

Application ref: 2018/0832/P  
Contact: Kristina Smith  
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Date: 18 July 2018

**Development Management**  
Regeneration and Planning  
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11.04 Architects  
12 Wilton Road  
Muswell Hill  
London N10 1LS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**6 Inverness Street**  
**LONDON**  
**NW1 7HJ**

Proposal:

Lowering of existing basement floor level; replacement of uPVC windows with timber sashes to front and rear; installation of rear rooflight in association with change of use from bar/restaurant (Sui Generis) to restaurant (A3) at ground floor and basement level; creation of first floor rear terrace for existing 2-bed flat (C3)

Drawing Nos: P/01; P/10; P/11 (Rev A); P/12 (Rev F); P/13 (Rev F); P/14 (Rev A); P/15 (Rev A); P/16 (Rev A); P/17 (Rev A); Design & 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 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: P/01; P/10; P/11 (Rev A); P/12 (Rev F); P/13 (Rev F); P/14 (Rev A); P/15 (Rev A); P/16 (Rev A); P/17 (Rev A); Design & Access Statement

Reason:

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

- 4 Before the relevant part of the work is begun, details including section drawings at 1:10 of the proposed first and second floor front and rear windows (including jambs, head and cill) shall be submitted to, and approved in writing by the local planning authority.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 5 Prior to occupation of either the commercial or residential unit, full details of all plant equipment including proposed location, manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 the London Borough of Camden Local Plan 2017.

- 6 The restaurant (A3) use hereby permitted shall not be carried out outside the following times: 10:00 to 23:30 Mondays to Thursdays; 10:00 to midnight Fridays and Saturdays; and 11:00 until 22:30 on Sundays 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 of the London Borough of Camden Local Plan 2017.

- 7 The rear rooflight hereby approved (as shown on drawing no: P/13 (Rev D) shall be fixed shut apart from essential maintenance works. The rooflight shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To prevent an unreasonable level of noise impact on surrounding residential occupiers in accordance with policy A1 and A4 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

From visiting the site, it is apparent that the ground and lower ground floors are in Sui Generis use, operating as both a restaurant and late night bar/ club. The proposal would re-establish a restaurant use at ground floor and lower ground floor. The A3 use is considered to be well-suited to the town centre location where there are a high number of food, drink and entertainment uses currently operating. Given the premises operates as a late night drinking venue currently, it is not considered that an A3 use would lead to any additional negative impacts in terms of noise, anti-social behaviour and littering. The hours of operation shall be conditioned to be in accordance with the framework hours of the Camden Statement of Licensing Policy.

To provide private amenity space for the existing residential at first and second floors, a terrace area would be created on part of the roof of the restaurant below. There is evidence of other terraces in this location associated with other residential units nearby.

The external alterations consist of the replacement of uPVC windows with timber sliding sashes to the front and rear elevation. This is a welcomed alteration that would improve the contribution the building makes to the streetscene. To the rear the proposal seeks to install a large skylight in roof of the existing rear extension. It would be prominent only in limited private views from the residential units on the upper floors of properties along the terrace. No changes are proposed to the shop front as part of this application.

In association with the expansion of the A3 use, the basement floor level would be lowered by 0.5m. This scale of excavation is not considered substantial enough to warrant the submission of a Basement Impact Assessment or the securing of a Construction Management Plan via legal agreement.

The proposal is not considered to have an adverse impact on the amenity of surrounding occupiers. The rooflight would be fixed shut, accessed for maintenance purposes only. The proposed terrace would be of a limited depth preventing views back into residential windows. The only window that could be overlooked is at first floor level at no.8 Inverness Street and serves a stairway rather than a habitable room. The impact is therefore acceptable. Details of replacement plant equipment shall be secured by condition to ensure the location, vibration and noise levels of any plant associated with the A3 use does not have an adverse impact on the amenity of surrounding occupiers.

Two objections have been received prior to making this decision which have been duly addressed. 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 H1, H6, A1, A4, A5, D1, CC3, T1 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

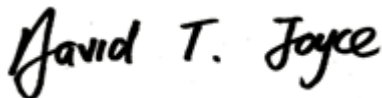
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's 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.
- 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).

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