

Application ref: 2017/4811/P
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Development Management
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Maison Vie Ltd
68 King William Street
London
EC4N 7DZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**200 Kilburn High Road
London
NW6 4JD**

Proposal: Installation of replacement shopfront, external ventilation extract duct within first floor rear void and 2 air-conditioning units on fourth floor flat roof, in association with the change of use of ground floor unit from citizens advice bureau (Class A2) to shop, internet cafe and sandwich bar (Class A1) (retrospective).

Drawing Nos: Site Location Plan Scale 1:1250; 200/01; 02 Rev B; 04 Rev C; 06 Rev C; 08 Rev B; 10 Rev A; 12 Rev C; 14 Rev A; 16 Rev A; EA Noise Impact Assessment dated 18 October 2017.

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 shall be carried out in accordance with the following approved plans: Site Location Plan Scale 1:1250; 200/01; 02 Rev B; 04 Rev C; 06 Rev C; 08 Rev B; 10 Rev A; 12 Rev C; 14 Rev A; 16 Rev A; EA Noise Impact Assessment dated 18 October 2017.

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

- 2 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 3 Prior to use, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy G1, A1, A4, D1, CC1 and DM1 of the London Borough of Camden Local Plan 2017.

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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Reasons for granting permission.

This planning application is a retrospective permission for works which are long established. At the time of the original submission the works were being implemented and included a change of use from Class A2 (professional and financial services) to Class A1 (internet café and sandwich bar). In land use terms this is considered acceptable in principle and under the current Use Classes Order both the previous and current uses fall within the new Class E. The unit is setup for cooking and plant is included in the permission. It is noted that a café/restaurant use also falls within the same Class E.

The works to the shopfront are completed and considered to be acceptable in design, character and appearance terms. The plant on the roof and the various

flues are not optimal, but given their location are not visually prominent so are not considered to be worthy of refusing.

The accompanying noise assessment was considered by the Council's Environmental Health Officer and deemed acceptable, subject to conditions. It is therefore not considered that the proposal would have unacceptable noise nor amenity impacts on the perspective occupiers of the development.

No objections were received following statutory consultation. The site's planning history was taken into account when coming to this decision.

As such, the proposal is in general accordance with Policies D1 A1 and A5 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016, the Publication London Plan 2020 and National Planning Policy Framework.

- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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