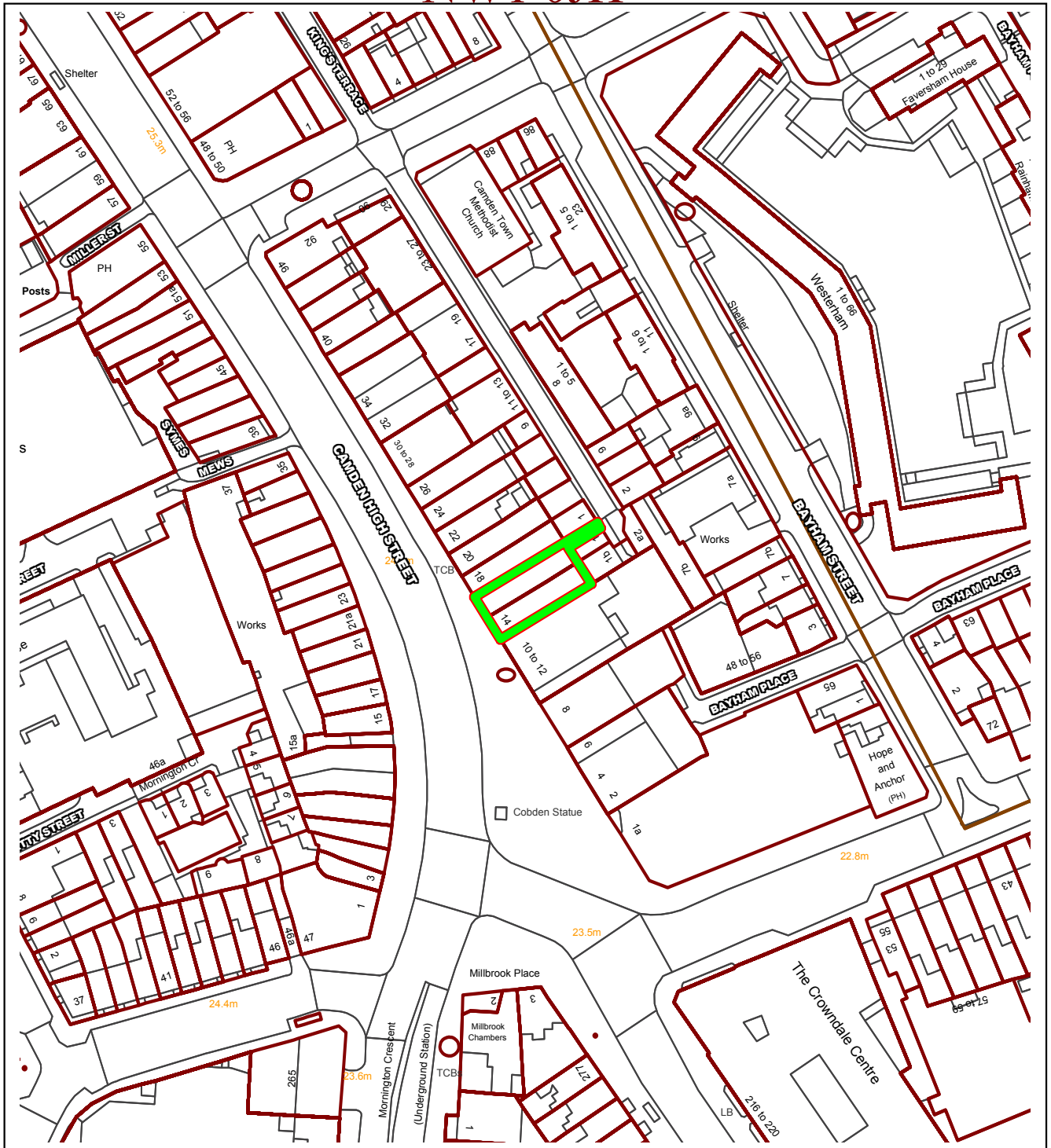


14-16 Camden High Street London NW1 0JH



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

1. Shopfront of 14-16 Camden High Street



2. Front/left section of ground floor interior



3. Front/right section of ground floor interior



4. Rear section of ground floor interior



5. Rear section of ground floor interior



5. Camden High Street frontage



Delegated Report		Analysis sheet		Expiry Date:		07/02/2019	
(Members Briefing)		N/A		Consultation Expiry Date:		03/02/2019	
Officer				Application Number(s)			
Alyce Keen				2018/6121/P			
Application Address				Drawing Numbers			
14-16 Camden High Street London NW1 0JH				Refer to Decision Notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use from restaurant (Class A3) to flexible use restaurant (Class A3) or drinking establishment (Class A4) on the ground & basement floors.							
Recommendation(s):		Grant full planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	No comments were received from local residents in response to the proposed change of use.					
Camden Town CAAC	<p>An objection was received from the Camden Town CAAC in response to the proposal on the following grounds:</p> <ul style="list-style-type: none"> it will increase the number of drinking establishments in the area, and many others already exist here. <p><i>Council acknowledges there are a number of drinking establishments in the area. However, with the site being located on a secondary frontage, the change of use is compliant with the Camden Town Centre guidelines in Appendix 4. Secondary frontages are designated to incorporate a broader range of other town centre uses including food, drink and entertainment uses, which support the viability and vitality of the centre. Therefore, the flexible change of use will still achieve to provide a broader range of other town centre uses as well as supporting the viability of the centre. For further discussion of this point please also see 'Safety and Security' section of the main report below.</i></p>					

Site Description

The application site is on the ground and basement floors at 14-16 Camden High Street.

The applications site consists of a four storey mixed use building with restaurant/café (Class A3) use located at ground and basement floors and residential (Class C3) on the floors above.

The site is located within the Camden Town Centre and Camden Town Conservation Area.

Relevant History

9201251 - Continued use of first to third floors of no. 14-16 Camden High Street as temporary sleeping accommodation as shown on drawing nos. m-8565-1 2. Granted full planning permission 22/07/1993.

PE9700363 - Removal of conditions attached to the appeal decision granted on 02/06/94 for retention of hotel accommodation over existing restaurant. Withdrawn 27/10/1997.

PE9800518 - Continuation of use as an hotel (Allowed at appeal), ten year permission requested. (Plans submitted). Withdrawn 17/08/1999.

PE9900584 - The erection of a two-storey conservatory extension to the rear and the installation of a new shopfront. As shown on drawing nos. 387-10, 11A, 12, 13. Granted full planning permission 06/12/1999.

Relevant policies

The London Plan (2016)

The National Planning Policy Framework (2018)

Camden Local Plan (2017)

TC2 Camden's centres and other shopping areas
TC4 Town centre uses
D1 Design
D2 Heritage
A1 Managing the impact of development
A4 Noise and vibration
C5 Safety and Security
CC5 Waste

Camden Planning Guidance

CPG Design (July 2015 updated March 2018)
CPG Town Centres (2018)
CPG Amenity (2018)

Camden Broadway Conservation Area Appraisal and Management Strategy (February 2009)

Assessment

Proposal

The proposal is to change the use of the basement and ground floors of the building from solely restaurant/café (class A3) to a flexible use of restaurant/café (Class A3) or drinking establishment (Class A4).

The premises is approximately 197sqm at ground floor level, with a further 123sqm at basement level. The proposed development relates to the lawful use of the premise only. It would not include any external alterations or the installation of any new / replacement plant equipment.

Assessment

Land Use

Policy TC2 of the Camden Local Plan 2017 states that secondary frontages in Camden Town protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre.

The application site is located on a designated secondary frontage within Camden Town Centre.

The Council's expectations for the mix and balance of uses within frontages for each designated centre are set out in Appendix 4. Appendix 4 outlines that there should be a minimum proportion of 50% of A1 shops in each individual frontage. There are no maximum proportions or other restrictions for food, drink, and entertainment uses and other non-retail uses.

As the existing lawful use is already restaurant (Class A3) and this application is solely applying to allow a flexible use of restaurant (Class A3) or drinking establishment (Class A4). The flexible permission would therefore not alter the existing proportion of retail (Class A1) units within the frontage meaning the proposal does comply with the requirements of the Local Plan. As such, the proposal is not considered to cause harm to the character, function, vitality, or viability of the Town Centre.

Residential amenity

Camden High Street is already a busy thoroughfare, which experiences a high level of general activity, and it is not considered that allowing the flexible change of use of the premises would cause significantly more harm to any nearby residential properties.

The operating hours of the restaurant/café use (Class A3) are currently controlled under the premises license. As the proposed introduction of a drinking establishment (Class A4) has the potential to result in a more intensive/disruptive operation, the operational hours will be conditioned through this planning application. The operational hours are characteristic of other drinking establishments located in close vicinity to the application premises.

The proposed change of use is acceptable in respect of fumes and odour, by nature of the fact that no new extraction systems are required.

Overall, it is considered that if the flexible use were to result in a more intensive use, than this could be controlled by the conditioned operational hours, which will ensure there is no undue harm to the residential amenities of nearby and neighbouring properties.

Safety and security

Policy C5 (e) seeks to ensure that developments take responsibility for reducing opportunities for crime through effective management and design, particularly in town centres such as Camden Town.

The proposed introduction of a drinking establishment use (Class A4) could result in potential implications. Therefore, a detailed assessment of the potential impacts and controls on the food and drink uses, as outlined in Table 1 of the Town Centres CPG, is addressed below.

As previously stated the premises is located on Camden High Street within the Camden Town Centre and in an area that is very highly accessible via public transport, including via night buses and the night tube. The highway in front of the premises is of a considerable width to cater for customers leaving the venue and making their way to various forms of public transport located in close proximity. It is therefore not considered that patrons existing the premise would result in disruptive congregations or issues of ASB. There is also a loading bay situated directly in front of the premises on Camden

High Street, to service pickup/drop offs and taxis.

Noise created elsewhere by the operation of the premises including customers and staff leaving the venue will be controlled via condition of the operational hours. The hours set out within these condition would include a slight curtailment to the existing hours afforded under the current licence to Mondays and Sundays, where a slightly earlier closing would be seen as necessary what with a more intensive use of the site. The hours proposed would align with a number of other drinking establishments within the Southern section of the High street and are therefore considered appropriate for this Town Centre setting.

In terms of the likely impacts of the activity on crime and anti-social behaviour in the vicinity, the Designing Out Crime Officer was consulted with the proposed change of use. The officer had no objections to the proposal but made some relevant recommendations including security rated doors, CCTV and clear signage, which have been conditioned as part of the decision.

There are adequate refuse bins within close proximity to the frontage of the premises, which will aid to address any refuse or litter being dropped outside a premises.

It is acknowledged that the application site is located in the Cumulative Impact Area. However, in terms of assessing the proposed change of use from restaurant to flexible restaurant and/or drinking establishment, it is considered acceptable from an assessment against the Local Plan 2017 including the Town Centres CPG. This type of establishment is appropriate in this area of the Camden Town Centre and will be controlled through conditioned opening hours. Council's licensing team has also been consulted on this application. If the applicant pursues to implement this permission, they will be required to apply to the Licensing Team to vary their current license, in which a separate licensing assessment will occur. Such a licence application process would include further examination of the proposed management and operation of the proposed bar use beyond that covered by the planning process, ensuring that the Council would maintain control of such matters.

The premises currently operates as a restaurant/café and the nature of the activities aren't considered to be drastically different to what is currently being carried out. In addition, there is no proposed changes in the size of premises therefore limiting the capacity is not considered necessary.

Design / conservation

No external changes are proposed as part of the change of use therefore there will be no impact to the Camden Town Conservation Area. Any alterations to the shopfront or adverts for a new business will need to apply for separate consent.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2, A1, A4, C5, CC5, TC2 and TC4 of the Camden Local Plan 2017.

Recommendation: Grant Full Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 18th February 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/6121/P
Contact: Alyce Keen
Tel: 020 7974 1400
Date: 14 February 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Bidwells LLP
Seacourt Tower
West Way
Oxford
OX2 2JJ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

14-16 Camden High Street
London
NW1 0JH

DECISION

Proposal:

Change of use from restaurant (Class A3) to flexible use restaurant (Class A3) or drinking establishment (Class A4) on the ground & basement floors.

Drawing Nos: 7747_01 Rev B; 7747_02.

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 shall be carried out in accordance with the following approved plans:
7747_01 Rev B; 7747_02.

Reason:

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

- 2 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).

- 3 The use hereby permitted shall not be carried out outside the following times 10.00 - 00.30 Mondays to Thursdays, 10.00 - 01.30 Fridays & Saturdays and 10.00 - 00.00 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, and TC4 of the London Borough of Camden Local Plan 2017.

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the premises shall be used for either a restaurant (A3) or drinking establishment (A4) only and for no other purpose whatsoever or any other use class or no use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order (with or without modification)

Reason: To ensure that the occupation of the building does not adversely affect the immediate area and the primary retail frontage in terms of its retail function, vitality and viability and of local amenity, in accordance with policies A1, A4, TC2 and TC4 of the Camden Local Plan 2017.

- 5 Prior to the first use of the premise for a drinking establishment use (A4), the following designing out crime measures shall be installed:

a) The main entrance door shall be security rated to either LPS 1175 SR2 or a minimum of PAS24:2016.

b) A security door rated to PAS24:2016 which has access control shall be installed in the basement area to maintain separation between the 'back of house' staff and public areas.

c) A security door rated to PAS24:2016 with access control shall be installed between the customer lobby and store rooms in the basement area.

d) CCTV cameras shall be installed at the basement floor between the 'back of house' staff and public areas

Those measures shall thereafter maintained in line with manufacturers specifications and shall be retained on site whilst the premises remains in an drinking establishment use (A4).

Reason: To ensure the development takes responsibility for reducing opportunities for crime through effective management and design, particularly in town centres such as Camden Town, in accordance with policy C5 of the Camden Local Plan 2017.

Informative(s):

- 1 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).
- 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 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.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 The applicant should remain in close liaison with the Camden Police Licensing Team who will be able to assess the conditions of the licence for the premises.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION