

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>22/07/2019</b>			
		N/A		<b>Consultation Expiry Date:</b>		<b>07/08/2019</b>			
<b>Officer</b>				<b>Application Number(s)</b>					
Alyce Jeffery				2019/2744/P					
<b>Application Address</b>				<b>Drawing Numbers</b>					
L'Amentine 6 Camden Road London NW1 9DL				Refer to decision notice.					
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>			
<b>Proposal(s)</b>									
Change of use from sandwich bar (Use Class A1) to hot food takeaway (Use Class A5).									
<b>Recommendation(s):</b>		Refuse							
<b>Application Type:</b>		Full Planning Permission							
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice							
<b>Informatives:</b>									
<b>Consultations</b>									
<b>Adjoining Occupiers:</b>		No. of responses		00		No. of objections		00	
<b>Summary of consultation responses:</b>		Advertisement in local press on 27/06/2019 – 21/07/2019 Site notice displayed on 21/06/2019 – 15/07/2019							
<b>CAAC/Local groups comments:</b>		<u>Camden Town Conservation Area Advisory Committee:</u> <ul style="list-style-type: none"> <li>Far too many food outlets in Camden High Street already, especially take aways.</li> </ul>							

## Site Description

The application site includes a four storey 19<sup>th</sup> century terrace property located on the corner of Camden Road and Bayham Road.

The building comprises a sandwich bar (Class A1) at ground floor and residential units (Class C3) located above on the upper floors.

The site is not listed but lies within the Camden Town Conservation Area and is identified as making a positive contribution to the Camden Town Conservation Area (4a-6). The site is also located within the Camden Town, Town Centre.

## Relevant History

2007/2798/INVALID - Change of use from retail (Class A1) to hot food takeaway use (Class A5). Withdrawn by Council 17/01/2008.

9100410 - Retention of new shopfront. Granted 08/10/1991.

8701392 - Partial redevelopment extensions and works of conversion to provide a public house theatre/live entertainment facilities light industrial workshop and 26 residential units. Refused 23/06/1988 and dismissed on appeal

CTP/J11/9/A/889 - The redevelopment of the sites of the Mother Redcap Public House 2-6a Camden Road, 145-147 Bayham Street and 1-5 Greenland Road, Camden by the erection of a building comprising shops, shop storage car park and goods off-loading and 16 residential flats above. Refused 27/10/1965.

## Relevant policies

### London Plan 2016

#### Draft London Plan 2019

E9 Retail, markets and hot food takeaways

### National Planning Policy Framework 2019

#### Camden Local Plan 2017

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

CC4 Air quality

TC2 Camden's centres and other shopping areas

TC4 Town centre uses

#### Camden Planning Guidance

CPG Design (2019)

CPG Town Centres and Retail (2018)

CPG Amenity (2018)

CPG Planning for health and wellbeing (2018)

### Camden Town Conservation Area Appraisal and Management Strategy

## Assessment

### Proposal

The proposal is for the change of use from sandwich bar (Use Class A1) to hot food takeaway (Use Class A5).

The applicant has failed to provide an existing elevation drawing, a proposed elevation drawing, it is unclear exactly what the proposed internal and external alterations would be to facilitate the change of use. It is noted that the applicant stated on the application form that there is existing ventilation equipment and that 'not much is changing'. In addition, the applicant has failed to provide sufficient details of the proposed ventilation equipment alongside a comprehensive acoustic survey and a risk-based odour control assessment.

As such, it is considered that no physical alterations requiring planning consent are proposed, and the application concerns the change of use of the site (from Class A1 (sandwich bar) to Class A5 (hot food takeaway)), only.

### Assessment

The principal considerations material to the determination of this application are summarised as follows:

- Land use (loss of retail unit and creation of a new hot food takeaway)

### Land Use

Policy TC2 (Camden's centres and other shopping areas) sets out how the Council will promote successful and vibrant centres by protecting and enhancing the role and unique character of each of Camden's centres; by providing for and maintaining a range of shops, services, food, drink and entertainment and other suitable uses; and by making sure that food and drink uses do not have a harmful impact on residents and the local area.

In addition, Policy TC4 (Town centres uses) states that the Council will consider health impacts of the development of new hot food takeaways in the Borough. This approach is in line with National Planning Guidance which states that Local planning Authorities and planning applicants should have regard to the following issues;

- proximity to locations where children and young people congregate such as schools, community centres and playgrounds;
- evidence indicating high levels of obesity, deprivation and poor health in specific locations
- over-concentration and clustering of certain use classes within a specified area

Camden's Town Centres and Retail CPG states that Camden Town has a good diversity of uses, including food, non-food, and service users... and it has a low level of vacancy and strong demand for retail space.

Policy TC2 seeks to protect the retail function of town centres by ensuring there is a minimum proportion of premises in A1 retail (shop) use. In addition in some locations the Council seeks to manage the mix and balance of uses, and the impact of food, drink, and entertainment uses by setting maximum proportion of these uses.

The subject site is located in the 'primary shopping frontages' area of the Camden Town Centre, where the Council will resist development which results in the number of ground floor premises in retail use falling below 75%. Furthermore, to avoid excessive fragmentation of the centre, no more than two consecutive non-retail uses (including restaurants) will be permitted.

The subject site is located on a primary frontage of 6 commercial properties between Camden Road and Bayham Road. A site visit was carried out on Friday 2<sup>nd</sup> August 2019, to establish the existing mix of uses within the frontage. This was verified against the Council's planning records to establish the lawful uses within this part of the Core Frontage as well as the information provided on Camden's retail survey 2018.

The site is located within a terrace of 6 shops, nos. 147 & 4A, 6A, 2, 4 and 6, and the ground floor units of which are currently in the following uses:

147 & 4A Camden Road – Worlds End – Public House (Class A4)

- 6A Camden Road – Hot Rock King of Falafel – Hot food takeaway (Class A5)
- 2 Camden Road – Bureau de Exchange – Financial Service (Class A2)
- 4 Camden Road – Subway – Sandwich Bar/Retail (Class A1)
- 6 Camden Road - L'Amentine - Sandwich Bar/Retail (Class A1)

As such, two of the six units are in retail (A1) use, which equates to 33.3%. The change of use of no. 6 to a hot food takeaway use would result in a reduction to 16.66%. Although the change of use would not result in more than 3 consecutive units being in non-retail use, the reduction of retail to less than 75% of units would be contrary to policy TC2.

Policy E9 of the Draft London Plan states that development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. The subject site at 6 Camden Road, is located within 400m walking distance of Cavendish School, which is situated at 31 Inverness Street NW1 7HB. Policy TC4 of the Camden Local Plan and policy E9 of the Draft London Plan acknowledge the importance of promoting a healthy food environment, the proposed change of use would be contrary to the aims and objectives of these policies and could threaten public health by promoting an obesogenic environment in a high risk area suffering from deprivation.

#### **Other matters**

In the absence of existing and proposed elevation drawings, existing and proposed floor plans, and a clear understanding of the alterations proposed to facilitate the change of use, ie ventilation equipment, extraction flue and a comprehensive acoustic survey and a risk-based odour control assessment etc, officers must assume the change of use to a hot food takeaway would have an unreasonable impact on the amenity of the residential occupants to the upper floors in terms of noise, odour and pollution. Officers advised the applicant that the proposed change of use is unacceptable in principle, and did not request further information regarding ventilation equipment, extraction flue etc from the applicant prior to the determination of this application.

#### **Recommendation**

Refuse planning permission.