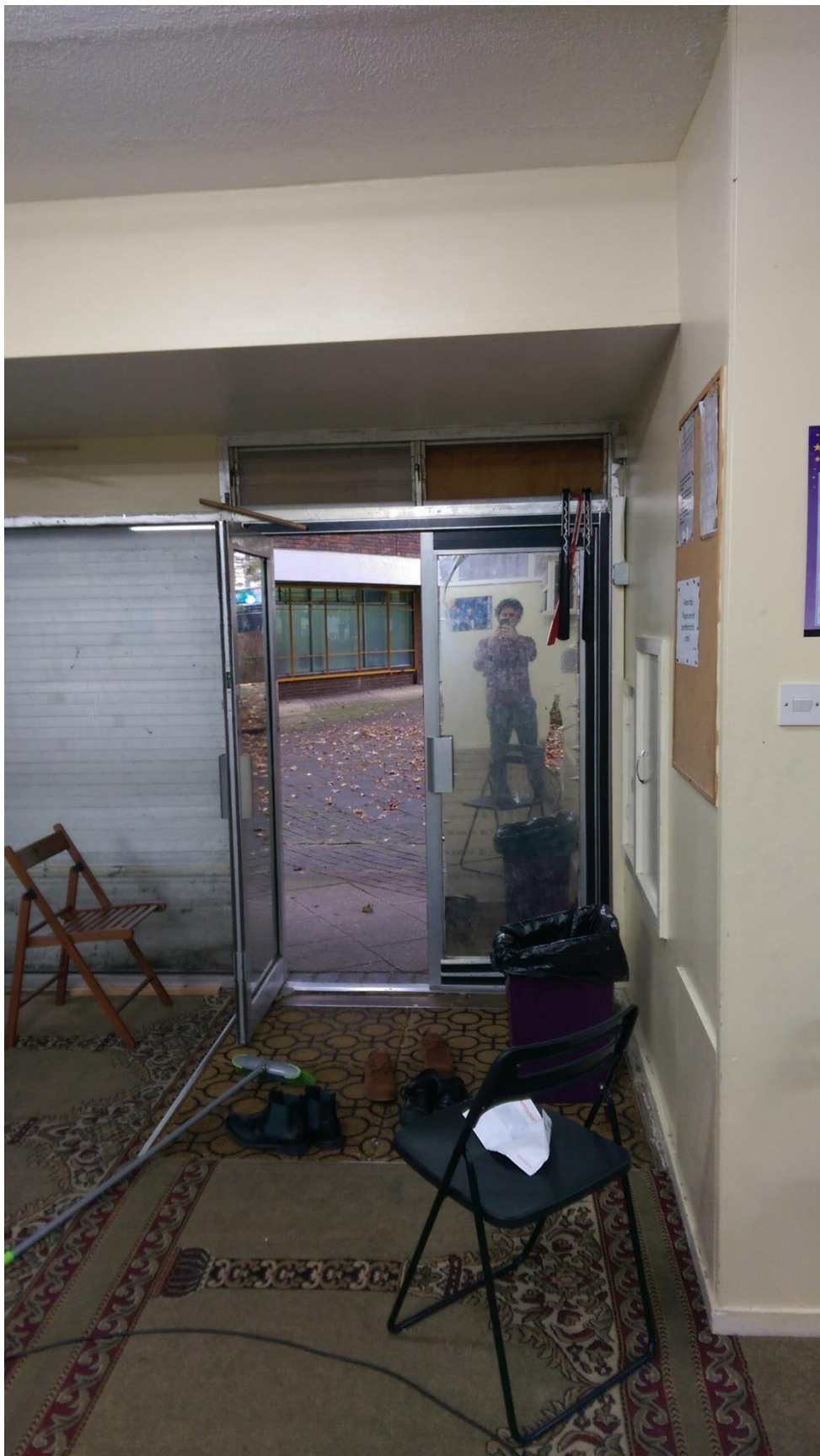
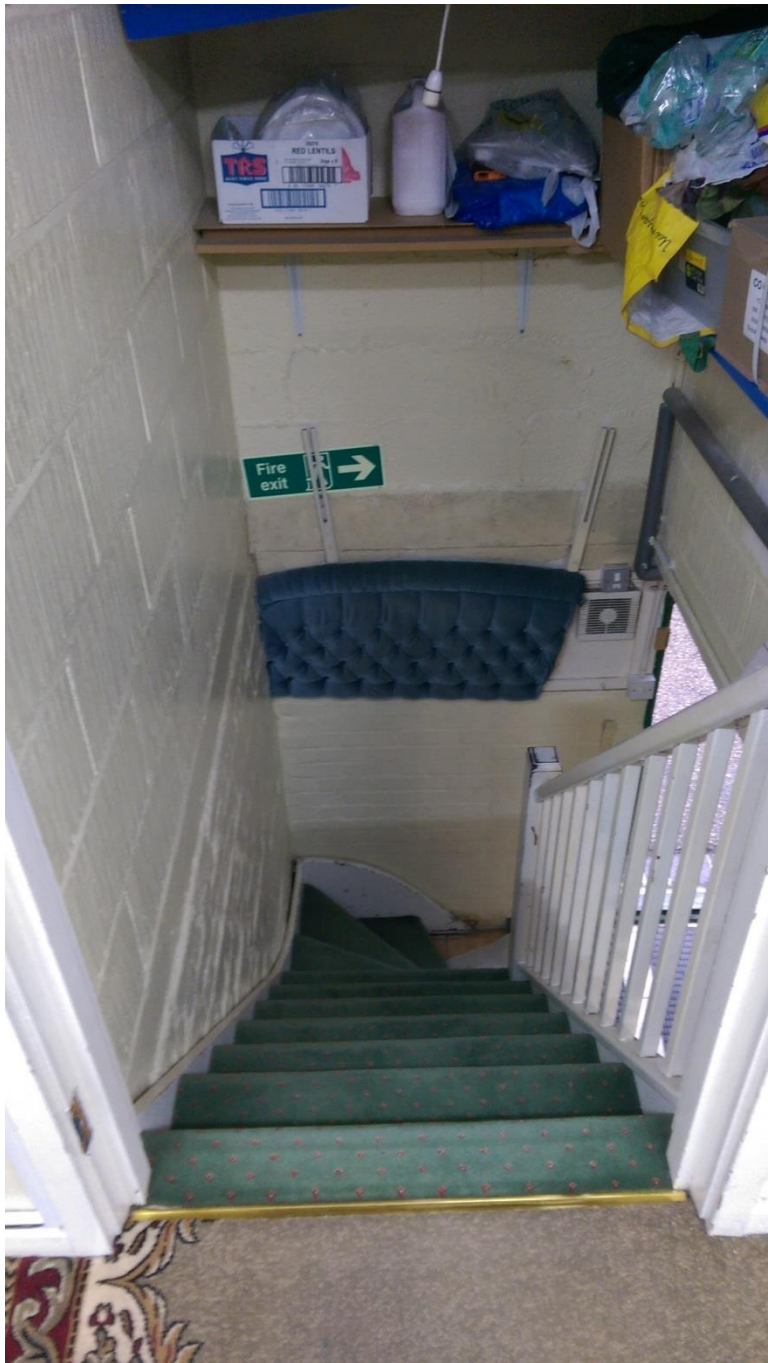


Photo 8: Ground floor fire access



Photo 10: Staircase to basement



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	09/09/2015
		N/A / attached		Consultation Expiry Date:	09/09/2015
Officer			Application Number(s)		
Jonathan McClue			2015/4077/P		
Application Address			Drawing Numbers		
Unit 23-24 Cheriton Queen's Crescent London NW5 4EZ			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Temporary change of use from ground floor community centre (D1) and basement office (B1a) to a community centre and place of worship (D1) on both floors.					
Recommendation(s):		Grant Temporary Planning Permission Subject to Conditions			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	207	No. of responses	50	No. of objections	20
Summary of consultation responses:	<p>In addition to the 207 posted letters 3 site notices were put up so residents and locals from the surrounding area would be aware of the proposal. The first site notice was put up on 22/07/2015 and a further 2 on 10/08/2015. They were placed immediately to the front of the application building and near the entrances from Queen’s Crescent and Malden Road.</p> <p>50 individual letters were received including 30 in support and 20 objecting to the scheme. In addition, a petition with 87 signatures was submitted in support of the application and a petition with 26 signatures was submitted objecting to the application. A summary of the responses is given below.</p> <p><u>Individual letters in support:</u> The majority of the letters in support were received from within the local and surrounding area and some from within the estate. The supporting comments are summarised below:</p> <ul style="list-style-type: none">• The facility is needed for the local Muslim community• The centre has been there for some years and has not resulted in any issues for surrounding residents and businesses• The centre has provided life to the parade and kept away anti-social behaviour such as drug and alcohol users• Makes a positive contribution to the community• The use does not currently nor would not disturb neighbouring occupiers• People should have the right to practice their religion• The centre provides a place for people to learn and to socialise with others in the community <p><u>Petition in support:</u> The supporting petition was signed by residents predominantly within the local and surrounding area. It states that the undersigned declare their support for the proposed addition of prayers to the permitted services that the centre offers. Prayers would complete the centre’s holistic aims and is the most suitable location for those wishing to fulfil their religious obligations.</p> <p><u>Individual letters with objections:</u> The objections received are from residents within the estate in Southfleet, Halstow, Fordcombe and Cheriton. The objections received are summarised below:</p> <ul style="list-style-type: none">• The use would create noise and general disturbance at all times of the day and would be unacceptable due to its location within a residential block• Large gatherings of men take place on the pavement• Parking impacts on surrounding streets. Many patrons have disabled badges to park in restricted areas (within Controlled Parking Zones) which take up spaces for residents• The building has been used as a place of worship without permission for a number of years and has been causing harm by way of noise					

	<p>and general disturbance</p> <ul style="list-style-type: none"> • The space should be used as a tenants hall for residents of the estate • Pedestrian and traffic congestion • Litter and spitting • The proposed use is out of keeping with the retail shops within the parade and would detract from the other uses • Noise and large meeting of people will have detrimental effect on health of mentally ill children • The area is too small for such a proposal • There is already a religious facility within the vicinity • The conditions of the previous planning application (ref: 2009/0626/P) were breached and it is likely they will if the current application is approved • Crime rate would increase <p><u><i>Petition objecting to the application:</i></u> The petition objects to the proposal on the basis of continuous noise and the lack of parking spaces, litter left outside of the premises and the gathering of groups of people on the pavements outside Fordcombe and Cheriton buildings. The signatures are from residents of Fordcombe, Cheriton and Halston.</p> <p><u>Officer Response to Objections:</u></p> <ul style="list-style-type: none"> • The proposed use would operate until 21:00 on Mondays to Fridays, 19:00 on Saturdays and 18:00 on Sundays. An acoustic assessment has been submitted by the applicant to demonstrate that the proposal would not cause undue harm by way of noise and general disturbance. See 4.0 Residential Amenity below • A Transport Assessment and Travel Plan have been submitted to indicate that the vast majority of patrons walk and live within a 15minute commute of the application site. See 5.0 Parking and Transport Considerations below • Any enforcement breaches would not prejudice the determination of this planning permission which would be assessed on its own merit. If future enforcement breaches occurred it would be a matter for the Council's Planning Enforcement Officers • The proposed place of worship use is considered to be in keeping with the existing training centre use
CAAC/Local groups comments:	<p>The application site does not lie within a conservation area and no residential associations or local groups were consulted.</p>

Site Description

This application relates to the ground floor and basement of a double fronted unit which forms part of a row of retail shops on the ground floor of a 3 storey block. Residential units (known as the 'Cheriton') occupy the upper floors. The site is bounded by Queen's Crescent to the west and Malden Road to the east. Access to the host property can be gained from either of the above roads with entrances at basement level to the rear and ground floor level to the front. The property is owned by the Council and is leased to the applicant.

The existing unit benefits from a planning permission for a training centre (D1) at ground floor level with an office (B1a) below (ref: 2009/0626/P). Enforcement complaints on the application site suggest that the building has been used as a place of worship (ref: EN14/0998) in the past, however, this use has since ceased.

The surrounding area mainly comprises of residential uses and lies within the Queen's Crescent Neighbourhood Centre. The host building is not listed and the property is not located within a conservation area.

Relevant History

Planning History

2009/0626/P: Planning permission was granted for the change of use from class A1 retail to a training centre (D1) on the ground floor and office (B1) at basement level on 25/11/2009. The approval included a number of planning conditions which restricted the use of the ground floor to a training centre only; prevented the playing of music to levels audible to adjoining premises and the highway and the hours of operations were limited to 09:00 to 21:00 on Mondays to Fridays, 10:00 to 19:00 on Saturdays 10:00 to 18:00 on Sundays with no use at any time on Bank Holidays.

Enforcement History

EN14/0998: Enforcement complaints have been received regarding the use of the premises as a place of worship and outside of the hours allowed by planning permission 2009/0626/P. This constitutes a breach of planning conditions. Following the complaints site visits and an investigation was carried out by Enforcement Officers. The alleged breach has since ceased and the applicant is seeking to make the proposed use as a place of worship lawful through the submission of the subject application.

Relevant policies

National Planning Policy Framework 2012

London Plan March 2015, consolidated with alterations since 2011

Core Strategy

CS5 (Managing the impact of growth and development)

CS7 (Promoting Camden's Centres and shops)

CS8 (Promoting a successful and inclusive Camden economy)

CS10 (Supporting community facilities and services)

CS11 (Promoting sustainable and efficient travel)

Development Policies

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)

DP13 (Employment sites and premises)

DP15 (Community and leisure uses)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP19 (Managing the impact of parking)
DP26 (Managing the impact of development on occupiers and neighbours)
DP28 (Noise and vibration)

Camden Planning Guidance (CPG)

Camden Planning Guidance 2011: CPG6 Amenity, CPG7 Transport

Camden Planning Guidance 2013: CPG5 Town Centres, Retail and Employment

Camden Planning Guidance 2015: CPG1 Design, CPG8 Planning obligations

Assessment

1.0 Background

1.1 Planning permission was granted for the change of use from class A1 retail to a training centre (D1) on the ground floor and office (B1a) at basement level on 25/11/2009 under 2009/0626/P. The use was implemented and it is thought that the office use at basement level was used as an ancillary element of the D1 use and not as independent office space. Therefore, officers consider that the use sought for at the time and that which was implemented was a training centre (D1) on both floors.

1.2 The application site has been occupied by the Somali Community Development Trust (SCDT) established in 2002. The organisation is registered as a charity and a company limited by guarantee. The Trust aims to provide a range of comprehensive services and support for the Somali community in Camden helping to reduce isolation and provide mutual support as well as providing a place for people to meet. The SCDT also aims to promote education, recreation, employment and social welfare benefits to the Somali community and to help provide relief for Somali people who have suffered traumatic psychological injuries, war induced injuries or problems with drug and alcohol abuse through the provision of information, advice and counselling services as well as pastoral religious services.

1.3 The existing centre is run by a charitable trust of active trustees, supported by a committee of members and has volunteers and paid professional as appropriate. Those running classes and offering services are vetted and registered as necessary. The services provided include advocacy and guidance such as interpretation and translation services for refugees with language issues; supplementary and homework support classes for local children and young people; a Somali families support service with healthy eating sessions, benefit advice and counselling and youth activities such as sport activities (football) and training and mentoring.

1.4 The centre predominantly serves a largely Muslim community but does have facilities and offer services to those outside that community. Furthermore, it is not limited to a specific Muslim community or sect (as many such centres are) and provides facilities for women and men.

1.5 In addition to the services and facilities available within the centre, the trust sponsors and supports activities held away from the centre (including days out, sports and other events) offering an extended diversity to those benefiting from its presence. They also provide home visits for those that need assistance or bereavement counselling.

2.0 Proposal

2.1 Planning permission is sought for the change of use to the ground floor training centre (D1) and basement office (B1a) into a training/community centre and place of worship (D1) on both floors. Temporary permission for 12 months has been requested.

2.2 The hours of operation of the existing use would be retained as 09:00 to 21:00 on Mondays to Fridays, 10:00 to 19:00 on Saturdays 10:00 to 18:00 on Sundays with no use at any time on Bank Holidays.

2.3 Minor internal works are proposed including the creation of an extra WC at basement level and the ground floor WC would be used as ancillary office space. The office would be used as part of the proposed use. No external works are proposed.

2.4 A number of supporting documents have been submitted to justify the proposed use, including:

- A Design and Access Statement
- Background information including the objectives of the centre and the activities that currently take place
- A proposed weekly activities programme
- Complaints procedure details including a complaint form
- A management plan
- Noise Impact Assessment Report undertaken by a qualified acoustic engineer
- Transport Statement and Travel Plan submitted by a transport consultant

3.0 Land use

Loss of office space

3.1 As stated within paragraph 1.1, the existing office use on the basement floor is considered to be ancillary to the main use and not a separate activity. Therefore, it is considered that there would be no loss of office employment space.

3.2 Notwithstanding the above, the existing office space is located within the basement of a D1 use with no independent access and it lies within a predominantly residential area. Due to the quality of the space in terms of its size, condition and location, the loss of any office space would be considered acceptable in any event.

Place of worship use

3.3 The proposed development is to continue the existing activities associated with the training/community centre use (as granted under 2009/0626/P) with the addition of prayers. Officers consider that the proposed place of worship use would be in keeping with the existing use of the site as long as its scale and impact were of a similar nature.

3.4 The planning application includes information regarding the existing weekly programme and a proposed weekly programme with the addition of prayers. The existing programme includes daily activities with times varying between 10:00 and 12:00; 17:00 and 19:00; 17:00 and 18:00 and 19:30 and 20:30 and numbers varying from 10-70 people per class. It is noted that the planning permission under 2009/0626/P included no restrictions on numbers. Therefore, the approved use could hold much larger classes without being in breach of the planning consent.

3.5 The proposed weekly programme with prayers includes the activities in the existing programme with the addition of an Islamic History session on Saturdays at 17:00 to 19:00 for 20-30 men and prayers. Prayer times are different within the summer and winter due to fluctuations during the year and the changing of British Summer Time.

3.6 The summer prayer schedule includes daily prayers from 13:00 to 14:00 for 35 people; daily prayers from 17:00 to 18:00 for 40 people and prayers from 20:00 to 21:00 on Monday-Saturday for 70 people. Friday prayers for 170 people would take place at 13:15.

3.7 The winter prayer schedule includes daily prayers from 12:30 to 13:30 for 35 people; daily prayers from 14:00 to 15:00 for 40 people; daily prayers from 16:00 to 17:00 for 70 people and prayers from 18:00 to 19:00 on Monday-Saturday for 50 people. Friday prayers for 170 people would take place at 12:15.

3.8 The proposed place of worship use would have the potential to cater for up to 170 people during Friday prayers (once a week) which represents a 143% increase in people attending the site as the existing training centre use has around 20-70 people per class. In addition, the proposal would intensify the existing use by adding prayer activities multiple times each day. The proposed place of worship use has the potential to harm neighbouring and local amenity and could be of detriment to

parking and transport provision within the area. Therefore, the appropriateness of the proposal would be subject to an assessment on residential amenity and transport implications (see sections 4 and 5 below).

4.0 Residential Amenity

4.1 The proposed place of worship use has the potential to affect the living conditions of neighbouring occupiers by noise and general disturbance associated with the prayers themselves, the gathering of people outside of the property and through the comings and goings of people before and after prayers.

4.2 A Noise Impact Assessment Report has been submitted by Sound Licensing Limited to support the application. The assessment includes a noise survey which was conducted on the application site and a visual investigation of the property was undertaken to assess its acoustic properties. Recommendations to upgrade the acoustic performance of the property and to mitigate noise from the use are made by Sound Licensing Limited and these are supported by the Council's Environmental Health Officer.

4.3 The ground floor of the host property has a single-glazed front aspect with metal roller shutters kept permanently shut. The rear of the ground floor is of masonry construction with two small single glazed high level windows. The basement has glazing and windows at high level, however, these are covered over by wooden panels, one which hinges open to allow for ventilation where required. There is one door to allow access to the rear of the site. There is currently a small amplified PA system which is installed at ground level to allow for prayer readings. Two speakers are located on the ground floor and there is one in the basement. All of the speakers are situated away from windows and doors.

4.4 A manned noise survey was undertaken between 19:40 and 21:00 on the 24th August 2015. Measurements were undertaken within two places; inside the ground floor of the site and below the façade/walkway at 1m from the nearest residential premise located at Flat 6 on Level 1 of Fordcome House. Specific noise levels were measured at both locations when the specific noise (i.e. the most likely activity to impact neighbours which would be evening religious prayer) was in operation. Background noise levels were undertaken at the residential location only when the specific noise was not in operation. It is noted that the acoustic engineer (Sound Licensing) attempted to gain access to residential flats located above the site to gain noise measurements, however, this was not possible.

4.5 As part of the noise survey a trial evening prayer was undertaken for 15 minutes. The prayer included the use of an amplified speaker system with someone reading the prayer and a large number of people in attendance listening to and orally joining in with the prayers at times. The prayer was attended by 58 people in total which is below the maximum capacity of the building (estimated up to 170 in total). Therefore, the calculations were magnified to predict residential noise levels when maximum attendance is in operation.

4.6 The measured noise data was compared with British Standard (BS) 8233:2014 'Guidance on sound insulation and reduction for buildings' which provides references and guideline values for desirable indoor ambient noise levels for dwellings. According to the calculations, the specific noise (prayer) results for internal noise within Flat 6 Fordcombe House is +6dB more than the British Standard and the internal noise level within the flats above ground floor of the site are -22dB less than the British Standard. To reduce noise levels in the residential premise at Flat 6 Fordcombe House and to achieve the British Standard, the noise report recommends that work be carried out to isolate noise from the prayers.

4.7 The recommendations to reduce noise levels include acoustic seals to windows, panels, doors and all fixings wherever possible and the installation of air conditioning to negate the need for opening windows. Management of the premises is also recommended such as keeping all doors closed during prayers, attaching notices asking patrons to respect the neighbours and to leave the area quietly, regular staff meetings to discuss noise issues and managers to regularly ensure that patrons outside leave in a quiet and orderly manner. If followed and implemented, the noise report states that the mitigation methods should reduce existing internal noise levels such that they comply with

4.8 The Council's Noise Officer has assessed the submitted noise report and agrees with the findings of the noise survey and the recommended mitigation methods. A number of planning conditions have been recommended including proof of implementation of the mitigation methods, noise levels in the rooms at the nearest noise sensitive premises shall maintain the noise standard specified in BS8233:2014 for internal rooms and external amenity areas and no noise through amplified equipment shall be made in such a way as to be audible within any adjoining premises or on the adjoining highway.

4.9 In addition to the above, a Management Plan has been submitted and its details would be secured by legal agreement. The Plan names members of the organisation who are responsible for managing the centre and sets out a strategy. It includes the Centre Manager, Community Relations Officer, Health and Safety Officers and marshals/wardens to ensure that people enter and leave the facility quietly and do not gather outside of the building. CCTV cameras have been installed in and around the building to monitor noise and disturbance and a complaint's procedure has been setup. It is considered that the measures and procedures would prevent issues relating to noise and general disturbance if implemented.

4.10 As temporary planning permission is being applied for this would give the opportunity for the applicant to implement the noise mitigation methods and management strategies to ensure that noise and general disturbance were not significantly harmful to surrounding occupiers. If renewal of the planning permission were to be sought an updated noise impact assessment would be required to demonstrate that the mitigation methods have been successfully implemented and include updated noise survey results. The temporary permission would also allow the Council to assess the effect of the proposal on neighbouring amenity over a 12 month period. Noise complaints can be monitored by Environmental Health and Planning Enforcement. The applicant could use the 12 month period to gather evidence to justify an application for permanent permission.

4.11 Officers have advised the applicant that a Management Plan would need to be secured via a Section 106 Legal Agreement if permanent planning permission were sought. The Management Plan would outline how the applicant would address issues relating to noise, general disturbance and parking issues and would be a fluid document (i.e. updated as the use progresses). As the Management Plan would be secured by legal agreement it would be enforceable. As planning permission is only temporary, the submitted Management Plan will be conditioned as discussed in para 4.9 (above).

5.0 Parking and Transport Considerations

5.1 The site has a Public Transport Accessibility Level (PTAL) of 4 (Good) and is located within the Controlled Parking Zone (CPZ) sub-zone CA-L (Outer). Queen's Crescent provides permit holder only parking bays and pay at machine parking with a max stay of two hours. Parking restrictions within this sub-zone apply Monday to Friday between 08:30 and 18:00. Malden Road is on the border between CPZ sub-zone CA-L (Outer) and CA-L (Inner). Restrictions within sub-zone CA-L (Inner) apply between 09:00 and 11:00 during the morning on certain days of the week. There is pay at machine bays on Malden Road which allow a maximum stay of 1 hour. Cycle stands are situated at numerous locations on the local roads within a 2 to 3 minutes' walk of the site. These include 2 stands on Malden Road in the vicinity of the junction with Queen's Crescent; 6 stands on Bassett Street at the junction with Queen's Crescent; 6 stands on Allcroft Road at the junction with Queen's Crescent and stands on Ashdown Crescent.

5.2 Based on the scale and frequency of the additional prayer activities, it is considered that the proposal could have an impact on the surrounding highway network and parking provision due to the increased number of trips generated. Therefore, the applicant has submitted a Transport Statement and Travel Plan (both dated October 2015) by TTP Consulting who are transport planning specialists. These documents have been assessed by the Council's Transport Planning Officer.

5.3 A travel survey questionnaire was carried out by the training centre and it was filled out by 150

respondents. It found that 76% walk, 21% travel by bus and 3% drive in their own car. Of these 83% of the respondent's travel time was under 15 minutes which indicates that the catchment area is generally a short distance from the site.

5.4 The additional prayer sessions are summarised in table below. The maximum usage of 170 would be limited to Friday prayers at 13:15 during the summer and 12:15 at winter time. This peak time is well separated from peak commute travel demands on the highway and public transport networks.

Prayer Times	Duration	Numbers Attending
Mid-Day Prayer In the summer time (13:30) In the winter time (12:30)	10mins	Up to 35 people
Mid-Afternoon Prayer (Times Vary)	10mins	Up to 40 people
Sunset Prayer	20mins	Up to 70 people
Evening Prayer (Times Vary)	20mins	Up to 50 people
Friday Prayer In the summer time (13:15) In the winter time (12:15)	30mins	Up to 170 people

5.5 A Pedestrian Comfort analysis has been provided and it concludes that the surrounding footway is capable of accommodating the increased number of pedestrians for the maximum time period that these prayers take place (Friday prayers).

5.6 The application site is not of sufficient size to accommodate cycle parking within its own boundary. The applicant has made an offer of payment to secure a cycle stand in the courtyard in front of the building. Although this would normally be welcomed it is noted that the courtyard is not considered public highway and therefore the location of such a stand would need to be undertaken separately with the land owner. It is not considered that this provision would be placed on the public highway network as it has been detailed that a significant level of cycle parking is already in place around this area. Therefore, the provision of no cycle parking on site is accepted.

5.7 The proposed use would have 1 full time employee and 3 part time members of staff. They do not have the use of parking permits and the applicant is willing to enter into a Section106 Legal Agreement to restrict the 4 members of staff to gain a parking permit for the local roads surrounding the site. As the application is for temporary permission, this will not be required however the Council would require such an agreement in the event of a permanent permission being granted.

5.8 The submitted Transport Statement includes a modal shift breakdown identifying that there would be a minimal increase of private vehicle trips from the current 2 or 3 vehicles to around 5 or 6 if the change of use was granted. With the high proportion of arrivals being by sustainable modes (i.e. on foot), the Pedestrian Comfort analysis identifies that the surrounding footway is capable of accommodating this predicted increase. No changes are proposed in connection to the way the site is serviced or accessed, therefore this is considered acceptable. It is also noted that the surrounding streets require parking permits which would restrict the ability of patrons parking in the local area. Therefore, due to the scale of the additional vehicles likely and the restrictions in place, it is not considered that the proposal would result in an impact on existing parking provision for local residents.

5.9 Based on the above, the proposal is considered acceptable in transport terms, and the supporting information identifies that the predicted increase of 100 people during the midday Friday prayer session can be accommodated. To ensure that the proposed use can be accommodated, a 12 month

temporary permission is recommended so planning and transport officers can assess the impact of the proposal. Subject to the twelve month period being successful, a permanent application would require an updated assessment and include monitoring of the use. Transport Officers recommend that the submitted draft Travel Plan be adopted and adhered to voluntarily. Evidence of how the Travel Plan has been used to manage the increase of trips to the site will be requested on the submission of any future full application.

5.10 In the event of permanent planning permission being agreed the Council would require the following to be secured through a Section 106 Legal agreement:

- A Section 106 agreement securing the development as car-free. An obligation of the S106 should be that the applicant submits details of the addresses to be made car-free and before the new units are occupied
- A Local Level Workplace Travel Plan would need to be agreed with the Council prior to occupation of the development. Camden's Smarter Travel Team can provide advice on producing a successful Travel Plan

6.0 Fire Safety

6.1 The host building contains two separate entrances on the ground floor which are separated by a duct. The entrances contain double doors and lead out to an open area of footpath in front of the building. One of the entrances is designated as a fire exit. The basement benefits from two separate entrances separated by partition walls that lead out into a street within the estate. A staircase provides access between the floors internally. Based on the entrances provided and the amount of floor space available the Council's Building Control department consider that the building could provide safe use for up to 170 people. An application to Building Control would need to be submitted for the change of use and it would have to comply with Building Regulations in regards to fire safety.

6.2 The submitted Management Plan includes information on fire marshals and evacuation procedures. The building includes fire extinguishers on the ground and basement floors, fire exit signs and two emergency assembly points are available.

7.0 Equality Impact Assessment

7.1 Given the sensitive nature of the proposals a full Equalities Impact Assessment (EQIA) has been carried out, attached at Appendix 1; this was undertaken to act as a tool to assist officers in making a recommendation on the application as a decision maker in fulfilling its duties under the Equality Act 2010.

7.2 Planning permission already exists at the site to provide a training centre to promote education, recreation, employment and social welfare benefits to the Somali community along with advice and counselling services. The centre predominantly serves a largely Muslim community but does have facilities and offer services to those outside that community. It is not limited to a specific Muslim community or sect (as many such centres are) and provides facilities for women and men.

7.3 The EQIA identifies that the proposal would provide positive impacts for a faith community, that it has a religious purpose and there is no intention to constrain or limit the actions of people of other denominations and faiths, or the wider community. The proposal would not prevent other communities from practising their faith and no single group would be disadvantaged by the change of use, however those members of the Somali community would benefit. A possible effect is that the implementation of the permission strengthens community cohesion by acting as an expression of mutual tolerance and recognition of the needs of a faith community (and the difficulties they can sometimes experience through observing tradition). There are a number of Islamic cultural centres across Camden and there is no evidence to suggest that their presence has resulted in harm to members of other protected groups outside the Muslim community or adversely affected social cohesion.

7.4 The consultation responses received as part of the application have not referred to the use of the premises presenting any barriers to other protected groups. On the whole the comments reflected that the proposed use would serve an important function for a particular community.

7.5 The application raises considerations of equality, inclusion, diversity and community cohesion. Camden is experiencing increased diversity as the population increases and the demographics of the population changes, for example as households get smaller and people live longer. These changes increase the challenges to securing mixed, balanced areas with a sense of community, to reducing polarisation and to promoting equality of opportunity, all of which are Core Strategy strategic objectives. Overall, the EQIA shows no potential for discrimination and all appropriate opportunities to advance equality and foster good relations have been taken.

Recommendation: Grant Temporary Planning Permission Subject to Conditions

DISCLAIMER

Decision route to be decided by nominated members on Monday the 16th of November 2015.
For further information please click [here](#)

APPENDIX 1 – EQUALITY IMPACT ASSESSMENT (EQIA)

Equality Impact Assessments - equality through public services



Our approach

Equality impact assessments (EIAs) are our chosen way for working out the effect our policies, practices or activities (the word activity will be used throughout this form as an umbrella term) might have on different groups before we reach any decisions or take action. They are an important service improvement tool, making sure that our services are as effective as they can be for everyone Camden serves. They also help to prevent us from taking action that might have outcomes we did not intend.

It is essential that you start to think about the EIA process before you develop any new activity or make changes to an existing activity. This is because the EIA needs to be integral to service improvement rather than an 'add-on'. If equality analysis is done at the end of a process it will often be too late for changes to be made.

If a staff restructure of organisational change is identified as necessary following the review of an activity then an EIA needs to be completed for **both** stages of the process, i.e. one when the activity is reviewed and one when the restructure or organisational change is undertaken.

Please read the council's EIA guidance, ['Equality impact assessments – equality through public services, a step-by-step guide'](#), before beginning the EIA process.

Stage one - what is being analysed and who is responsible for the equality impact assessment?

This section should be completed to help you plan how you will analyse an activity.

Name of the activity being analysed	Somali Community Development Trust, Unit 23-24 Cheriton, Queen's Crescent
Service and directorate responsible	Culture and Environment
Names and posts of staff undertaking the assessment	Jonathon McClue
Date assessment completed	29/10/2015
Name of person responsible for sign off of the EIA	Stuart Minty

Stage two - planning your equality analysis

This section of the form should be completed when you are developing your proposals for assessing the activity.

The information you will need to collect should be proportionate to the activity that you are looking at. A small change in policy, for example, does not need to be supported by the same amount of evidence and analysis as a major change in service provision.

Outline the activity being assessed

- *Temporary change of use from ground floor community centre (D1) and basement office (B1a) to a training/community centre and place of worship (D1) on both floors (planning application ref. 2015/4077/P submitted by the occupier)*
- *The premises would continue its existing training centre use with the addition of daily prayers*
- *The property is occupied by the Somali Community Development Trust who are registered as a charity. They provide a range of comprehensive services and support for the Somali community*

Gather relevant equality data and information

Planning permission exists at the premises as an training centre to promote education, recreation, employment and social welfare benefits to the Somali community and to help provide relief for Somali people who have suffered traumatic psychological injuries, war induced injuries or problems with drug and alcohol abuse through the provision of information, advice and counselling services as well as pastoral religious services. The services provided include advocacy and guidance such as interpretation and translation services for refugees with language issues; supplementary and homework support classes for local children and young people; a Somali families support service with healthy eating sessions, benefit advice and counselling and youth activities such as sport activities (football) and training and mentoring.

The centre predominantly serves a largely Muslim community but does have facilities and offer services to those outside that community. Furthermore, it is not limited to a specific Muslim community or sect (as many such centres are) and provides facilities for women and men. In addition to the services and facilities available within the centre, the trust sponsors and supports activities held away from the centre (including days out, sports and other events) offering an extended diversity to those benefiting from its presence. They also provide home visits for those that need assistance or bereavement counselling.

There are a number of Islamic cultural centres across Camden. These premises are generally aimed at supporting existing Muslim communities within the area. There is no evidence to suggest that their presence has resulted in harm to members of other protected groups outside the Muslim community or adversely affected social cohesion. However, the limitations of being able to tangibly measure this are acknowledged given the range of complex factors that may affect the potential or perceived impacts.

Consultation and engagement

Surrounding residents were consulted as part of the application (including 207 posted letters and 3 site notices were put up) and there were many supporting comments received from neighbours, councillors and users of the site. Overall 30 letters in support were received and a petition in support with 87 signatures. The supporting comments state that the facility is needed for the local Muslim community and makes a positive contribution to the community.

There were 20 written objections received and a petition with 26 signatures objecting to the proposal. The objections were largely in relation to the potential to cause noise and general disturbance and parking issues.

The consultation responses have not referred to the use of the premises presenting any barriers to other protected groups. On the whole the comments reflected that the proposed use would serve an important function for a particular community.

The consultation responses identify that the creation of the prayer facility would have a number of direct and positive benefits for members of the Muslim community in the surrounding area and allow the facility to continue which would have benefits for children and young people who are provided with an opportunity to receive a cultural education

Have you identified any information gaps?

If there are gaps in equality information for some protected groups identify these in this section of the form and outline any steps you plan to take to fill these gaps. The measures identified in this section of the EQIA include careful design and siting to ensure there are no adverse impacts on the street scene and the character of the area. These detailed matters are fully considered in officer's delegated report. We have carried out the exercise with the information provided by the applicant, the history of the site, responses received in consultation on the planning application and desk based research carried out by the planning officer.

Stage three - analysing your equality information and assessing the impact

This section of the EIA should be completed when you are reviewing this activity and considering different options for future delivery.

Analysing the evidence outlined above, could the activity have a negative or positive impact on protected groups?

The types of questions you should consider include:

- *Does take up of the activity differ between people from different protected groups?*

Yes -the activity is aimed primarily at the Muslim community, however, it is open to all members of the community.

- *Have the outcomes of your consultation and engagement results identified potentially negative or positive impacts?*

The consultation has identified mainly positive effects. The negative issues are related to residential amenity impacts and parking and transport concerns and not ones related to equality.

- *Are some groups less satisfied than others with the activity as it currently stands?*

The activity has generated objections from individuals from mainly non-Muslim community although the objections are based on non-religious planning matters.

- *Is there a greater impact on one protected group, is this consistent with the aims of the activity?*

The activities are likely to positively impact on the Muslim community. There is no evidence to suggest this will be at the expense of other groups in any way.

- *Does the activity have the potential to advance equality and foster good relations?*

The activity does have the potential to foster good neighbourly relations if managed carefully.

- *Could the activity deliver potential benefits for protected groups?*

The activity provides the Muslim community with the opportunity to gain a greater understanding of their faith and cultural heritage.

- *If you have identified negative impacts include details of who these findings have been discussed with (e.g. Legal, HR, ESDG) and their views*

The negative impacts could include noise and disturbance and parking and transport implications. These have been managed by way of conditions and by granting temporary permission to assess the proposal's impact. The conditions include limiting the hours of use, controlling the maximum number of visitors, requiring sound insulation measures and conditioning against the use of amplified equipment.

- Could any part of the proposed activity [discriminate unlawfully](#)?

The known information does not suggest in any way that the proposed activity will be likely to discriminate unlawfully.

Equality impact summary

Please use this grid to summarise the impacts outlined above.

Protected group	Summarise any possible negative impacts that have been identified for each protected group and the impact of this for the development of the activity	Summarise any positive impacts or potential opportunities to advance equality or foster good relations for each protected group
Age	No negative impacts for this protected group	Children and young people who are an otherwise vulnerable section of society will be provided with an opportunity to receive a cultural education and engage with the wider Muslim community as well as contribute to the community at large as well as have a place to practice prayer
Disability	No negative impacts for this protected group	Not applicable for this protected group
Gender reassignment	No negative impacts for this protected group	Not applicable for this protected group
Marriage and civil partnership	No negative impacts for this protected group	Not applicable for this protected group
Pregnancy and maternity	No negative impacts for this protected group	Not applicable for this protected group
Race	No negative impacts for this protected group	Not applicable for this protected group
Religion or belief	No negative impacts	Allows the community to come together and benefit from cultural education and prayer.
Sex	No negative impacts for this protected group	Not applicable for this protected group
Sexual orientation	No negative impacts for this protected group	Not applicable for this protected group

Stage four - planning for improvement

This section of the form should be completed when you are developing plans for the future delivery of the activity.

The actions identified below can also be included in your service plan to help mainstreaming and for performance management purposes. They should also be included in any decision making reports relating to the activity you are analysing. You may find it helpful to document the actions in an [action plan](#).

What actions have been identified:

- to mitigate against or minimise any negative impacts?
- to advance equality, and therefore improve the activity?

Planning conditions listed have been imposed to manage any potential negative Impacts generated by the use of the premises. These include limiting the hours of use, controlling the maximum number of visitors, requiring sound insulation measures and conditioning against the use of amplified equipment.

A Noise Impact Assessment, Travel Plan and Transport Statement were required to be submitted as part of the planning application and were undertaken by qualified specialists. These reports have been assessed by the relevant internal Council departments.

Temporary permission has been approved on a 12 month basis so the Council can assess the impacts of the proposed use and whether a permanent permission could be justified.

If full planning permission were sought the Council would require a management plan to be secured which would look at ways of managing the relationship between the applicants and the neighbouring residents as part of the general duties under the Act to 'tackle prejudice' and 'promote understanding'. The management plan would ensure the local community is not negatively affected by the proposed use. This could minimise community tensions borne out of misunderstanding of the use of the premises.

Stage five - outcome of the EIA

Use this stage to record the outcome of the EIA. An EIA has four possible outcomes.

Outcome of analysis	Description	Select as applicable
Continue the activity	The EIA shows no potential for discrimination and all appropriate opportunities to advance equality and foster good relations have been taken	X
Change the activity	The EIA identified the need to make changes to the activity to ensure it does not discriminate and/ or that all appropriate opportunities to advance equality and /or foster good relations have been taken. These changes are included in the planning for improvement section of this form.	
Justify and continue the activity without changes	The EIA has identified discrimination and / or missed opportunities to advance equality and / or foster good relations but it is still reasonable to continue the activity. Outline the reasons for this and the information used to reach this decision in the box below.	
Stop the activity	The EIA shows unlawful discrimination.	
<p>Reasons for continuing with an activity when negative impacts or missed opportunities to advance equality have been identified.</p>		

Stage six - review, sign off and publication

Review

Your EIA will have helped you to anticipate and address the activity's likely effect on different protected groups. However the actual effect will only be known once it is introduced. You may find you need to revise the activity if negative effects do occur. Equality analysis is an ongoing process that does not end once an activity has been agreed or implemented.

Please state here when the activity will be reviewed, and how this will be done, for example through the service planning process, when the service is next procured etc. This will help you to determine whether or not it is having its intended effects. You do not necessarily need to repeat the equality analysis, but you should review the findings of the EIA, consider the mitigating steps and identify additional actions if necessary.

For restructures or organisational change a review should take place once the restructure has been completed. In addition to the areas identified above your review should include an evaluation of how the staff profile after the organisational change compares to Camden's profile, the division profile and the staff profile prior to the change. Your HR change adviser will provide you with the necessary data.

Date when EIA will be reviewed: _____

Sign off

The EIA must be quality assured within the directorate before sign-off by the service head /AD.

Quality assured by:	
Quality assured by OD for organisational change / restructures:	
Signed off by:	
Date:	
Comments (If any)	

Publication

If the activity will be subject to a Cabinet decision, the EIA must be submitted to committee services along with the relevant Cabinet report. Your EIA should also be published on Camden Data. All EIAs should now be uploaded to the [SharePoint site](#).

Mr Mohamood Gure
Unit 23-24
Cheriton
Queen's Crescent
London
NW5 4EZ

Application Ref: **2015/4077/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

9 November 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
**Unit 23-24
Cheriton
Queen's Crescent
London
NW5 4EZ**

DECISION

Proposal:

Temporary change of use from ground floor community centre (D1) and basement office (B1a) to a community centre and place of worship (D1) on both floors.

Drawing Nos: Location Map Scale 1:1250; GA200; GA201; GA202; Design and Access Statement dated June 2015; Background; SCDT Management Plan - November 2015; Complaints Procedure - Somali Community Development Trust; Weekly activities programme with prayers (existing); Weekly activities programme with prayers in Summer time; Weekly activities programme with prayers in Winter time; Travel Plan dated October 2015 by TTP Consulting Limited; Transport Statement dated October 2015 by TTP Consulting Limited and Noise Impact Assessment Report Rev 1 dated 27/08/2015 by Sound Licensing Limited.

The Council has considered your application and decided to grant permission subject to the following condition(s):



Condition(s) and Reason(s):

- 1 The use hereby permitted is for a temporary period only and shall cease within 12 months of the date of this decision notice, at which time the premises shall revert to their former lawful use which is a training/community centre (D1) on the ground floor and office (B1a) at basement level.

Reason: The Council would wish to review the permission at the end of the period in the light of experience of the operation of the use, in order to ensure compliance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans Location Map Scale 1:1250; GA200; GA201; GA202; Design and Access Statement dated June 2015; Background; SCDT Management Plan - November 2015; Complaints Procedure - Somali Community Development Trust; Weekly activities programme with prayers (existing); Weekly activities programme with prayers in Summer time; Weekly activities programme with prayers in Winter time; Travel Plan dated October 2015 by TTP Consulting Limited; Transport Statement dated October 2015 by TTP Consulting Limited and Noise Impact Assessment Report Rev 1 dated 27/08/2015 by Sound Licensing Limited.

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

- 3 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the building shall only be used for training purposes/community centre and a place of worship and for no other purpose.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The use hereby permitted shall not be carried out outside the following times Mondays to Fridays 09:00 to 21:00, Saturdays 10:00 to 19:00 and Sundays 10:00 to 18:00. It shall not be carried out at any time on Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The premises shall have no more than 70 people within the property at any one time, within the approved hours of use above, apart from during Friday prayers (12:00 to 14:00) when 170 would be allowed.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to ensure the safety of those using the premises, in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Before the use commences sound insulation shall be provided for the building in accordance with the measures outlined in 'Noise Impact Assessment Report' Rev 1 by Sound Licensing Limited dated 27/08/2015. The implemented measure shall be confirmed to the local planning authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Noise levels in rooms at the nearest noise sensitive premises shall maintain noise standard specified in BS8233:2014 for internal rooms and external amenity areas while proposed development is in operation. Noise at 1 metre external to any noise sensitive façade Day and evening 0700-2300 LAeq' 5m shall not increase by more than 5dB.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 No music or noise through amplified equipment shall be played/made on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The Management Plan submitted on November 2015 shall be adhered to and every effort shall be made to prevent patrons from congregating outside of the premises before and after activities take place.

Reason: To safeguard the amenities of the adjoining premises and the area

generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 In advance of the twelve month approval expiring, the draft Travel Plan submitted is required to be adopted and adhered to voluntarily. Evidence of how the Travel Plan has been used to manage the increase of trips to the site will be requested on the submission of any future full application.
- 4 This application has been allowed on a temporary basis so the Council can assess how the addition of prayers would impact on the living conditions of the neighbouring residents and the transport and parking provision of the surrounding area. If a permanent permission or renewal of the temporary permission were to be sought, the applicant would need to provide evidence as to whether the proposed development has had an acceptable impact on the above. Any permanent approval would be subject to a Section 106 Legal Agreement requiring a Management Plan, car free development for the staff members and a Travel Plan.

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

DRAFT

DECISION