

Application ref: 2018/3796/P
Contact: Thomas Sild
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Date: 11 October 2018

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Assembly Associates Ltd
5 Blenheim Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**75 Mill Lane
London
NW6 1NB**

Proposal:

Change of use of ground floor from retail (Use Class A1) to restaurant (Use Class A3)
Drawing Nos: 1808(PLANNING)001, 1808(PLANNING)010, 1808(PLANNING)110,
1808(PLANNING)110, Planning, Design & Access Statement Ref 1819 (Aug 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 and documents: 1808(PLANNING)001, 1808(PLANNING)010, 1808(PLANNING)110, 1808(PLANNING)110, Planning, Design & Access Statement Ref 1819 (Aug 2018)

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

- 3 The use hereby permitted shall not be carried out outside the following times:
08:00 to 23:00 Mondays to Fridays, Sundays and Bank Holidays; 08:00 to 24:00 on Saturdays

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, A1, A4, TC1 and TC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal seeks a change the use of no. 75 from A1 to A3 to serve as additional dining and ancillary space for the existing A3 restaurant at no. 77. No external changes are included in this application.

The site is located within Mill Lane neighbourhood centre, which is outside the Central London Area. The Council's aim is to protect the role of neighbourhood centres, maintaining a range of suitable uses whilst resisting the loss of uses where this would cause harm to the character and function of an area. Food and drink uses are considered to make a positive contribution to Camden's neighbourhood centres. CPG states that the Council will resist schemes that result in less than 50% of ground floor premises being in retail use.

Mill Lane neighbourhood centre currently contains a variety of uses with less than half the ground floor premises in retail use and a significant number in sui generis or other uses. The current proportion of A1 units within the Mill Hill neighbourhood centre has been assessed as 45% based on the most recently available data. However, the use of no. 75 as A3 use would not result in more than three consecutive premises being in non-retail use along the frontage in line with Council policy and guidance on uses within neighbourhood centres.

Planning history indicates no. 75 was previously in shared A3 use with no. 77 but records indicate an A1 or Sui Generis use for the unit subsequently for at least 10 years. The planning statement indicates that this unit has been vacant for 6 months. The change of use is to support an existing adjoining business to continue to operate in the neighbourhood centre which is good for the overall viability of the centre, given vacancy levels, which have been historically high in this centre.

The proposal would create increased indoor dining and ancillary space for the adjacent restaurant within no. 77 and the existing kitchen facilities in this unit would continue to serve the business. As such no additional extractors or vents are proposed at no. 75 and therefore no significant impact on neighbour amenity would arise from this change of use. Planning conditions will be attached to this permission restricting opening times and audible noise in order to safeguard the amenities of neighbours and the area generally.

No objections and one comment in support was received following public consultation on the scheme. The site's planning history has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, G1, TC1 and TC2 of Camden Local Plan 2017, and Policy 14 of the Fortune Green Neighbourhood Plan. The development would also accord with the National Planning Policy Framework 2018 and the London Plan 2016.

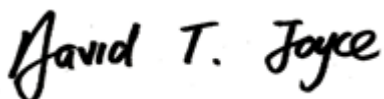
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building 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 You are advised that condition 3 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted 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



David Joyce
Director of Regeneration and Planning