

Application ref: 2022/1834/P
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Highgate Health Centre
31a Highgate High Street
London
N6 5JT

Proposal:

Removal of additional condition 1 of planning permission ref PE9606096 dated 07/02/1997 (for: mixed use of ground floor as shop and consulting room), namely to remove the restriction on the use of the rear unit

Drawing Nos: 2100g - 010 Rev 02; Cover letter, dated 28/04/2022 (ref: 10055)

The Council has considered your application and decided to grant permission

Informative(s):

1 Reasons for granting permission-

Planning permission is sought to remove a condition attached to planning permission reference PE9606096 dated 07/02/1997 [for: mixed use of ground floor as shop (A1) and consulting room (D1)], namely to remove the restriction on the use of the rear unit. Condition 1 requires that the rear unit shall be used only as a homeopathic clinic and for no other purpose. The removal of the condition would essentially allow the rear unit to be used for any Class E use, as clinics (formerly Class D1) now fall within the new Class E (effective from

01/09/2020).

The application site is within the Highgate High Street Neighbourhood Centre, wherein Policy TC2 of the Camden Local Plan seeks to retain convenience shopping for local residents and ensure that development does not harm the function, character or success of that centre. Core Objective 2 of the Highgate Neighbourhood Plan is to maintain the vitality and viability of the area's commercial cores so they continue to meet the day-to-day needs of the community and enrich and enliven the public realm. Within Policies EA1 and EA2 there is a presumption in favour of protecting Class A1 uses in the designated shopping frontages and preventing an unacceptable impact on the vitality and viability of, and employment opportunities within, the shopping area. However, the Camden Local Plan does acknowledge that the Council cannot apply its planning policies if permitted development rights apply (paragraph 9.15). Moreover the consulting room was at the rear so its loss or change to another use would not affect the front Class A1 retail unit (now in Class E) nor the function of the retail shopping parade. Also the new Class E encompasses shops as well as other appropriate town centre uses which would be considered acceptable here.

Taking into consideration the recent changes to permitted development rights as well as the local and neighbourhood plan policies, it is not considered that the removal of the condition would impact harmfully on the function, character or success of Highgate Village Neighbourhood Centre. Indeed, the applicant has stated that the condition threatens the continued viability and use of the listed building due to its restrictiveness, and the removal of the condition would allow for a greater range of uses to occur within the unit, which would likely be to the benefit of the centre (as opposed to the unit remaining vacant).

It is not considered that the proposed development would cause undue harm to the residential amenities of nearby and neighbouring properties. Whilst the application site is set back from the High Street, it is still within the village centre wherein a degree of activity (e.g. comings and goings associated with commercial units) is to be expected. No physical changes to the building are proposed as part of this application.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with policies A1 and TC2 of the Camden Local Plan 2017 and policies EA1, EA2 and DH2 of the Highgate Neighbourhood Plan 2017. The proposed development also accords with the London Plan 2021 and the provisions of the National Planning Policy Framework 2021.

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 2021.

You can find advice about your rights of appeal at:

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer