

Mr Brian O'Reilly
Brian O'Reilly Architects
31 Oval Road
London
NW1 7EA

Application Ref: **2016/4913/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

18 November 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
85 Jamestown Road
London
NW1 7DB

Proposal:
Change of use of ground floor unit from office (Class B1a) to dual use with retail (Class A1) and health clinic (Class D1)
Drawing Nos: A1/D1348-100-E; A1/D1348-101-E A1/D11348-101-P (all dated 06/09/16);
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: A1/D1348-100-E; A1/D1348-101-E A1/D11348-101-P (all dated 06/09/16); Design and Access Statement.

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, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the relevant part of the premises shall be used as a health clinic only and for no other purposes within Use Class D1.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise and disruption 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.

Informative(s):

- 1 Reasons for granting permission.

This application follows from a previous planning permission (ref 2016/3823/P) for the change of use of the site from office (B1) to retail (A1). This permission accepted that the existing unit was no longer suitable for continued B1 use, and that the proposed A1 use would be beneficial to the character of the local area as well as the local community. It is considered that this permission has determined that the principle of the loss of the B1 is acceptable.

The proposed change of use would now retain a retail (A1) use to the front of the unit, and also include the addition of the osteopathic practice (D1) towards the rear of the unit. Although the uses would be separated via internal partitioning, the two uses are proposed to be run as a single business by the applicants. It is not considered that the two uses would be incompatible, with neither uses likely to produce significant levels of noise, disturbance or requiring significant servicing/deliveries due to their use, size and likely level of activity. For these same reasons it is not considered that the proposed uses would lead to a detrimental impact upon the residential amenities of any nearby occupiers. An informative has been added to ensure that there should be no primary cooking on the site (which could result in detrimental impacts on amenity without full consideration), .

It is considered that the proposed use split would provide a small shop premises suitable for small and independent businesses in accordance with the Council's policy DP10 whilst also providing a new community facility in accordance with the Council's policy DP15. Neither proposed use is considered to negatively impact the vitality of the nearby Town Centre. The development is thus considered to accord with policy DP12.

It is considered that the proposed change of use would lead to an improvement to the character of the local area in terms of creating a more active frontage, with a publicly accessible use and greater street surveillance. The use would also be better suited to the traditional shopfront of the property, reflective its historic usage. As no external alterations to the property are hereby proposed, there will be no impact on the character and appearance of the host property or row of locally listed properties.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS5, CS7, CS8 of the London Borough of Camden Local Development Framework Core Strategy and policies DP10, DP12, DP13, DP15, DP20, DP26, and DP28 of the London Borough of Camden Local Development Framework Development Policies. The development is also in accordance with the provisions of the London Plan 2016; as well as the National Planning Policy Framework 2012.

- 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 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).
- 4 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 5 It should be noted that the hereby approved A1 use of the site would not allow for any primary cooking or the installation of ventilation / extraction equipment within the unit which would require separate planning consent.
- 6 The applicant should be reminded of the requirements set out in Provision 5.7 of

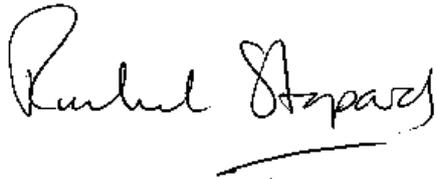
the Building Regulations (2010) Approved Document M (Volume 2) regarding the design of publicly accessible toilets.

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.

Rachel Stopard
Executive Director Supporting Communities