

	<b>Planning Committee Map</b>
Site address: 72-74 Chamberlayne Road, London, NW10 3JJ	
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This map is indicative only.

**RECEIVED:** 8 August, 2012

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 72-74 Chamberlayne Road, London, NW10 3JJ

**PROPOSAL:** Change of use of the ground floor from a private members club (Sui Generis) use to a property lettings and estate agency (Use Class A2).

**APPLICANT:** James Andrew International

**CONTACT:** DHA Planning & Development

**PLAN NO'S:**  
Please condition 2

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## **RECOMMENDATION**

Approval

## **EXISTING**

The existing property is a commercial unit fronting onto Chamberlayne Road. It is not a listed building nor is it within a Conservation Area and forms part of the Chamberlayne Road Secondary Shopping Frontage within Kensal Rise shopping frontage.

## **PROPOSAL**

See description above.

## **HISTORY**

No relevant planning history.

## **POLICY CONSIDERATIONS**

### **Brent Unitary Development Plan 2004**

SH8 – Conditions on Non-retail Uses

SH9 – Secondary Shopping Frontages

## **CONSULTATION**

All neighbouring properties consulted.

3 objections have been received on the following grounds:

1. The proposed development will have a detrimental impact on parking in the surrounding area.
2. The proposed development will have a detrimental impact on the vitality of Chamberlayne Road as a shopping centre. There are too many similar uses already.

One letter has been received in support of the proposal:

1. The proposal will result in the renovation of a derelict shop.

## **REMARKS**

*Principle of the use*

The proposed change of use of commercial units within secondary shopping frontage are considered

acceptable where the proposed use will provide a service to visiting members of the general public subject to residential amenity and transport impact in line with UDP policy SH9. It would appear that the premises were most recently used by the Royal British Legion Social Club although they have remained vacant in recent years with the site having been marketed for the past 2 years. Notwithstanding the length of the vacancy period and that a private members club is classified as sui generis (falling outside any use-class) it is also not considered to result in the loss of a community venue as it is laid out in the form of a retail unit that is characteristic of retail street on which it is located and therefore would be more appropriately used as a commercial unit.

#### *Service to Visiting Members of the Public.*

The proposed use is as a property lettings and estate agency within the A2 use class. This type of use will provide a service to visiting members of the public wishing to purchase properties or looking for rental properties. This is considered to be an acceptable use within the town centre and perhaps more in keeping with a local retail centre than the existing use as a private members club (Use Class Sui Generis).

#### *Residential Amenity*

The use will not result in any significant amenity issues for residential uses above and neighbouring. The hours of use proposed are 08.30-19.00 Monday to Friday and 09.00-17.00 Saturday, Sunday and Bank Holidays. These opening hours are not untypical of those that would be found in any Town centre or shopping area.

#### *Transport Impact*

The property will operate within the above hours of use. As such it will be mainly open during the hours in which parking is controlled in the local vicinity which are Monday to Friday 8.30am-6.30pm for parking bays on Chamberlayne Road and neighbouring Mostyn Gardens. This will mean that most visits to the property, by visitors and staff, will be during the day in contrast to that of the private members club which was more likely to have operating hours outside of parking restrictions. It is considered that the transport impact of the proposed change of use will not have a significant impact on existing parking and highway conditions and, indeed, may represent an improvement on the situation were a fully functioning busy Members Club to operate from the premises.

#### *Officer Comments on Objections*

1. The parking standard for a private members club within a unit in a town centre is similar to an A3 type use and would therefore require one space for a unit of less than 400sqm. The proposed use is within the A2 use class and as it is below 150sqm in size it will have a parking requirement of 1space. The property also has an "Excellent" Public Transport Accessibility Level (PTAL) rating of 6b. As such most people visiting the premises will be able to access it via public transport. As such the proposal will not have a significantly detrimental impact on the existing parking in the surrounding area.

2. The existing commercial unit is vacant with the most recent authorised use as a private members club. As such it will not result in the loss of any existing retail. Furthermore the unit is within the secondary shopping frontage as defined in Brent's Unitary Development Plan 2004. Within secondary shopping frontage uses that provide a service to visiting members of the public are encouraged. An estate agency, which falls within the A2 Use Class (Financial and Professional Services), is considered to be such a use and will also re-introduce shopping frontage to a property which is presently vacant. Therefore it is considered that the proposed development will not have a detrimental impact on the vitality of the town centre. Although there are a number of other similar uses in the locality it is considered that they do not constitute an over-concentration

#### *Conclusion*

The proposed development is in accordance with the relevant planning policy and guidelines as such approval is recommended subject to the conditions set out below.

**RECOMMENDATION:** Grant Consent

**REASON FOR GRANTING**

- (1) The proposed development is in general accordance with policies contained in the:-  
Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness

**CONDITIONS/REASONS:**

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawings:

E12-016/S01  
E12-016/P01RevA

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

- (3) The premises shall not be used except between the hours of:-

- 0830 hours and 1900 hours Mondays to Fridays
- 0900 hours and 1700 hours Saturdays, Sundays and Bank Holidays

without the prior written consent of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

**INFORMATIVES:**

- (1) The applicant is advised that this permission does not relate to any external alterations and a separate planning permission and advertisement consent would be required for such changes including any alterations to the shopfront and front forecourt.

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229