

Application ref: 2020/0786/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 24 March 2020

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/planning

Mr Vaibhav Malani
21a Stoke Newington Road
First Floor Flat
London
N16 8BJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
23 Goodge Street
London
W1T 2PL

Proposal:
The change of use at basement level from ancillary retail (Class A1) to tattoo parlour (Sue Generis).
Drawing Nos: Site Plan and Proposed basement floor plan

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Proposed basement floor plan

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

Informative(s):

1 Reasons for granting permission.

The ground floor is in use as a sandwich shop (Class A1) and the basement is currently vacant although its lawful use remains as ancillary retail space (Class A1). The intended use of the basement floor would be as tattoo parlour for permanent tattoo and piercings along with selling arts and handicrafts. This would be a change of use from ancillary retail space (Class A1) to a tattoo parlour (Sui Generis). The site is within a Local Plan Centre although is not located on a primary or secondary retail frontage. The site is also located within the Fitzrovia Area Action Plan Area.

Policy TC2 states that the Council will provide for and maintain, a range of shops including independent shops, and other suitable uses to provide variety, vibrancy and choice. The Council will seek to protect and enhance the role and unique character of each of Camden's centres. The site is not located within a primary or secondary retail frontage; however the Fitzrovia Area Action Plan supports the retention of retail uses within the plan area. The Council will seek to support the retention of retail as an element of Fitzrovia's character and function, and will resist the loss of A1 shops and floorspace that would harm the area's mixed-use character and vitality.

The basement level has been vacant for six months and has been actively marketed since then; however no interest has been shown by potential tenants as it is a basement space with no street frontage presence or natural daylight. The current ground floor retailer has confirmed that the basement is not necessary for their use or viability and have supported the application. Thus in this context and given it does not result in the loss of a ground floor unit within the retail parade frontage, the loss of ancillary A1 retail space at basement level is considered acceptable as it would not harm the functioning of the current ground floor retail unit and the retail character of the wider area.

There are no external alterations proposed as part of the application. The location of the use at basement level would ensure that there would not be an adverse impact on neighbouring residential amenity.

No objections were received in relation to the proposed variation. The site's planning history was taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, TC2, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposal also accords with the Fitzrovia Area Action Plan. The proposed development also accords with the London 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 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.
- 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.

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



Daniel Pope
Chief Planning Officer