

Application ref: 2020/0948/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 21 May 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
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Change the Use  
Admark House  
2 West Street  
EWELL  
KT17 1UU

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**46-50 Parkway**  
**London**  
**NW1 7AH**

Proposal: Change of use of the existing ground floor from retail (Class A1) to a clinic (Class D1) and replacement of existing door with window to the rear elevation.

Drawing Nos: 1102 -01; 1102-02; Design and Access Statement Commissioned by Josha Hay at Change the Use.

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 1102 -01; 1102-02; Design and Access Statement Commissioned by Josha Hay at Change the Use.

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 08:00 to 20:00 Mondays to Saturdays and 08:00 to 16:00 on Sundays and Bank Holidays.

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, TC2, and TC4 of the London Borough of Camden Local Plan 2017 and Policy 12 and 13 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

#### Informative(s):

- 1 Reasons for granting permission:

The application site is located within a sensitive frontage on the edge of the Camden Town Centre Area. The Council's Supplementary Guidance Document, CPG Town centres and retail, describes sensitive frontages as: Streets on the edge of the town centre with commercial activities on the ground floor and homes above, and town centre frontages that are opposite frontages that contain significant amounts of housing. Furthermore, Appendix 4 of the Camden Local Plan indicates that, unlike primary and secondary frontages, there is no minimum A1 retail requirement within sensitive town centre frontages. A maximum of 30% of premises in each sensitive frontage may be food, drink and entertainment (FDE) uses.

Given the above, the proposed change of use of the ground floor from retail (Use Class A1) to a clinic (Use Class D1) is considered acceptable given the context of the site (sensitive frontage). The loss of the existing retail unit is not considered to cause harm to the vitality or viability of the wider area nor would the proposed use result in an over-concentration of surgery/clinic use within the frontage. Moreover, it is noted that the proposal would not result in there being more than 3 consecutive premises within this frontage being in non-retail use.

The proposals include the installation of a new window to the rear to replace the existing door. The proposed window would be timber framed and would match the appearance of the existing window to the rear and as such, is considered acceptable in terms of design and appearance. Thus, no harm would be caused to the character and appearance of the host building and wider conservation area. A separate advertisement consent application has been submitted for the alterations to the front elevation (reference

2020/1451/A).

The development is located in a highly accessible location and would not result in a harmful impact on transport conditions.

The proposed use would likely have similar noise levels associated with its operation and customer trips as those associated with an existing A1 use typical of a town centre area as such it is not considered that the hours of operation would give rise to adverse amenity impact. The units above the ground floor unit are residential, and the use would be considered acceptable in terms of noise impact given the road is relatively busy.

The planning history of the site has been taken into account when coming to this decision. One comment was received and duly considered prior to making this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2, D3, G1, A1, TC1, TC2, TC3 and TC4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of The London Plan 2016 and the National Planning Policy and the NPPF (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

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

Daniel Pope  
Chief Planning Officer