

Application ref: 2018/0692/P
Contact: Elaine Quigley
Tel: 020 7974 5101
Date: 29 June 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
camden.gov.uk
planning@camden.gov.uk
www.camden.gov.uk

RR Planning Limited
82A Otley Road
Headingley
Leeds
LS6 4BA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Barkat House
Ground floor
Unit 2
116-118 Finchley Road
LONDON
NW3 5HT

Proposal: Change of use of ground floor unit from A2 use to flexible A1/A2/sui generis use (retail/financial and professional service/tanning salon).

Drawing Nos: Site location plan; Ground floor plan (existing and proposed); Planning Statement produced by RR Planning Ltd dated 12 March 2018.

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 location plan; Ground floor plan (existing and proposed); Planning Statement produced by RR Planning Ltd dated 12 March 2018.

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 policies A1, and A4 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed development includes the change of use to a ground floor unit and would not include any external alterations. The proposal is for a flexible use within the Classes A1, A2, and or tanning salon which is defined as Sui Generis according to case law.

The application unit is located within the Finchley Road Town Centre within the secondary frontage where the Council would expect to protect and retain 50% retail function within the frontage. The parade of units within this part of the secondary frontage currently falls below the 50% threshold. There is no objection to the loss of the A2 floorspace in policy terms as it would not alter the existing percentage of retail and non-retail uses within the frontage. The use of the premises as A1 is considered acceptable given the retail nature of the immediate area. This use could be carried out without the need for planning permission as change from A2 to A1 falls within permitted development rights. It is not considered that the use of the unit as a tanning salon would result in over concentration of similar uses within the frontage. Overall the proposed tanning salon is considered to maintain and enhance the viability and vitality of the designated secondary frontage in accordance with policies T2 and TC4.

The proposed hours of opening are considered acceptable. A condition would be attached to restrict levels of amplified music as there are residential flats in the upper floors of the building. As no external changes are proposed it is not considered that the proposal would result in any detrimental impact upon the residential amenities of residents within the upper floors of the block or neighbouring occupiers in terms of loss of daylight or sunlight, privacy or sense of enclosure.

Due to the satisfactory existing servicing arrangements, the proposed change is unlikely to result in disruption in this regard. The application site has a high PTAL level as such there would be no anticipated transport implications as a result of the change of use. Due to the scale and type of the development, there is no requirement to provide cycle parking in this instance.

No objections have been received in relation to the proposed development. The site's planning history has been taken into account when making this decision.

As such, the proposal is in general accordance with policies A1, A4, TC2, TC4 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

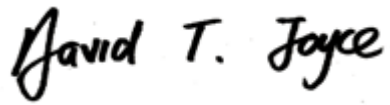
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 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 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.
- 4 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.
- 5 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 6 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>.
- 7 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

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