

Mr. Mohammed Nazir
2 Eaton Gate
London
SW1W 9BJ

Application Ref: **2016/0684/P**
Please ask for: **Fergus Freeney**
Telephone: 020 7974 **3366**

9 May 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
529 - 529A Finchley Road
London
NW3 7BG

Proposal:
Change of use from phone shop (A1 Use Class) to luxury car rental service (Sui Generis) with ancillary retail.
Drawing Nos: Site location plan; 2918/01; Design and Access 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: Site location plan; 2918/01; Design and Access Statement

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

Informative(s):

1 Reasons for granting permission.

Permission is sought to change the use from the existing A1 retail unit to a luxury car rental service (Sui Generis). The site is located at the corner of Finchley Road and Burrard Road with a retail unit facing Finchley road and vehicular access from Burrard Road.

The site is not located within a Conservation Area. Furthermore it is not within a designated Town Centre, a Neighbourhood Centre or a Central London Frontage. Policy DP10 states that the Council seeks to retain local shops outside centres where possible, including those on small shopping parades and will resist the loss of shops unless there is alternative provision within 5-10mins walk (400-800m); we will also take into account the viability of the premises for the existing use.

Evidence has been submitted to show that the site has been vacant since at least November 2015 and has been marketed at reasonable rates since that time. The letting agent has confirmed significant interest in the site, but none for the existing A1 use class.

The site is within a small parade of 3 units. The neighbouring unit appears to have been a stationer which is now vacant; the other unit being a gym. The site is poorly located away from nodes of transport. There is provision of other A1 uses within 5-10mins walk close to the junction with Finchley Road and Fortune Green Road (approx. 200m away).

It is considered that in this instance the location is poor for the majority of A1 uses, with low footfall and far from transport nodes, the site and surrounding parade is vacant or only functioning with non-A1 Uses; it is considered that it would be more beneficial for the function, vitality and viability of the area to have the site in use rather than vacant. The loss is not considered to harm the day-to-day needs of the local population bearing in mind its previous use was as a phone shop for many years and it is currently vacant.

The proposed use as a luxury car rental service is considered to be acceptable, there is vehicular access to the rear which would remain unchanged and was used previously to allow the phone shop to install audio/electronic equipment into customer's cars. Vehicles would be displayed within the retail unit and driven out from the rear. Given the high end nature of the operation it is expected to be low turnover with approx. 20-25 rentals per month. This is estimated to be lower than the number of vehicles previously visiting the Carphone Warehouse for electronic installations. The Council's transport team have assessed the proposals and have not raised any concerns to the proposed use.

There would be a small retail offering within the shop selling merchandise, toys, model cars etc; it is considered that this would be ancillary to the main business and is acceptable. There would be no external alterations to the shop itself or the rear vehicular access.

It is not considered that there would be an impact on the amenity of surrounding neighbours, the use as a car rental service would not inherently create noise issues. Although it is noted that the type of vehicles being rented may be a source of noise. This is not, in itself, a planning matter as we cannot restrict the type of vehicle being rented. Nonetheless an informative will be added to remind the applicant that rental cars should not be revved excessively or driven erratically to avoid disturbing neighbours.

- 2 8 neighbours were consulted and a site notice and press notice were displayed. One objection has been received and has been taken into consideration when coming to this decision. The sites planning history and relevant appeal decision were also taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS1, CS5, CS7 and CS8 and of the London Borough of Camden Local Development Framework Core Strategy, and policies DP10, DP13 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 2016 (as amended); and paragraphs 14, 17 and 23 of the National Planning Policy Framework.

- 3 You are reminded that the area is residential in nature. To preserve residential amenity rental vehicles should not be revved excessively or driven erratically (such as fast acceleration or braking) on or around the site. Excessive noise caused by vehicles may be subject to environmental health noise nuisance enforcement and erratic driving may be subject to traffic law enforcement.
- 4 You are reminded that any additional external work to the shopfront, the signage or the rear vehicular access, yard or boundary will likely require planning permission or advertisement consent. No work may be carried out before such necessary permissions are granted by the Council.
- 5 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).
- 6 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.

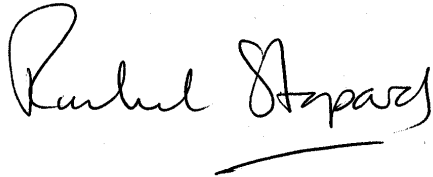
No. 020 7974 4444 or on the website
<http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard
Director of Supporting Communities