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**FAO: Ewan Campbell**

25 October 2023

**Our ref: NFD/AKG/AMU/BWA/J10003**

**Your ref: PP-11724881**

Dear Ewan

**Town and Country Planning Act 1990 (as amended)**  
**Part Lower Ground Floor and Basement of Building A1, Hawley Wharf, Camden, London, NW1**  
**Application for Full Planning Permission**

We have been instructed on behalf of our client, Ground Gilbey Limited, to apply for planning permission in respect of the part Lower Ground Floor and Basement of Building A1 within the Hawley Wharf masterplan site for the:

**“Use of the site as Sui Generis (Family Entertainment – Bowling)”**

No external changes are proposed.

**Site and Surroundings**

The Site is located at Part Lower Ground Floor and Basement of Building A1, within the Hawley Wharf masterplan. Building A1 is located to the southwest of the masterplan and is bound by Chalk Farm Road to the west, the railway arches to the north and Regent's Canal to the south.

The Site is located within Camden Town and the Regents Canal Conservation Area.

**Background**

Wider Masterplan Site

Planning permission (ref. 2012/4628/P) was originally granted for the mixed-use redevelopment of the site on 23 January 2013. There have been various Section 73 and Section 96a amendments to the scheme since this time.

The operative planning permission (ref. 2022/0972/P) was granted on 12 July 2022 for the following:

**“Variation of condition 11 (opening hours) of planning permission dated 28/10/2020 ref: 2020/0362/P which itself varied application 2018/1715/P dated 03/12/2018 and 2012/4628/P dated 23/01/2012 for the Redevelopment of site to create a mixed use development comprising 8 new buildings between 3 and 9 storeys in height to provide, employment, housing, retail market, cinema, produce market, including change of use of 1 Hawley Road to educational, and associated works (summary), AMENDMENTS INCLUDE changes to Building A market retail operational hours.”**

A series of condition discharge applications and other standalone small-scale applications related to the Hawley Wharf masterplan Site have also been approved.

The buildings on site are now fully constructed but parts of the Site remain vacant and not fully occupied. This application seeks to change the use of the basement of Building A1 which has remained vacant, save for a temporary gallery use, since the Site opened. The proposed change of use is sought to activate the space and bring an increased variety of users across the day to the Site, which will support the wider vitality, character and function of the masterplan.

This application should be read alongside a non-material amendment application submitted in respect of the Hawley Wharf masterplan planning permission (Planning Portal ref: PP-12432863) which seeks approval for the:

- i. Relocation of light industrial use (Class B1c) to arches E4 and E5;
- ii. Dispersal of the cycle parking throughout the Site; and
- iii. Amendments to condition 32 in respect of the location of the public cycle storage areas and number of cycle parking spaces required.

#### Building A1

On 31 July 2021 planning permission (ref. 2021/2942/P) was sought at the basement and part ground floor of Building A1 for **“Change of use of basement (light industrial use) and part lower ground floor (market retail and hot food takeaway use) of Building A1 to Electric Go-Kart Use (sui generis)”**. The application was withdrawn from consideration by the Applicant following discussions with the prospective tenant.

On 19 December 2022 planning permission (ref. 2022/3594/P) was granted for **“Use of the site as art gallery (Class F1 Use) for a temporary period until 1 May 2023.”**

The temporary planning permission was implemented, and the site successfully operated as an art gallery, receiving over 17,000 visitors.

A further application was approved on 18 October 2023 (ref: 2023/2582/P) to allow for the use of the Site as an art gallery until 1 May 2024.

#### **The Proposal**

The proposals form part of the Applicant’s wider strategy and vision to revitalise the Camden markets following the pandemic and the impact of changing retail behaviours. The proposed use seeks to drive footfall to the markets, creating the opportunity for incidental spending in the existing market, supporting the function and vitality of the wider market ecosystem and Camden Town.

The proposal seeks to provide a vibrant new leisure use within Hawley Wharf which would attract a wider range of visitors to the Market and contribute to the function and vitality of the wider Market. The high-quality attraction will be a beneficial asset to the Hawley Wharf masterplan site and the surrounding area by delivering a use which will attract families, local residents and visitors alike to the site.

The operator, Lane7 a competitive socialising company, has operated successful venues nationwide, with this set to be their second London venture.

While bowling is Lane7's core product, they operate several other activities at each site including: interactive darts, tech infused mini golf, Immersive cricket batting cages, pool, table tennis and high tech arcades. Lane7 also have a drinks and food offering.

The proposals would lead to the following land use floor area changes at the Site:

Land Use	Previously Approved (GIA sqm)	Proposed (GIA sqm)	Uplift (+/-) (GIA sqm)
Light Industrial (B1c)	1,030	0	-1,030
Family Entertainment – Bowling (Sui Generis)	0	1,704	+1,704
Shop (A1)	660	0	-660
Hot food takeaway (A5)	14	0	-14
<b>Total</b>	<b>1,704</b>	<b>1,704</b>	<b>0</b>

The planning application will not create any new gross internal floorspace and is therefore not liable for CIL.

### Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan consists of:

- The London Plan (as amended, 2021); and
- The Camden Local Plan (2017).

Relevant supplementary planning guidance for the Site includes the Regent's Canal Conservation Area Appraisal and Management Strategy (2008).

### Planning Assessment

#### Loss of Class B1c Use

Camden Local Plan Policy E2 protects business sites which provide employment for Camden residents. Policy E2 goes on to state that Camden will resist development of employment sites for non-business use unless it is demonstrated that (a) the site or building is no longer suitable for its existing business uses and (b) that the possibility of retaining, re-using or redeveloping the site for a similar or alternative type and size of business use has been fully explored over an appropriate period of time.

The Class B1(c) floorspace approved under planning permission ref: 2020/0362/P, dated 28 October 2020, has never been operated as Class B1(c) use.

The proposed loss of 1,030 sqm of light industrial B1c space is considered acceptable for the following reasons:

- The use was never implemented and there is no actual loss of Class B1(c) floorspace as a result;

- ii. LabTech is seeking to revitalise the wider Market for town centre uses given its location within the designated Camden Town Centre, in line with its “Market Vision”. The Local Plan does not define Class B1(c) use as a main town centre use. A previous S73 permission (ref: 2020/0362/P, dated 28 October 2020) proposed a Class B1c use in this location but it was for a specific B1c use which no longer requires the space. Open B1c use requires loading bays and easy access into the unit which is not possible in this basement space. The Site is therefore not considered an appropriate location for Class B1(c) use and it would be operationally challenging to host a light industrial use in this location given it is at the heart of the masterplan site;
- iii. In line with Local Plan Policy E2 paragraph 5.39, the basement has been marketed for light industrial (B1(c)) use for a sustained period of over two years. This is demonstrated within the Marketing Report, dated October 2023, collated by LabTech. The Report provides details of the marketing information used across the more than two-year period and gives a summary of the attempts to lease the Site to prospective tenants, including reasons why the tenants chose not to progress with the space; and
- iv. 267sqm of B1c use will be relocated to the railway arches (nos. E4 and E5) representing a return to the intent of the original planning permission (ref: 2012/4628/P) which located B1c in railway arches E4 and E5. The relocation of the Class B1c use is subject to a non-material amendment application in respect of the Hawley Wharf masterplan planning permission (Planning Portal ref: PP-12432863). As set out in Table 2 of the DAS, dated October 2023, overall there will be a total of 2,051 sqm (GIA) of B1c use across the masterplan site as a result of the proposed development. This represents a 171sqm GIA increase in total B1c floorspace based on the quantum approved under the original masterplan permission (ref: 2012/4628/P).

#### Introduction of Sui Generis Use (Family Entertainment – bowling)

Turning to the introduction of a new family entertainment facility. Local Plan Policy TC2 states Camden will seek to protect and enhance the role and unique character of each of Camden’s centres and will seek to provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice. Local Plan Policy TC6 sets out that the Council will consider the character of the existing market when assessing proposals for the refurbishment and redevelopment of markets. Paragraph 9.35 states that new entertainment uses can add to the vitality and vibrancy of Camden’s centres.

As set out in the Design and Access Statement (page 2), LabTech have a ‘Vision’ for the Camden Markets ecosystem. The Vision is to create a unique destination for fashion, music and food culture where people can live, work, stay, shop and play — a carefully curated family of four distinct and characterful markets where you move effortlessly between daytime and night-time experiences.

As the largest landowner of Camden real estate, Camden Market plays its role curating and catalysing growth in Camden Town to create a more diverse town centre that captures its commercial potential now and in the future. Camden Market see the market playing a more active role in the wider ecosystem of Camden cultural venues, creative institutions, suppliers and infrastructure.

The market must be flexible and adaptable so that it can build long-term resilience, harness change and accommodate innovations that haven’t yet been discovered. This is ever more important in a world where retail and hospitality markets are changing more quickly and in ways that are increasingly unpredictable.

Camden Market needs to host new experiences, events and family entertainment - broadening its appeal to London and local audiences and responding to retail trends.

The proposed leisure / family entertainment (sui generis) use is an acknowledged main town centre use within the Camden Local Plan (paragraph 9.33). Given that the Site is located within Camden's town centre where a mix of town centre uses is supported the proposed use is considered acceptable in principle.

The proposed use would also attract locals / Londoners / families and tourists to the market and would therefore contribute to and support the function of the market and would not harm the character and appearance of the market in line with Local Plan Policy TC6.

Overall, therefore the proposed use of Building A1 basement and part ground floor is acceptable in principle, in line with Camden's Local Plan policies.

#### Loss of Class A1 (shop) and Class A5 (hot food takeaway)

Dealing with the Class A1 (shop) floorspace first, Local Plan TC1 seeks to promote the distribution of retail and other town centre uses across the borough. Within town centres, the Council seeks the significant additional provision of retail in the Camden Town Centre.

Part of the Site has planning permission to be operated under Class A1. 660 sqm (GIA) of Class A1 retail space is proposed to be converted into sui generis (family entertainment – bowling) as part of this proposal.

The Class A1 floorspace approved under planning permission ref: 2020/0362/P, dated 28 October 2020, has never been operated as Class A1 use. According to paragraph 9.33 indoor bowling centres are considered town centre uses. Given that the Site is located within Camden's town centre where a mix of town centre uses is supported and that the Site has not ever been occupied as Class A1, the conversion of the Site from market retail to an alternative town centre use is deemed acceptable.

In terms of the Class A5 (hot food takeaway) floorspace, London Plan Policy E9 states that Boroughs should carefully manage the over-concentration of A5 hot food takeaway uses within town centres.

Hot food takeaways are not protected use within local or regional policy, therefore the conversion of Class A5 use to an alternative town centre use accords with local and regional policy.

#### Enhancing Hawley Wharf

The proposals are being brought forward to encourage footfall to a currently underused area of Hawley Wharf. The successful temporary use of the Site as a gallery has demonstrated that the Site is suited for a town centre use which will bring activity and interest to the area.

Local Plan Policy TC2 states Camden will seek to protect and enhance the role and unique character of each of Camden's centres and will seek to provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice.

Local Plan Policy TC6 states that the Council will consider the character of the existing market when assessing proposals for the refurbishment and redevelopment of markets.

The proposals are in line with Camden local policies TC2 and TC6 as they will support and improve the continued function of the Site within Hawley Wharf and therefore securing its long-term future. The diversification of the Camden Market offer will enhance the vitality and activity of the site within this part of the market.

#### Energy and Sustainability

Camden Local Plan Policy CC2(h) states the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.

Scoth and Partners have prepared a Sustainability Statement, dated 21 August 2023.

According to the Sustainability Statement, the Proposed Development demonstrates the following sustainability performance indicators:

- i. A low carbon building with low energy demand.
- ii. Low water use washrooms/WCs to reduce demand at source;
- iii. A site that promotes sustainable forms of travel and will be car-free;
- iv. A site that will create a safe and healthy internal environment;
- v. A site that, as far as possible, will be resilient to the impacts of future climate change;
- vi. The use of best practice construction site management procedures across the site;
- vii. The fit-out will have minimal disruption to neighbours due to the works predominantly taking place at substructure level; and
- viii. The Statement also demonstrates that the Proposed Development will achieve BREEAM Excellent rating.

The Statement demonstrates compliance with the relevant local planning policies on sustainable design and construction, whilst giving due consideration to Camden's aspirations in terms of low carbon growth and climate change resilience.

### Transport

Camden Local Plan Policy T1 promotes sustainable transport by prioritising walking, cycling and public transport in the Borough. Policy T2 requires all new development to be car-free.

Arup have prepared a Transport Statement (TS), dated 3 August 2023, to support this application.

The TS confirms that servicing and deliveries will be integrated into the current operations strategy and conducted from the centralised loading area, accessed from Castlehaven Road.

In terms of trip generation, as the proposed use supplements the current offer, Arup conclude that the trip generation related to the proposed development is not expected to significantly change trip making when considered within the context of the wider masterplan. It is expected that there would be no material impact experienced on transport networks as a result of the proposed change of use.

Furthermore, as the trip generation related to the proposed change of use is not expected to significantly change trip making when considered within the context of the wider masterplan, no additional cycle parking is proposed as part of this planning application.

10 cycle parking spaces are provided in the courtyard on Water Lane, with a further 150 spaces to be provided in the public realm throughout the masterplan site (see proposals under Non-Material Amendment application ref: PP-12432863) and as secured by condition 32 of the masterplan permission.

As such the proposals accord with Local Plan policies T1 and T2.

#### Air Quality

Camden Local Plan Policy CC4 states that the Council will ensure that the impact of development on air quality is mitigated.

Armstrong Wardell have prepared an Air Quality Assessment, dated 20 September 2023, which addresses both the construction and operational phases of the Proposed Development. Their assessment concludes that any effects from the Proposed Development on air quality “should not be significant”.

Therefore, the proposals are in line with Local Policy CC4.

#### Noise

Camden Local Plan Policy A4 states that the Council will seek to ensure that noise and vibration is controlled and managed.

An Acoustic Assessment, prepared by Sharps Redmore, has been submitted in support of this application. Section 6 sets out suggested mitigation measures for the proposed bowling use to limit noise emissions, in line with Local Plan Policy A4.

#### Access

All levels of the venue are easily accessible via stairwells and lifts, in line with the approved, as built situation.

#### Operational Management

An Operational Management Plan has been prepared by Lane7 and submitted in support of this application and sets out how the site will be managed in terms of hours, staff numbers and ticketing.

#### **Pre-Application Discussions**

A pre-application meeting to present and discuss the acceptability of these proposals and the most appropriate procedural planning route was held on 15 June 2023.

Officers confirmed that the proposals were acceptable in principle, subject to sufficient marketing information, and could be dealt with as standalone change of use application.

#### **Application Documentation**

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- A copy of this cover letter;
- Application form and notices;
- CIL form;
- Approved plans;
- Proposed plans;

- Site Location Plan;
- Air Quality Assessment, prepared by Wardell Armstrong;
- Design and Access Statement (inc. Area Schedule), prepared by LabTech;
- Operational Management Plan, prepared by Lane7;
- Marketing Evidence, collated by LabTech;
- Draft Construction Management Plan;
- Acoustic Report, prepared by Sharps Redmore;
- Sustainability Report, prepared by Scotch Partners; and
- Transport Statement, prepared by Arup.

The requisite planning application fee of **£462** has been paid concurrent to the submission of this application.

We trust that you have everything required to progress with the determination of this minor-material amendment application.

In the meantime, should you have any questions, please do not hesitate to contact Anna Gargan or Bethan Warwick of this office.

Yours faithfully

**Gerald Eve LLP**

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