

Application ref: 2018/2501/P
Contact: Stuart Clapham
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Date: 3 September 2018

Development Management
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DWD
6 New Bridge Street
London
EC4V 6AB
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
194-196 Finchley Road
London
NW3 6BX

Proposal: Change of use of part of the lower ground and ground floors from Use Class A2 (Estate Agent) to Use Class D1 (Health Service)

Drawing Nos: Site Location Plan, Existing: 2937-01A, Proposed 2937-02A, Planning 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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Existing: 2937-01A, Proposed 2937-02A, Planning Statement.

Reason:

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

- 3 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall only be used for health services/clinic and not for any other use within Class D1.

Reason: To safeguard the amenities of the adjoining premises in accordance with policy A1 of the London Borough of Camden Local Plan 2017

- 4 Before the use commences, details of the location, design and method of waste storage and removal (including medical waste) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the use commencing on the site and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, TC2 and CC5 of the London Borough of Camden Local Plan 2017

- 5 The use hereby permitted shall not be carried out outside the following times: 07.00 - 21.00 Monday to Sunday.

Reason: To safeguard the amenities of the adjoining premises in accordance with policies A1 and TC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The applicant seeks permission for the change of use of part of the ground floor and basement of the property from Use Class A2 (Financial services) to Use Class D1 (Health service) to enable occupation of the site by a salt therapy centre. This would result in the loss of 120sqm of A2 space, although this would not affect the proportion of retail (Use Class A1) space along this section of secondary retail frontage. The proposed D1 use class would be considered a compatible town centre use, while the proposed health service use would continue to attract footfall and as such and as such contribute to the vitality and vibrancy of the Finchley Road town centre. The rear basement office would be retained for purposes ancillary to the health centre. The proposal would therefore accord with local policy in landuse terms. Whilst the unit is within a local centre, conditions are recommended to limit the opening hours and specify the permitted use within the D1 class. This is to ensure that the new use of the unit does not jeopardise the residential amenities of near by occupiers due to disturbance and noise. Similarly, as the unit is situated on a TfL red route, a condition is recommended for the submission of details of servicing and refuse delivery. This is to ensure that this element of the operation is managed in a way that does not result in worsened road or pedestrian safety, traffic conditions and to protect residential amenity.

No external alterations are proposed and as a result there would be no harm to the appearance of the host building or broader street scene.

No objections have been received in response to the consultation. The planning history of the site has been taken into account when making this decision.

As such, the application is in accordance with policies TC2 and TC4 of the London Borough of Camden Local Plan 2017. It is also in general accordance with the London Plan 2016 and the National Planning Policy Framework 2018.

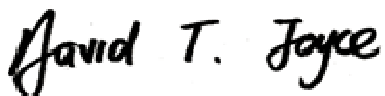
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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.

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