

Miss Alexandra Petrie-Baker  
Flat 1 24 Canfield Gardens  
LONDON  
NW6 3LA

Application Ref: **2017/4054/P**

Please ask for:

**Nora-Andreea****Constantinescu**Telephone: 020 7974 **5758**

10 November 2017

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:

**13 Brecknock Road  
London  
N7 0BL**

Proposal:

Change of use of the lower ground and ground floor levels from restaurant (class A3) to tuition centre (Class D1).

Drawing Nos: Covering Letter; Block plan; Site location plan; Existing use BR-SK-004; Proposed use BR-SK-004.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Covering Letter; Block plan; Site location plan; Existing use BR-SK-004; Proposed use BR-SK-004.

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

- 4 Notwithstanding the provisions of Classes 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, any part of the premises used as D1 shall not be used for any other uses other than the non-institutional educational uition centre.

Reason: To ensure that the future occupation of the building does not adversely affect neighbouring amenity by reason of noise, traffic congestion or excessive on-street parking pressure, in accordance with policies A1 (Managing the impact of development), and T2 (Parking and car-free development) of Camden Local Plan 2017.

- 5 No music shall be played on the premises in such a way as to be audible within any adjoining premises, residential units above 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 A1 (Managing the impact of development) of London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The application site is located on the west side of Brecknock Road, and marks the end of a row of terraced properties, which appears to be a later infill building. The site is located within Camden Neighbourhood Centre located outside the London Central Area.

The application relates to the ground floor and basement of the site and comprises a restaurant unit that has been vacant since March 2017. The upper floors of the property comprise residential units, accessed from a side extension, which are not part of this application.

CPG5 states that the Council will generally resist schemes that result in less than 50% the ground floor premises being in retail use or more than 3 consecutive premises being in non-retail use.

The Brecknock Road Neighbourhood Centre comprises nos. 1-49 (odds) Brecknock Road which includes 25 properties along this designated frontage. Within this group, 21 properties are in retail use, Class A1, whilst 4 operate in different class use such as A2, A3 and C3. As such the designated frontage of which the application site is part of includes 84% of the properties being in retail use, which is in accordance with CPG5.

Due to the physical separation created by Hargrave Place to the north, this section of the centre would comprise 13 units. Of the 13 units 8 are in retail use (61%) and the proposal would not alter the number of retail uses within the parade which is in accordance with CPG5, which requires a 50% retention of retail use.

It must be noted that there is no policy protection for A3 uses. It is therefore considered that the proposed change of use would retain the vitality and viability of the neighbourhood centre.

The proposed tuition centre will add value to the community by promoting education, increase job opportunities and retain vitality of the centre by providing an accessible service.

It is acknowledged that a Class D1 use may have the potential to generate significant volumes of people. With this comes the potential for associated noise and disturbance that may harm the amenity of the adjoining occupiers. The proposed tuition centre would provide group classes of mathematics to children aged 5-16 of all backgrounds. Each class would have a maximum capacity of 8 students, with a total of 24 students at any one time, and 5 members of staff. Each class is expected to last approximately 90 minutes.

The tuition centre would open between 9am and 10pm on weekdays and 8.30am and 6.30pm on weekends, with classes taught between 4.30pm and 9.30 pm on weekdays and 9am and 6pm on weekends. The amenity impact of such hours are not considered to be significantly different from the restaurant use and therefore it is not considered necessary or appropriate to control by condition the operating hours of the proposed Class D1 use. It is however considered appropriate to restrict the playing of any music within the premises that may be audible to adjoining premises. This applies to all uses and such a condition would assist in maintaining the amenity of nearby occupiers.

- 2 It is also noted that the D1 use class covers a wide spectrum of uses. As established above, the applicant has advised that the intended Class D1 would be occupied as a tuition centre. Other uses within Class D1, such as places of worship for example, may potentially lead to increased levels of vehicular movements in comparison with those anticipated. As such, a condition is recommended to ensure that only non residential education and training centre uses shall be able to occupy the premises. This is considered to be necessary in order to protect the amenity of

nearby occupiers.

In line with policy T1 the London Plan standards for Class D1 non-residential institutions are to provide 1 space per 8 staff plus 1 space per 8 students for long stay and 1 space per 100 students per short stay. This would equate to 4 cycle parking spaces. However, given the confined nature of the site it is not possible to provide secure cycle parking within the demise of the site. There is a Sheffield stand outside the site on Brecknock Road, capable of accommodating 2 cycles, and a further 4 stands (8 spaces) located at a short distance to the north of the site near the junction with Hargrave Road. It is considered that these are sufficient to cater for the likely demand for cycle parking created by the development.

The site would continue to be serviced as at present from Brecknock Road. No off-street parking is currently provided and none is proposed. Paid for parking bays are available to the north and south of the site on Brecknock Road, although it is anticipated that most pupils and their parents will travel to the site on foot, cycle or public transport. The nearest bus stops are located on Brecknock Road and Camden Road, whilst the nearest train stations are located to the west (Kentish Town) and east (Caledonian Road) of the site.

The proposed development does not comprise any construction works, a Construction Management Plan (CMP), CMP Implementation support contribution and highways contribution are considered unnecessary.

The proposed change of use would maintain the mix and balance of uses within the frontages as part of the Neighbourhood Centre and it would add value to the community.

No objections were 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 Camden Local Plan 2017, with particular regard to policies A1 (Managing the impact of development), TC4 (Town centres uses), C2 (Community facilities), T1 (Prioritising walking, cycling and public transport, T2 (Parking and car-free development) of London Borough of Camden Local Plan 2017.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS

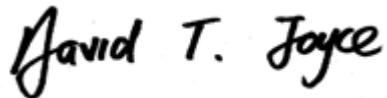
(Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning