

Application ref: 2018/2073/P
Contact: Charlotte Meynell
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Date: 16 August 2018

Development Management
Regeneration and Planning
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GC Planning Partnership Ltd
Bedford I-Lab
Stannard Way
Priory Business Park
Bedford
MK44 3RZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
87 Agincourt Road
London
NW3 2NT

Proposal: Change of use from retail (Class A1) to language tuition centre (Class D1).

Drawing Nos: 250AR 001 Location Plan; 250AR 002 Block Plan; 250AR 003 Existing Ground & Roof Plan; 250AR 004 Existing Front & Side Elevation; 250AR 005 Proposed Ground Floor & Roof Plan; 250AR 006 Proposed Front & Side Elevation; Planning, Design and Access Statement (prepared by GC Planning Partnership Ltd, dated April 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 250AR 001 Location Plan; 250AR 002 Block Plan;

250AR 003 Existing Ground & Roof Plan; 250AR 004 Existing Front & Side Elevation; 250AR 005 Proposed Ground Floor & Roof Plan; 250AR 006 Proposed Front & Side Elevation; Planning, Design and Access Statement (prepared by GC Planning Partnership Ltd, dated April 2018).

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

Informative(s):

1 Reasons for granting permission.

The application site is not located within a Town Centre or Neighbourhood Centre. Policy TC3 seeks to prevent the widespread loss of retail uses outside centres and states that the Council will only consider granting planning permission for development that involves a net loss of shop floorspace outside designated centres provided that alternative provision is available within 5-10 minutes' walking distance and there is clear evidence that the current use is not viable. The unit is located adjacent to and opposite to existing A1 units, and under 10 minutes walk from the Mansfield Neighbourhood Centre. Whilst the evidence to demonstrate the lack of economic viability remains unclear, the unit is currently vacant, and it is considered that the unit would not be viable in the long-term, as the limited floorspace (17sqm in total) and the irregular footprint of the unit renders it unsuitable for many A1 uses. It is therefore considered that the proposed loss of A1 (retail) floorspace would not materially harm the vitality or viability of the area and that the proposal is in general conformity with the objectives of policy TC3.

The site has a Public Transport Accessibility Level (PTAL) of 5 (very good). It is not considered that the proposal would materially affect the transport/parking in the area. No external alterations to the appearance of the property are proposed as part of this application. The proposed tuition centre would provide one-on-one language tuition to adults only, and no group classes are proposed. The tuition centre would open between 8.30am and 5.30pm Monday to Friday, and between 8.30am and 1.30pm on occasional Saturdays. No tuition would take place in the evenings or on Sundays or Bank Holidays. The amenity impact of such hours are not considered to be significantly different from the existing retail use and therefore it is not considered necessary or appropriate to control by condition the operating hours of the proposed Class D1 use. By virtue of the nature of proposal, it is not considered that the proposed tuition centre use would have an adverse impact on residential amenity.

No objections have been received prior to making this decision. The site's planning history was taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, TC3 and T1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

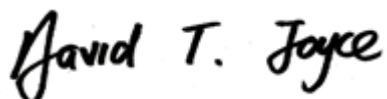
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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).
- 4 The applicant is advised that new signage associated with the change of use may require advertisement consent.

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