

DPP Planning

Sophia House
28 Cathedral Road
Cardiff, CF11 9LJ

t +44 (0)29 2066 0265
info@dppukltd.com

www.dppukltd.com



SUBMITTED VIA PLANNING PORTAL (PP-05182801)

Camden Council
Development Management
Camden Town Hall Extension
Argyle Street
London
WC1H 8EQ

27th May 2016

Our ref: LD/2286ca/L0001

Dear Sir

On behalf of Fatima Kraidly

Change of use from Class A3 (Restaurant) with ancillary takeaway to Class A5 (Hot Food Takeaway) and external alterations – including the installation of extraction and ventilation equipment

194 Kentish Town Road, Kentish Town, London, NW5 2AE

On behalf of Fatima Kraidly, please find enclosed a full planning application in respect of the above. The application comprises the following;

- Application forms duly completed and signed;
- Certificate B and Agricultural Holding Certificate duly completed and signed;
- Site Location Plan (drawing no. 5057-A5-05);
- Block Plan (drawing no. 5057-A5-06);
- Existing Floor Plan and Elevations (drawing no. 5057-A5-01);
- Proposed Floor Plan and Elevations (drawing no. 5057-A5-03);
- Annex B and supporting technical data; and
- Trips and Parking Technical Note prepared by Mayer Brown.

A cheque for the requisite planning application fee of £385.00 will be submitted under separate cover.

Site description

The application site comprises a ground floor restaurant with rear servicing yard and one allocated parking space. The site is located within Camden Town Centre. The site is bound by a Boots Pharmacy to the north and Phoenicia food hall to the south.

The existing tenant comprises the 'Te Amo Grill and Mezo Bar'. Whilst the established lawful use of the unit is considered to be Class A3 (Food and Drink) - it is clearly relevant to note that the restaurant runs an ancillary take-away operation which could theoretically account for nearly half of the unit's turnover without the need for a change of use application.

Application proposal

Planning permission is sought for a change of use from a Restaurant (Class A3) with ancillary takeaway to a standalone Hot Food Takeaway (Class A5). This application also seeks consent for minor alterations and enhancements to the exterior of the building to facilitate its future use as a modern hot food takeaway operation. The proposed changes comprise the following:

- Installation of new powder coated aluminium shopfront;
- Rear existing fire exit to be replaced with single timber door and insulated side panel;
- Installation of oven extract duct terminating at louvered wall grille;
- Installation of fresh air intake grille terminating at louvered wall grille; and
- Installation of 2 no. compressor units at the rear (eastern) elevation.

Sustainable economic development

Once operational, the proposed takeaway use will create new employment opportunities at a sustainable in-centre location, thereby delivering further benefits to the local economy. On this point, the National Planning Policy Framework ("NPPF") states:

"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

Significantly, the 'NPPF' also states that all main town centre uses – including retail development, leisure and entertainment facilities - constitute 'economic development' in their own right. It is, therefore, considered that the application proposal will help to promote sustainable economic growth - a key objective of national and local planning policy.

Compliance with planning policy

Policy DP12 states that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. The Policy states that new development will be considered against a range of criteria. Each criterion is considered in turn below:

Criterion A: the effect of non-retail development on shopping provision and the character of the centre in which it is located;

The permitted lawful use of the application site falls within Class A3 (Café/Restaurant). As such, the proposal will not result in the loss of retail floorspace and will not, therefore, impact upon the retail character of the centre.

Criterion B: the cumulative impact of food, drink and entertainment uses taking into account the number and distribution of existing uses and non-implemented planning permissions, and any record of harm caused by such uses

The application site comprises an existing restaurant with ancillary takeaway operation. As such the proposal will not impact upon the number of food, drink and entertainment uses within the centre.

Criterion C: the impact of the development on nearby residential uses and amenity, and any prejudice to future residential development;

As noted above, the existing operation comprises a restaurant with ancillary takeaway operation. As such, the proposal will not result in the introduction of a new food and drink operation. In this regard, it is important to reiterate that the current business already operates an ancillary takeaway service and could continue to do so without planning permission.

Further to the above, it is also relevant to note that there is existing extraction and ventilation equipment at the site which will be replaced and upgraded as part of the proposal. The equipment is designed to a high specification in order to eliminate fumes, odour, noise and vibrations – further details of which are included on the enclosed plans. It is not considered, therefore, that the proposal should raise any concerns in terms of odour. In addition, the enclosed noise assessment prepared by Cole Jarman demonstrates that the plant equipment should not raise any concerns in terms of noise. Taking into account the foregoing, it is considered that the proposal satisfies a sensitive interpretation and application of Criterion C.

Criterion D: parking, stopping and servicing and the effect of the development on ease of movement on the footpath;

The enclosed Transport Note prepared by Mayer Brown demonstrates that there is a range of parking facilities available within the local area.

Criterion E: noise and vibration generated either inside or outside of the site;

As noted previously, the enclosed noise assessment prepared by Cole Jarman demonstrates that the proposed plant equipment will not adversely impact upon local amenity in terms of noise. Moreover, the proposed hours of operation are 11am to 11pm daily. In consideration of other business operating similar hours in the vicinity, including Nando's (11pm close), we contend that the proposed hours of operation are appropriate at this in-centre location and will not prejudice residential amenity.

Criterion F: fumes likely to be generated and the potential for effective and unobtrusive ventilation

As noted previously, the existing extraction and ventilation equipment at the site will be replaced and upgraded as part of the proposal. Moreover, due to the positioning of the plant equipment (at low level on the rear elevation), it is not considered that the equipment will raise any concerns in terms of local amenity.

Criterion G: the potential for crime and anti-social behaviour, including littering;

The proposal will ensure the beneficial occupation of an existing food and drink operation at an established in-centre location. It is not considered, therefore, that the proposal will increase the potential for crime, anti-social behaviour or littering.

Taking into account the foregoing, it is considered that the site is fully compliant with Policy DP12 of the Local Plan.

Residential amenity

The proposed hours of operation are 11am to 11pm daily. In consideration of other business operating similar hours in the vicinity, including Nando's (11pm close), we contend that the proposed hours of operation are appropriate at this in-centre location and will not prejudice residential amenity.

The application proposal also seeks the installation of extraction and ventilation equipment to facilitate the use of the unit as a hot food takeaway. The equipment is designed to a high specification in order to eliminate fumes, odour, noise and vibrations – further details of which are included on the enclosed plans. It is not considered, therefore, that the proposed development will

constitute an intrusive land use

Design

The design of the proposed shopfront is in-keeping with the commercial character of the site and, wherever possible, incorporates existing building features. Furthermore, external alterations proposed to the rear elevation will be screened from Kentish Town Road by the host building and should not raise any concerns in terms of visual impact.

Accessibility

The application site, which is located within Kentish town centre, benefits from a substantial walk in catchment and will encourage linked trips to surrounding units. Furthermore, the pedestrian infrastructure within the centre is considered to be good, with wide footways along both sides of Kentish Town Road.

The Institute of Highways and Transportation (“IHT”) recommends that new developments are located within 400m of a bus stop. A bus lay-by is located within 50m of the site and results in good accessibility for customers and staff to a number of local bus services.

Finally, the enclosed transport note prepared by Mayer Brown demonstrates that there is a range of parking facilities available within the local area.

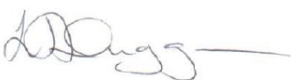
In light of the above, it can be concluded that the site is located in a highly sustainable location and benefits from close proximity to public transport links, car parking facilities and a substantial walk-in catchment.

Conclusion

The application proposal will result in the beneficial reuse of an existing commercial unit within a retail centre, thereby enhancing the character and appearance of the townscape and creating much-needed employment opportunities at a sustainable in-centre location. Furthermore, the design of the scheme and the type of extraction equipment proposed will eliminate fumes, odour, noise and vibrations, ensuring that the development will have no detrimental impact upon residential amenity. The proposed development is not, therefore, considered to constitute an intrusive land use. Finally, this Statement also demonstrates that the proposed development fully meets the criteria identified by Policy DP12 of the Local Plan. We conclude, therefore, that the application proposal is entirely compliant with national and local planning policy and will contribute towards sustainable economic development – a key policy objective. As such, the planning balance is very firmly in favour of the proposed development and planning permission should be granted accordingly.

I trust the above and enclosed is sufficient to ensure the prompt registration of the application. Please do not hesitate to contact me if you require any additional information.

Yours faithfully



Lorna Duggan
(Lorna.Duggan@dppukltd.com)

DPP

Direct Line: 029 2066 0265