

Application ref: 2018/5714/P
Contact: Obote Hope
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Date: 25 March 2019

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NARTS Planning Department
53 Stoke Newington High Street
London
N16 8EL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

246-248

Kentish Town Road

London

NW5 2AB

Proposal:

Change of use from A2 (Financial services) to mixed-use development consisting of A1/A3 (Retail and Cafe) at ground floor level.

Drawing Nos: 18.246-248.01, 18.214-248.02, 18-246-258.03 and Design & Access Statement dated November 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 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 and D2 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 18.246-248.01, 18.214-248.02, 18-246-258.03 and Design & Access Statement dated November 2018.

Reason:

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

- 4 The use hereby permitted shall not be carried out outside the following times: 11:00AM -23:00 hours Mondays to Saturdays and 11:00AM to 22:00 on Sundays and Bank Holidays; unless with the prior written consent of the local planning authority. No customers shall be on the premises and no sound emanating from these premises shall be audible within any adjoining premises outside of these hours.

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.

Informative(s):

- 1 Reasons for granting permission:

Planning permission is sought to change the use of the existing bank (Class A2) to flexible use of retail and cafe use (Classes A1/A3). The site is located in the primary frontage of the Kentish Town, which forms part of the Town Centre and it is considered that the proposed dual use would be acceptable in this location. In accordance with Local Plan Policies TC2 and TC4, the Council will seek to prevent concentrations of uses that would harm the centre's attractiveness to shoppers and the Council will therefore generally resist proposals that would result in more than two consecutive premises within the primary frontages being in non-retail. In this instance, given that the Bank has been closed for over a year, the unit is not used as retail unit and there would be no primary cooking on the premises the change to dual use is considered acceptable.

Crème Café is part of a franchise unit that specialises in Ice cream and desert, i.e. waffles. Thus, the use would generally be within A1 use class. The Local Plan 2017 generally seeks to protect Shops (Class A1). It is therefore, not considered that the change of use would not have an impact with the vitality and viability of the retail function of the Kentish Town, Town Centre and would be in general be in accordance with policies TC2 and TC4 of the Local Plan 2017. Furthermore, the application is for a flexible use between A1, A3 so there

is potential for the retail use to continue.

Given its size the proposed use is unlikely to generate significantly more transport demands. It is considered that given the proximity and ranges of transport available, the proposed development would not harm the existing transport system.

There would be no harm to residential amenity due to no external alteration being proposed. The site is located within an active Town Centre and the retail and non-retail units' hours of opening varies. Notwithstanding this, in terms of noise disturbance, it is not considered that the proposed dual use unit would have negative impact on residential occupiers above or those adjacent owing to the limited floorspace. Due to the opening that would vary from the previous bank use, a condition would be attached to restrict the opening hours, in addition, a condition would also be attached to limit noise levels associated with amplified music as there are residential flats in the upper floors of the building.

Due to the satisfactory existing servicing arrangements, the proposed change is unlikely to result in disruption in this regard. The application site has a high PTAL level as such there would be no anticipated transport implications as a result of the change of use. Due to the scale and type of the development, there is no requirement to provide cycle parking in this instance.

No objections and one comment was received that has been addressed separately in relation to the proposed development. The site's planning history has been taken into account when making this decision.

As such, the proposal is in general accordance with policies A1, A4, TC2, TC4 and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; policy sw1 of the Kentish Town Neighbourhood Plan 2016 and the National Planning Policy Framework 2019.

- 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 Please note that with regards to the Class A1/A3 flexible unit, the lawful use of

the premises will default to whichever use is in occupation 10 years from the date of this permission.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer