

CONSULTATION SUMMARY

Case reference number(s)

2021/0843/P

Case Officer:

Leela Muthoora

Application Address:

230 - 234 Kentish Town Road

London

NW5 2BU

Proposal(s)

External alterations including removal of ATM machine, night safe and external signage, infill openings and make good to match existing.

Representations

Consultations:	No. notified	0	No. of responses	2	No. of objections	0
					No of comments	1
					No of support	0
Summary of representations <i>(Officer response(s) in italics)</i>	<p>1. The Kentish Town Neighbourhood Forum confirmed they had no comment to make on the application.</p> <p>2. The owner/occupier of unit above no. 230 Kentish Town Road has commented to the application on the following grounds:</p> <p>'I am living on 230 Kentish Town Road just above the former Barclays Bank. At the moment the bank has left the premises and works list in the title has already been executed. But reading the request/form the real relevant change is the request of different use that I suppose is the reason why have applied for full permission.</p> <p>Can we please have a specific list of the other use required in the application?</p> <p>And if possible to mention clearly in the title that the request is for change of</p>					

use otherwise, it results misleading for the other neighbours that want to send comments, nobody has any comment if they remove the Barclays plate or the ATM but can have a much more serious consideration about the change of use.

The owners and users of the flats above the bank are very interested to know what kind of other activities will be allowed with the new permission.'

Summary of comments

The neighbour mentions the works have already been carried out. The applicant confirmed that the bank has left the premises. The external alterations require planning permission due to the impact on the external appearance on the building and a condition attached to a previous planning decision. The external works are considered acceptable and addressed fully in the reasons for granting permission, informative 1, of the decision notice.

The applicant has not applied for a change of use within this application and therefore a change of use has not been considered in the determination of this application.

To clarify, The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. 'Change of use' can occur within the same use class or from one use class to another.

Government made changes to planning law regarding use classes on 1 September 2020.

At that time, the lawful use of the bank was Class A2 for 'Financial and Professional Services'. This includes financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies.

This use class was revoked by the amended legislation on 1 September 2020 and replaced by Class E which is a broad use class covering previously defined uses within Classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e).

The lawful uses within this new use class, that would not require planning permission, include

- *E(a) Display or retail sale of goods, other than hot food*
- *E(b) Sale of food and drink for consumption (mostly) on the premises*
- *E(c) Provision of:*
 - *E(c)(i) Financial services,*
 - *E(c)(ii) Professional services (other than health or medical services), or*

- *E(c)(iii) Other appropriate services in a commercial, business or service locality*
- *E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)*
- *E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)*
- *E(f) Creche, day nursery or day centre (not including a residential use)*
- *E(g) Uses which can be carried out in a residential area without detriment to its amenity:*
 - *E(g)(i) Offices to carry out any operational or administrative functions,*
 - *E(g)(ii) Research and development of products or processes*
 - *E(g)(iii) Industrial processes*

The amendment to the legislation means that the uses listed above are no longer considered a material change of use and would not require planning permission. As such, any subsequent use within those listed in Class E would not be subject to an assessment of the planning merits under current local policies or guidance within the Camden development plan.

Recommendation:- Grant planning permission