

Application ref: 2019/3481/P
Contact: Charles Thuaire
Tel: 020 7974 5867
Date: 26 May 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
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Mr Bilal Tekagac
18 Magnolia Close
London
E10 5TJ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**6 Highgate Road
London
NW5 1NR**

Proposal:

Change of use of ground floor from Class D1 surgery to Class A1 hair salon

Drawing Nos: Design and Access Statement (undated); existing floorplan; proposed floorplan (revised showing photo of shopfront- received 19.12.19); location plan; marketing report dated 16.12.19 by Salter Rex; 'shop to let' advert by Salter Rex

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- Design and Access Statement (undated); existing

floorplan; proposed floorplan (revised showing photo of shopfront- received 19.12.19); location plan; marketing report dated 16.12.19 by Salter Rex; 'shop to let' advert by Salter Rex.

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

Informative(s):

- 1 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).
- 2 Reasons for granting permission-

A Class D1 use has not existed here since the previous dentist retired in late 2015 and the site was rebuilt with a replacement ground floor D1 unit following permission for redevelopment in 2017. It is a small unit at 33sqm containing one 25sqm room plus kitchen/store and toilet. Since the new building was available for occupation in 2018, a marketing exercise was undertaken in May to Dec 2019 and showed that the unit is not suitable nor attractive to future D1 tenants here- very little interest was shown and none for D1 use, the prime reasons being its secondary location, poor layout and small size. The unit is within a very fringe end of a secondary frontage of the Kentish Town town centre. Modern requirements for D1 surgeries, which would employ more than one person, mean the unit's layout and space is too small, especially when ancillary features such as staff facilities are included. Numerous other D1 doctor and dentist surgeries exist in the immediate area.

It is thus considered that, despite the marketing exercise having been carried out for only 6 months, it would be reasonable to conclude that the unit is no longer required or suitable for continued D1 health use and is too small for an alternative community use. Thus the loss of a D1 use here is considered acceptable in accordance with policy C2.g(ii) on community uses. The proposal does not involve a loss of retail or commercial use and indeed reintroduces a Class A1 use here which is appropriate for this town centre location in accordance with policy TC1.

The shopfront as installed has a traditional multi-paned timber design which is similar to that of the adjoining shopfront and is considered acceptable. An informative is added to remind the applicant of the need to discharge the outstanding condition 6 (requiring details of shopfront) of planning permission ref 2017/0465/P dated 22.6.17 in order to regularise the new shopfront.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

One objection has been received prior to making this decision. This and the planning history of the site has been taken into account when coming to this

decision.

As such, the proposed development is in general accordance with policies A1, C1, C2 and D1 of the London Borough of Camden Local Plan 2017 and policies SW2 and D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 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.

- 5 You are reminded of the need to discharge the outstanding condition 6 (requiring details of shopfront prior to installation) of planning permission ref 2017/0465/P dated 22.6.17 (for Demolition of 2 storey Class D1 surgery and erection of 3 storey building with mansard roof extension comprising ground floor Class D1 surgery and upper floors 2-bedroom self-contained maisonette).

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 positioned in the upper left corner of the page.

Daniel Pope
Chief Planning Officer