

**43-45 Camden Road, London NW1 9LR**

**Change of Use of Ground floor from café (Class A1/A3) from 8:00 am to 18:00 pm to 7:00 am to 20:30 pm reverting to Private Members Club (sui generis) thereafter**

**Planning Statement**

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**Appendix A** summary of the consultee responses

## **1. Introduction**

### **1.1 PURPOSE OF THIS REPORT**

- 1.1.1 This statement is provided in support of a planning application submitted on behalf of the Turn Trust for the site at 43-45 Camden Road. The planning application is for a variation of condition of the planning permission with Application numbers 2017/5299/P and 2017/5301/A, granted in a Decision Letter dated 2/1/2018. The purpose of that consent was to authorise a change of use at ground floor level from Private Members Club (Sui Generis) to café (A1/A3) during day-time hours (08:00 – 18:00) and to authorise certain alterations to the building.
- 1.1.2 The planning application submission relates to a proposed change in the use of the ground floor of the premises to allow daytime use as a café (A1/A3 use) in earlier morning starting at 7.00 and longer evening hours from 18.00 – 20.30. Following the issue of the Decision Letter in 2017 the external and internal alterations to the building were implemented. This report refers to:
- The current lawful use of the property
  - An outline of the anticipated effect of the proposals for the limited change of use (in part) of the property
  - A brief summary of relevant planning policy
  - An assessment of the proposal in the context of these policies
- 1.1.3 Accompanying this submission are the following documents:
- Site Location Plan
  - Up to date Layout Plan of the Ground Floor only (Existing)
  - Report of Stride Install, Sound Proofer dated 16 July 2019
  - Sample consultee responses to applicant’s informal consultation dated July 2019

## **2. Site Description**

- 2.1.1 43-45 Camden Road is a four storey plus basement building former hotel and public house that was a private members club with other associated uses including residential and offices. There are offices on the second floor occupied by HMCA/s plc and on the third floor is occupied by one office and a residential apartment. The top storey, the fourth floor accommodates a small one bed apartment. The property is located on a prominent corner site on Camden Road at the junction with Bonny Street, within the Regents Canal/Camden Street Conservation Area opposite Camden Road station.



Figure 1 - View of property from Camden Road



Figure 2 - View of property from Bonny Street

2.1.2 The site is in a highly accessible location having a PTAL rating of 6b. The location of the site is shown on the submitted plan accompanying this planning application submission and illustrated below.



**Figure 3 - Site Location**

## **2.1 SITE HISTORY AND CURRENT USE**

- 2.2.1 The HMCA/s plc (freeholder) has offices on the second floor of the building and there is part residential accommodation on the third floor. The Turn Trust is the leaseholder of the entire building. This application only relates to the ground floor use. The charity is Christian led. Its café premises are welcome to all including passers-by and those seeking it out.
- 2.2.2. The mission of the Turn Trust is to help faith-based communities have a new impact in urban environments and encourage people to support the lives of others, be they their neighbour in need, or be they ‘disadvantaged’ in some way. Part of the intention is to provide a comfortable meeting place to encourage small groups of people from the local community and volunteers to assemble for small group discussion and other activities and events. The premises are intended to be welcoming to all so the charitable operation is not made explicit to customers although many are aware of its affiliation.
- 2.2.3 Following the 2018 consent a number of external alterations to the commercial building were carried out. Since opening the café, the café owner has not had any concerns about any of its running in terms of risk generally and custom through the door. The café is situated at a well-known and busy junction with Royal College Street and is well over-looked by pedestrians. It is also well over-looked by the Metropolitan Transport Police who have an office in the premises of Camden Overground station from where they run police transport operations. The Transport Police park their vehicles at the pedestrian end of Bonny Street very close to the café entrance so their immediate presence is very visible.

- 2.2.4 The café benefits from 20 -25% of repeat custom every day and many customers live and work locally. On a typical day it receives from 100 to 160 customers (till transactions).
- 2.2.5 There are a small number of coffee shops in the vicinity. There was a coffee shop opposite the premises which has now closed down. The Draft House pub is on the corner of Royal College Street and Camden Road also opposite the applicant premises (102 - 104 Camden Road) and its focus is the sale of different types of beers. Costa Coffee is located further south at Units 1 & 2, 35 Camden Rd, NW1 9LR.
- 2.2.6 Owing to the nature of the charity the Turn Trust would like to be able to meet more demand from its customers. This part of the High Street should be able to accommodate both general public and those who would like to have a positive impact on the community through the activities and events that will occur in the early evening.

## **2.2 PRE-APPLICATION CONSIDERATIONS**

- 2.2.1 This application has not been discussed as part of a pre-application submission as it is only a modification to the café opening hours relating to the existing permission consented by LB Camden. Officers had the benefit of a full acoustic report to address any concerns about the risk of noise to neighbours with the previous 2018 application.
- 2.2.2 As far as the applicant is aware no noise complaints about the premises have been made since 2017. The building is very well insulated as its previous use was a night club and since it has been managed by the Turn Trust extra sound insulation was added as part of the refurbishments works. The ACA report supplied to the Turn Trust in 2017 states that calculated noise transmission to habitable rooms of the nearest flat (on the upper storey of the building) is circa Laeq20dB(A) which complies with the recommended criteria for standard NR35 when music is played. This report is updated by a sound proofing report dated July 2019 from Stride Installation to confirm that the works were carried out in the parts of the building.
- 2.2.3 There is no perceived risk of noise nuisance arising as a result of sound leakage between the walls to the adjacent property. No complaints have ever been received from neighbours in neighbouring properties and the community since the café operation begun at the end of January 2019.

### **3. Proposed Development**

#### **3.1 CHANGE OF USE**

- 3.1.1 The proposed development consists of a material change in the use of the ground floor of the premises to allow A1/A3 use during early evening hours (18:00 – 20:30), and from 7:30 am. Beyond these hours the use would revert to the lawful use as a private members club under the terms and conditions of the original planning permission (ref.PE9900116).
- 3.1.2 The proposed coffee shop will continue to sell hot and cold drinks, cold and hot food for consumption on the premises and cold food / snacks / sandwiches for consumption off the premises.
- 3.1.3 Condition 4 of the 2018 consent enables the front terrace area to be used by patrons during the opening hours of the café and a request for that condition to be varied likewise is included in the application. Condition 5 imposed noise decibel levels a point 1 metre external to sensitive facades. These include a requirement that noise levels from plant or equipment at any sensitive façade shall be at least 10dB(A) below the LA90 expressed in dB(A). The purpose of this condition is to safeguard amenities of the adjoining premises and the area generally in accordance with G1, CC1, D1 and A1 of the London Borough of Camden Local Plan 2017. In terms of the technical noise abatement requirements of Conditions 5,6 and 7 these have all been met with the required plant and technology to address sound and vibration at source so that it is isolated at source in the appropriate casing.
- 3.1.4 The neighbours are housing co-operative tenants.

### **4. Planning Policy**

- 4.1.1 Decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004)
- 4.1.2 The current proposals have been developed with regard to and in accordance with current planning policies. These are outlined in more detail within each key consideration identified. The overarching policy documents are outlined below.

#### **4.2 THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019**

- 4.2.1 The National Planning Policy Framework is a material consideration in planning decisions and the NPPG provides clarification on issues related to the

interpretation of the planning regime.

- 4.2.2 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay.

#### **4.3 THE DEVELOPMENT PLAN**

- 4.3.1 The London Plan forms the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. A new emerging London Plan is being considered by the Planning Inspectorate.

#### **4.4 CAMDEN LOCAL PLAN 2017**

4.4.1 The Local Plan was adopted by Council on 3 July 2017. Of particular relevance are the following policies;

- G1 Delivery and location of growth
- C5 Safety and security
- C6 Access for all
- A1 Managing the impact of development
- A4 Noise and vibration
- D1 Design
- TC2 Camden's centres and other shopping areas
- TC4 Town centres uses
- T1 Prioritising walking, cycling and public transport
- T4 Sustainable movement of goods and materials

#### **4.5 SUPPLEMENTARY PLANNING GUIDANCE**

- 4.5.2 Camden Planning Guidance 5 – addresses Town Centres, Retail and Employment, Food, drink and entertainment uses provides further advice on the operation of such policies. Matters for previous consideration included the operation of air conditioning units; tables and chairs; amplified music, hours of operation; Fumes and noise / vibration.

### **5. Planning Appraisal**

5.1.1 The determining issue in this case is considered to be:

- The principle of the proposed change in land use for the extension of hours and the impacts it may have on neighbouring properties.



## 5.2 LAND USE / PRINCIPLE OF DEVELOPMENT

- 5.2.1 The Council Local Plan policies recognise that while food, drink and entertainment uses can contribute to the vibrancy and vitality of town centres, they can also have harmful effects, such as noise and disturbance to residents; litter; anti-social behaviour; parking and traffic impacts. The level of impact depends on the type of the use, its location, its size and the character and nature of its surroundings.
- 5.2.2 Policy TC2 of the adopted Local Plan notes that the Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. Part (c) specifically notes that the Council will make sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area.
- 5.2.3 Policy TC4 notes that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. There are a number of considerations, including: (b) the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses and non-implemented planning permissions and any record of harm caused by such uses; (f) the health impacts of development; (g) the impact of the development on nearby residential uses and amenity and any prejudice to future residential development; (h) parking, stopping and servicing and the effect of the development on ease of movement on the footpath; (i) noise and vibration generated either inside or outside of the site; (j) fumes likely to be generated and the potential for effective and unobtrusive ventilation; (k) the potential for crime and antisocial behaviour, including littering.
- 5.2.4 The application site is not within a designated Town Centre or Neighbourhood Centre; however, it is close to the Royal College Street / Camden Road Neighbourhood Centre.
- 5.2.5 There are relatively limited A3 uses in the vicinity. On the east side of Camden Road there are only 2 properties within the frontage of 12 units in A3 use (the Grand Union and the Domo Italian and Highstone coffee shop is now closed).

On our side of the road there is Costa.

Nearby there is a café on the Royal College Street, called Casa Tua.

Along Camden Road, having passed under the bridge, there are a number of cafes: Camden Tandoori is nearest, and there is also Parma Café (closed by 6pm); the Mango Room; Tree Pan Asian; Camden Chippy; Slattery's (free house); Twins coffee (closed by 6pm).

- 5.2.6 It is not considered that the proposed change of use to a café (Class A1/A3) during the earlier morning and evening hours proposed –, would result in an over-concentration of food, drink and entertainment uses in the local area or result in a negative cumulative impact. The use of the building during the day is likely to contribute positively to the street scene and the character and appearance of the wider area as it will provide an active frontage.
- 5.2.7 The principle of development is therefore considered to be acceptable, subject to the detailed considerations below.

### **5.3 IMPACT ON NEIGHBOURING PROPERTIES**

- 5.3.1 Policy TC4 of the emerging Local Plan both note that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the amenity of neighbours.
- 5.3.2 It is not considered that the proposed change of use to a café (Class A1/A3) during the day would cause undue harm to the residential amenities of neighbouring and nearby properties and general activity associated with the proposed use. The application site is in a reasonably busy location, near to the Royal College Street / Camden Road Neighbourhood Centre and adjacent to Camden Road station.
- 5.3.3 The other cafes in the area are believed to have longer opening hours. Costa café has an outside deep terrace facing Camden Road and operates opening hours from circa 7am to 9pm. Its terrace accommodates at least 8 tables and is below residential accommodation. Reported data on the internet show there is significant demand for Costa's beverage and refreshment offer between 6-7pm with a fall-off in demand from 8-9pm. This demand is a strong indicator of the level of demand along Camden Road.

### **5.4 PLANNING CONSIDERATIONS**

- 5.4.1 There is no change to the nature of Transport considerations previously considered under Policy T1 of the Local Plan which promotes sustainable transport by prioritising walking, cycling and public transport in the borough. The application site has the highest PTAL rating (6b) which means it is easily accessible by public transport. Its proximity to the Royal College Street / Camden Road Neighbourhood Centre also means the area is likely to already attract visitors.
- 5.4.2 Overall, it is not considered that the proposed change of use to café (Class A1/A3) during the day would cause any harmful transport impacts in the wider area and the proposal is considered to be acceptable in this respect.

5.4.3 Sound proofing works were carried out to the premises in December 2017 as described in the report of Stride Install dated 16 July 2019 following the grant of the previous permission resulting in further works to the party wall shared with 41 Camden Road and the ground floor and the internal stairwells leading to the first and second floors. In addition, a new wall with door was erected on the first floor to separate the stairwell from the main room and the party wall was also sound insulated with an independent stud wall. These insulation measures ensure that noise generated within the café will not leak to other parts of the property or the adjoining property at 41 Camden Road.

#### **5.4.4 Consultation with neighbours and users**

A consultation form was left for respondents to complete in mid-June 2019 for 6 weeks addressing the principle of extended hours. Over 40 responses were received and the response was overwhelmed positive. A sample of copy responses are exhibited in Annex A.

### **5.5 SUMMARY AND CONCLUSIONS**

5.5.1 This application proposed the change of use of the ground floor of the premises 43-45 Camden Road, to A1/A3 use during daytime hours (07:30 – 20:30). The premises are currently in use as a private members club (sui generis use) and after these hours the use would revert to the lawful use referenced under planning permission 2017/5299/P and 2017/5301/A.

5.5.2 The use of the building during the day is likely to contribute positively to the street scene and the character and appearance of the wider area as it will provide an active frontage. The use can operate in the daytime without any loss to the amenity of nearby residents.

5.5.3 Accordingly, the proposal is in accordance with Local Plan Policies and can be seen to be a sustainable form of development also providing local employment opportunities and accords with the fundamental aims of Camden's Local Plan and the NPPF.

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## **Appendix A - Summary of the consultee responses**

# Would you support extended opening hours at this Café

Short survey: June/July 2019

The Living Room Club Café is popular, particularly at peak hours, and so we would like to open earlier in the morning, and later at the end of the day as people head home or wish to enjoy the Café in the evening.

The Turn Trust, which runs the Café, proposes to apply to Camden Council to extend its permitted Café opening hours (currently 8:00am - 6:00pm) to 7:30am - 8:30pm on weekdays and Saturdays, offering a similar range of refreshments.



LIVING ROOM CLUB  
45 Camden Road  
London NW1 9LR

## Please complete the short survey below

1. Do you support the Café's opening hours being 7:30am-8:30pm (weekdays & Saturdays)  Yes /  No
2. Why did you come to the Café today?  
 Refreshment only  
 Meeting with friend(s)  
 Meeting with colleague(s)  
 Other \_\_\_\_\_
3. Frequency of visits till now (circle one): daily / weekly / infrequent / new visitor
4. Are you a resident living in LB Camden?  Yes /  No
5. Any other comments you think would be helpful to the running of the Café, so we might serve you better:

### Your details:

Name *Laura Sanson* Address *3 Abbotbury, NW1 9RP*

Date *31.07.2019*

Please tick this box  to confirm that you agree that your comments, name and contact details can be shared with Camden Council's Planning Department through our consultants Line Planning, both of whom are registered with the Information Commissioner for processing personal data.

We and our consultants will treat your data as confidential and will only use it for the purpose of the making and the determination of the proposed planning application. It will not be shared with anyone else, unless that is required under the General Data Protection Regulation (GDPR) to comply with a legal duty. Camden Council may publish information relating to a planning application, including comments made by members of the public, but we will ask them to remove any personal data before doing so. You have a right to withdraw your consent to our processing your information at any time by contacting Rob Ashworth at [office@turn.uk.net](mailto:office@turn.uk.net), of Turn Trust, at 43-45 Camden Road, London NW1 9LR, and Liz Loughran at [liz.loughran@lineplanning.com](mailto:liz.loughran@lineplanning.com), of Line Planning at 70, Cowcross Street, London EC1M 6EJ

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London NW1 9LR

## Please complete the short survey below

1. Do you support the Café's opening hours being 7:30am-8:30pm (weekdays & Saturdays)  Yes /  No
2. Why did you come to the Café today?  
 Refreshment only  
 Meeting with friend(s)  
 Meeting with colleague(s)  
 Other \_\_\_\_\_
3. Frequency of visits till now (circle one): daily / weekly / infrequent / new visitor — *more than weekly - 2x*
4. Are you a resident living in LB Camden?  Yes /  No
5. Any other comments you think would be helpful to the running of the Café, so we might serve you better:

### Your details:

Name *Alanna Collier*

Address *50 Brunel Street*

Date *1-8-19*

*Flat 4 Mundle House, SE1 1QS*

Please tick this box  to confirm that you agree that your comments, name and contact details can be shared with Camden Council's Planning Department through our consultants Line Planning, both of whom are registered with the Information Commissioner for processing personal data.

We and our consultants will treat your data as confidential and will only use it for the purpose of the making and the determination of the proposed planning application. It will not be shared with anyone else, unless that is required under the General Data Protection Regulation (GDPR) to comply with a legal duty. Camden Council may publish information relating to a planning application, including comments made by members of the public, but we will ask them to remove any personal data before doing so. You have a right to withdraw your consent to our processing your information at any time by contacting Rob Ashworth at [office@turn.uk.net](mailto:office@turn.uk.net), of Turn Trust, at 43-45 Camden Road, London NW1 9LR, and Liz Loughran at [liz.loughran@lineplanning.com](mailto:liz.loughran@lineplanning.com), of Line Planning at 70, Cowcross Street, London EC1M 6EJ

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## Please complete the short survey below

1. Do you support the Café's opening hours being 7:30am-8:30pm (weekdays & Saturdays)  Yes /  No
2. Why did you come to the Café today?  
 Refreshment only  
 Meeting with friend(s)  
 Meeting with colleague(s)  
 Other \_\_\_\_\_
3. Frequency of visits till now (circle one): daily / weekly / infrequent / new visitor
4. Are you a resident living in LB Camden?  Yes /  No
5. Any other comments you think would be helpful to the running of the Café, so we might serve you better:

*We would love weekend opening*

### Your details:

Name *Sauk* Address *17 Prattle Place NW1*

Date *2/5/19*

Please tick this box  to confirm that you agree that your comments, name and contact details can be shared with Camden Council's Planning Department through our consultants Line Planning, both of whom are registered with the Information Commissioner for processing personal data.

We and our consultants will treat your data as confidential and will only use it for the purpose of the making and the determination of the proposed planning application. It will not be shared with anyone else, unless that is required under the General Data Protection Regulation (GDPR) to comply with a legal duty. Camden Council may publish information relating to a planning application, including comments made by members of the public, but we will ask them to remove any personal data before doing so. You have a right to withdraw your consent to our processing your information at any time by contacting Rob Ashworth at [office@turn.uk.net](mailto:office@turn.uk.net), of Turn Trust, at 43-45 Camden Road, London NW1 9LR, and Liz Loughran at [liz.loughran@lineplanning.com](mailto:liz.loughran@lineplanning.com), of Line Planning at 70, Cowcross Street, London EC1M 6EJ

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 Meeting with friend(s)  
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4. Are you a resident living in LB Camden?  Yes /  No
5. Any other comments you think would be helpful to the running of the Café, so we might serve you better:

### Your details:

Name Gemma Webb. Address 78. NW2 6SX.

Date 2/8/19

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