

Application ref: 2019/4545/P
Contact: John Diver
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Date: 16 January 2020

Development Management
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Ascape LLP
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17 Lyon Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused and Warning of Enforcement Action to be Taken

Address:

**Kiosk adj. 19 Chalk Farm Road
London
NW1 8AG**

Proposal: Erection of single storey hot foods takeaway kiosk (use class A5) retrospective.

Drawing Nos: (Prefix: 1184) M01, M02, 10, 20, 100 and 200

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The hot food takeaway kiosk is considered to result in an unacceptable over concentration of food, drink and entertainment uses to the detriment of the character, function and viability of the Camden Town centre and nearby Camden Stables and Lock markets, contrary to Camden Local Plan policies TC2 (Camden's Centres), TC4 (Town Centre Uses) and TC6 (Markets) 2017.
- 2 The kiosk, being situated within a short walking distance to a number of local schools, would increase opportunities for the consumption of energy-dense food and, as a result, exacerbate associated issues of health and wellbeing, contrary to emerging New London Plan policy E9 (Retail, markets and hot food takeaways) 2019 and Local Plan policies C1 (Health and wellbeing) and TC4 (Town centre uses).

- 3 In the absence of a comprehensive acoustic survey & impact assessment and a risk-based odour control & impact assessment, the applicant has failed to provide sufficient information to demonstrate that the proposed use would operate in accordance with the Council's minimum noise, vibration and odour standards, and that proposed use of the kiosk for cooking could be operated without causing disturbance and harm to the local residential environment, contrary to policies A1 (Managing impact of development) and A4 (Noise and vibration) of the Camden Local Plan (2017)
- 4 The kiosk, by virtue of its design, materials and siting, represents an incongruous addition within a non-commercial street, adding to the visual cluttering of the public realm and detracting from the character and appearance of the streetscene. The development is therefore contrary to Local Plan policy D1 (Design) and D3 (Shopfronts) 2017.

Informative(s):

1 ENFORCEMENT ACTION TO BE TAKEN

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

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.

ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer