

Mr. J. Singh
15 North Parade
North Road
Southall
UB1 2LF

Application Ref: **2016/6314/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

3 August 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
260 Kilburn High Road
London
NW6 2BY

Proposal:
Change of use of basement level from retail (Use Class A1) to restaurant (Use Class A3) and amalgamation of the basement level with the basement and rear ground floor of No.258 Kilburn High Road to form one A3 unit.
Drawing Nos: Site Plan, Design & Access Statement, 0310-P02, 0310-P02 Revision C, 0310-P03, 0310-P04, 0310-P05 Revision B, 0310-P06, 0310-P07 and 0310-P08.

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 Plan, Design & Access Statement, 0310-P02, 0310-P02 Revision C, 0310-P03, 0310-P04, 0310-P05 Revision B, 0310-P06, 0310-P07 and 0310-P08.

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

- 3 No music shall be played 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 A1 of the London Borough of Camden Local Plan.

- 4 The use hereby permitted shall not be carried out outside the following times 11.00 to 23.00 (Monday to Friday), 11:00 to 00:00 (Saturday) and 12:00 to 23:00 (Sunday and Bank Holidays).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4 and TC1, TC2, TC4 and TC5 of the London Borough of Camden Local Plan.

Informative(s):

- 1 Reasons for Granting Permission:

The subject site is located within the Kilburn High Road Town Centre Core Frontage. Given the change of use is to occur at basement level in a space currently used as storage, it would not impact on the A1 uses at street level or the retail functionality. The change of use is therefore considered acceptable and to comply with policy guidance.

The proposed operating hours are 07:00 to 23:30 Monday to Sundays and public holidays. A condition has been imposed to secure operating hours and to ensure no music is audible from adjoining properties. Acoustic conditions have also been imposed. The premises is to utilise the kitchen within 258 Kilburn High Road. Due to the conditions of consent and given Kilburn High Road is a busy road, it is considered the impact would be acceptable in terms of neighbours amenity.

No onsite parking is available to staff or customers and therefore no parking issues are considered to occur. A waste store room is located within the ground floor unit of 258 Kilburn High Road and it is considered kerb side collection will be suitable for an operation of this size.

A site notice was displayed outside of the property. One objection has been received prior to making this decision and taken into consideration. The site's planning history was taken into account in coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 CC5, TC1, TC2 and TC4 of the London Borough of Camden Draft Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

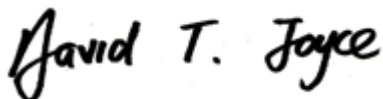
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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.
- 4 You are advised that use of the premises as a nightclub is not permitted by this planning permission and a separate planning application for a sui generis activity would be required.

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



David Joyce
Director of Regeneration and Planning