

Zanoply Ltd
Octagon Point 5 Cheapside
London
EC2V 6AA
United Kingdom

Application Ref: **2017/6900/P**
Please ask for: **Alyce Keen**
Telephone: 020 7974

5 March 2018

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused and Warning of Enforcement Action to be Taken

Address:
263 Eversholt Street
London
NW1 1BA

Proposal: Change of use from A1 (retail) to A3 (restaurant) at ground level and the installation of a extract/ventilation duct to rear elevation (retrospective).

Drawing Nos: Existing_First_Floor_Plan; Existing_Roof_Plan; Existing_Front_Elevation;
Existing_Rear_Elevation; Existing_West_Elevation; Existing_East_Elevation;
Existing_Section_AA; Existing_Section_BB; Proposed_Ground_Floor_Plan;
Proposed_First_Floor_Plan; Proposed_Roof_Plan; Proposed_Front_Elevation;
Proposed_Rear_Elevation; Proposed_West_Elevation; Proposed_East_Elevation;
Proposed_Section_AA; Proposed_Section_BB (all dated 01.11.17); Design and Access
Statement (dated 01.11.17); Heritage Statement (dated 01.11.17); Acoustic Report
produced by Logarithmic Creation (dated 27.10.17).

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The continued use of the ground floor unit for restaurant (A3) purposes would, by virtue of an over concentration of non-retail uses, cause harm to the function,



character and success of the Eversholt Street Neighbourhood Centre. The change of use therefore remains contrary to Policy TC2 of the Camden Local Plan 2017 and CPG5 Town Centres.

- 2 The installed extract ducting to the rear elevation of the property, by virtue of its size, design and siting, is an overly prominent and incongruous addition which detracts significantly from the character and appearance of the host property and row of terraced properties, as well as the wider Conservation Area. The retention of this ducting therefore remains contrary to Policies D1 and D2 of the Camden Local Plan 2017.
- 3 Submitted reporting has failed to adequately demonstrate that the proposed use of the site and extract equipment would not adversely impact upon the residential amenities of adjoining neighbours by virtue of sound and vibration. The application therefore remains contrary to policies A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reason for refusal 3 may have been overcome by the submission of a noise report completed in accordance with British Standards, demonstrating compliance with the Council's adopted policy thresholds for noise and vibration.
- 2 **ENFORCEMENT ACTION TO BE TAKEN**

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control. For further details please refer to the delegated report.

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.

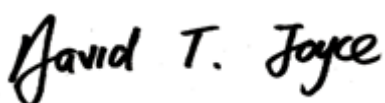
ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

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