

Application ref: 2022/3632/P
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Date: 17 November 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

Studio Charrette
50 Grosvenor Hill
London
W1K 3QT
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Ground Floor Front
169 West End Lane
Camden
London
NW6 2LH

Proposal:

Change of use from dry cleaners (Class E) to nail bar (Sui Generis).

Drawing Nos: Location and block plan; Planning statement; P2; P3; P4; P5

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: Location and block plans; Planning Statement; P2; P3; P4; P5.

Reason:

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

Informative(s):

1 Reasons for granting permission:

The application relates to a ground floor unit located on a corner site on the west side of West End Lane. Its current lawful use falls under Class E, and it has most recently been used as a dry cleaner, and previously was a convenience store.

Planning permission is sought to change the Class E use into a sui-generis use as a nail bar.

The site lies within the 'West Hampstead' Town Centre, as designated by the Camden Local Plan 2017, and forms part of a secondary frontage. Policy TC2 of the Local Plan seeks to promote successful and vibrant centres throughout the borough by maintaining the right balance and mix of uses. Policy TC2 endeavours to ensure that there is a minimum of 50% of retail uses within the ground floor units of secondary frontages in town centres.

Since the publishing of the Local Plan 2017 and policy TC2, the Use Classes Order has been amended (2020) such that commercial uses are now by and large grouped together in Class E which essentially includes commercial, business and service uses. As such the strict requirement for proportions of (Class A1) retail in the town centre is no longer applicable. Nevertheless, the thrust of the Local Plan town centre policies to protect the function, character, vitality and viability of the town centres remains.

It is noted that a nail bar is considered to be akin to a commercial use which would fulfil the aims of policy TC2. The proposed use would be appropriate in the town centre and it would uphold the function, character and vitality of the secondary frontage. It would be a suitable and appropriate change within the local context as part of the West Hampstead Town Centre.

No associated external works are proposed and any works to the shopfronts/advertising would require separate consent. It is not considered that the proposal would have a materially harmful impact on neighbouring amenity.

No objections have been received prior to making this decision, and neither the South Hampstead CAAC or Fortune Green and West Hampstead Neighbourhood Forum has made any comment. The planning history of the site has been taken into account when coming to 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 A1, D1, D2, TC2 and TC4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

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