

## **Objections to planning applications**

2016/1355/P and 2016/2200/L  
Re: 82 Heath Street London NW3 1DN

**Proposal** - Change of use of part of upper ground floor and whole of lower ground floor from retail use (Class A1) to provide additional space for use by Heathside Preparatory School (Class D1); new external metal staircase within rear courtyard; reinstatement of rear doors at lower and upper ground floor levels; creation of new opening in brick wall at rear

### **The impact on the community and local traders of this application for change of use**

The decisions by both landlords and potential lessees impact heavily on our community.

You will be aware that the government has empowered the local people to take more of an interest and to make their voices heard in relation to what is going on on their high street. It affects our lives and we are very concerned about what landlords and purchasers plan to do with shops in our midst.

The government (Department of Communities and Local Government) support residents interest in local affairs relating to their high streets because high streets across Britain are in chronic and persistent decline creating scabs in our communities with closed shops.

There are many reasons why high streets are not doing well. One of them is that there is the wrong mix of shops on the high street which put off consumers who can, and do, vote with their feet for a space which they find more attractive than their high streets.

The simple reason is that the high street with its mix of independent shops and multiples (if a healthy balance can be achieved) is widely recognised by experts on the high street and by think tanks, to be the heart of our community.

The high street is a place where we can bump into each other and share experiences which helps keep a community healthy.

There have been many studies by expert groups and think tanks into the high street and its problems. A few are by the New Economic Forum, the House of Commons All Parliamentary Small Shops Group, the London Mayor' London Plan, the London Assembly, the Mary Portas Review and the latest efforts are by Bill Grimsey and his team.

They all say the same things in relation to the importance of the high street and why we should take an interest in it.

If we permitted the decline of our high street, there are specific detrimental impacts which will ensue and which are well described by the Small Shops Group as follows:

#### **“4.2.c Social Contact**

Social contact will be reduced if small shops are lost. The importance of this cannot be underestimated for people in less populated regions, such as rural areas, and people who are less mobile, such as the elderly. For example, it is estimated that around 30% of people over 60 do not see any friends at least once a week. For many, the small shop forms their only form of regular social contact. Its loss, therefore, has a much wider social impact.

#### **4.2.d Communities**

Many communities will be severely disadvantaged by the loss of their small shops. Such local businesses can be a focus for community activity, as well as providing employment and vital products and services. Many communities will no longer be able to cater for the needs of its residents if the retail sector is too heavily disrupted, leaving those affluent enough, both shops and homeowners, to relocate to other areas. Scenarios in which the traditional shopping areas become abandoned as illustrated in Figure 2 will become increasingly commonplace.

If the decline described above materialises, then, over the next 10 years or so, many smaller centres will cease to exist in their current form. This is likely to lead to a 'spiral of decline', as illustrated in the diagram, below. The reduction in local shopping facilities and associated environmental decline (vacant/boarded up premises; disjointed/sprawling retail area; and so on) could trigger population losses – whilst good quality local shopping facilities can 'sell' housing in an area, turning it into a desirable place to live and creating distinctiveness, the converse can occur if core facilities are missing.

Local businesses, in areas seen as potentially profitable, will be replaced by national or international businesses with a much more limited view of their community roles. These types of businesses do not tend to have a proactive role in activities that are not seen to be profit-making in the long term. In these areas there is unlikely to be any replacement to local businesses for communities.

#### **4.2.f Environment**

Food transport has a significant and growing impact, socially; economically and environmentally. The loss of small shops will continue to contribute to pollution, congestion, accidents and noise. Food miles will continue to increase with potentially devastating impact on climate change with an inflation of CO2 emissions arising from increased use of air transport and car transport.”

In its predicted outlook for 2015, the Small Shops Group stated the following and prepared a table, an extract of which is contained below:

“The following chart offers a simple way to judge the success or failure of various sub-sectors depending on the various pressures placed on them. It assumes that all small shops suffer from moderate pressure placed on them from forces external to the market, be forced to innovate due to buyer power and will face a similar threat from new entrants to the market.

‘Survival’ is taken here to represent presence of a critical mass of retailers in a given sub-sector. It must also be recognised that this is a very simplistic tool for judging the fate of small shops noting that these businesses cannot always be pigeon holed into sub-sectors as has been done here due to the various hybrids that exist.

**Table 2: The state of independent retailing in 2015, by sub-sector**

	Rivalry	Supplier Power	Threat of Substitutes	<b>Outlook for 2015</b>
Convenience Stores/ Grocers	High	High	Low	<b>Unlikely to survive</b>

The residents of Hampstead generally are very keen to preserve not simply small independent shops, but the space occupied by those shops so that if a shop is not viable, the lessee has the best chance of attracting other potential shop owners who would be influenced by the space available for a potential purchase.

The proposals in this application reduce the shop space to a drastic and detrimental degree and will forever take these retail premises out of use as commercial property forever. Heath Street is already challenged in relation to shop survival.

Every shop which goes out of business or which reduces its footprint to make onward sale to another shop owner difficult ultimately affects all shop owners on that street as the shrinkage kicks in. Many shops on Heath Street have already been converted to estate agent offices which has had an impact on footfall on this street.

I set out in **Schedule 1** extracts of the relevant development policies of Camden relating to amenity. I have marked in bold those parts of the policies which I consider most relevant and which are likely to be breached by this development.

### **Design and access statement**

The design statement has a number of phrases which we would like to challenge:

**“The proposal is for the toyshop to rationalise its retail footprint in order to allow a second occupier to rent the remaining ground floor and lower ground floor space. The planning application is for dual use consent and listed building consent related to physical changes required by the proposal.” (pg 22)**

This dual use consent means that valuable retail space will be taken out of commercial use forever. This will have a significant impact on this shop remaining in the retail portfolio of this street. Shop owners need a certain amount of space in order to be attracted to an

area. This dual use will negatively impact on the attractiveness of this space as retail premises.

**“Overall the current proposal for dual use consent ensures the retail space can remain as a viable contributor to the historically commercial streetscape. This is considered appropriate and important use with regard to the character of Heath Street and its distinctive contribution to the conservation area.” (pg 23)**

In recent conversations with the current toy shop owner, we understand that she is determined either to carry on with the toy shop although she is temporarily closed or she will sell the whole lease as one shop to another shop owner.

The best option for this retail space is to leave it with its current space which will be more attractive to other shop owners than a much reduced footprint.

**“The proposal allows continuing retail use which is also beneficial to the historic character of the street. Without the proposal, there is a legitimate risk that the retail use cannot continue. The effects of this would be detrimental to the building and the streetscape as a whole.” (pg 23)**

We would contest the statement that without this proposal there is a “legitimate risk” that the retail use cannot continue. There is no such risk. If the current owner is not able to make a go of her business, she can always sell it to someone else. There is no suggestion that this shop will not longer be a shop. It is at an important point in Heath Street and remains an attractive spot for the existing and future shop owners.

**“The proposal is considered positive from a heritage conservation perspective.” (pg 23)**

We would deny this for the reasons already mentioned. The proposal is not positive. It is removing valuable retail space in a conservation area whose high streets are already challenged. This proposal is actually detrimental to the heritage conservation for the reasons mentioned.

Other shops in the area are concerned about the impact of the loss of this retail space on their own viability in the long term.

I have set out extracts of DP10 and DP26 at Schedule 1 and DP16 at Schedule 2. DP16 does refer to the difficulties of the school run.

Yours sincerely,

*Jessica Learmond-Criqui*

**Jessica Learmond-Criqui**  
**Chair of the Hampstead and Belsize Park Town Team**

## SCHEDULE 1

### Camden Local Development Framework - Camden Development Policies

Extracts are below

#### **DP10 - Helping and promoting small and independent shops**

10.6 Camden has many individual shops, traditional pubs, cafés and small shopping and service parades, complementing the role of larger town and neighbourhood centres. These provide for the day-to-day needs of the local population, workers and visitors and help provide locally accessible facilities for people with mobility difficulties. They also play an important social role in the surrounding community, **as well as contributing to the character and identity of the local area.**

#### **DP12 - Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses**

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12.6 **The Council will not grant planning permission for development that it considers would cause harm to the character, amenity, function, vitality and viability of a centre or local area.** We consider that harm is caused when an impact is at an unacceptable level, in terms of trade/turnover; vitality and viability; **the character, quality and attractiveness of a centre**; levels of vacancy; crime and antisocial behaviour, the range of services provided; **and a centre's character and role in the social and economic life of the local community.** We will consider the cumulative impact of additional shopping floorspace (whether in a centre or not) on the viability of other centres, and the cumulative impact of non-shopping uses on the character of the area.

#### **DP26 - Managing the impact of development on occupiers and neighbours**

26.1 **Camden's Core Strategy seeks to sustainably manage growth so that it takes place in the most appropriate locations and meets our needs while continuing to conserve and enhance the features that make Camden such an attractive place to live, work and visit (see policy CS1). Promoting and protecting high standards of amenity is a key element in this and will be a major consideration when the Council assesses development proposals.** Core Strategy policies CS5 – *Managing the impact of growth and development* and CS14 – *Promoting high quality places and conserving our heritage* set out our overall approach to protecting the amenity of Camden's residents, workers and visitors, a major factor in people's quality of life. **Policy DP26 contributes to the implementation of the Core Strategy by making sure that the impact of a development on occupiers and neighbours is fully considered.**

**DP26** – Managing the impact of development on occupiers and neighbours

**The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.**

## **SCHEDULE 2**

### **Development policy relating to transport**

#### **DP16 – The transport implications of development**

##### **Transport capacity**

16.7 It is essential that there is **sufficient transport capacity available to allow for travel demands generated by new development, including cumulative demand**. Where necessary, proposals should include on-site measures as well as off-site contributions to increase capacity, including contributions towards the delivery of strategic transport infrastructure (see Core Strategy Policy CS11), in accordance with the London Plan.

The enhancement of off-site capacity will particularly arise from developments that generate significant travel demand and for these a formal Transport Assessment and Travel Plan will be required to indicate the measures needed in association with development (see paragraphs 16.9 to 16.19 below). In addition, the Mayor has introduced a policy in the London Plan, and prepared Supplementary Planning Guidance - *Use of planning obligations in the funding of Crossrail*, to seek financial contributions from new development towards the delivery of Crossrail. Crossrail will help to support growth in London by tackling congestion and the lack of capacity on the existing rail network.

16.8 Development proposals will need to be accompanied by an indication of their implications for the transport network unless they involve minimal trip generation. It will often be possible to address basic issues (movement on and around the site and linkages to transport networks) through the Design and Access Statement, which is a nationally required submission with most planning applications.

##### ***Transport assessments***

16.9 Where the transport implications of proposals are significant, the Council will require a Transport Assessment to examine the impact on transport movements arising from the development. An indicative threshold for developments that will require a Transport Assessment is set out in Appendix 1.

16.10 The purposes of an assessment are to ensure that a proposal will not cause harm to the transport network or to highway safety, to show that the development will be properly integrated into the network, and indicate the extent to which there is additional capacity available to accommodate new travel patterns.

16.11 Transport assessments should:

- consider all types of movement associated with a proposal, both during construction and after completion, including an analysis of existing and proposed trips generated by the existing site and the proposed development for all transport modes and the impact these trips will have on the transport network;
- identify specific routes over which existing and proposed trips are taking place;
- address the movement of goods and materials, including the removal of spoil and demolition waste, delivery of construction equipment and materials, and servicing the completed development with refuse and goods vehicles;
- **consider the cumulative impact of the proposal with any others that will affect the same infrastructure, and whether the existing or committed capacity will be able to accommodate all of them; and**
- **indicate the steps that a developer will need to take to ensure that a proposal will be connected to existing transport infrastructure and will not have a negative impact on the capacity of existing infrastructure.** These steps should include the provision of both on- and off-site measures, as necessary. The enhancements involved are considered further in connection with policy DP17 - *Walking, cycling and public transport*.

16.12 An assessment should only take account of planned transport provision where this has fully secured funding and has a firm start date (see policy CS11 and Appendix 1 in the Camden Core Strategy for further information regarding key planned transport infrastructure projects in the borough). Where existing and proposed public transport provision will not have sufficient capacity to serve the development, the Council will expect to secure funding towards the enhancement of public transport capacity.

**16.13 The depth of analysis for a transport assessment will reflect the scale and kind of a development and the nature and capacity of the transport network in the area. Further information about transport assessments is given in our Camden Planning Guidance supplementary document. Transport for London's *Transport Assessment Best Practice Guidance (May 2006)* also provides guidance on the submission of transport assessments: all applications that are referred to the Mayor should comply with this guidance.**

16.14 Applicants for developments that are close to London Underground assets should also contact Transport for London's London Underground Infrastructure Protection team at an early stage before the commencement of design work to ensure that any constraints are addressed.

**16.15 The concentration of schools in some parts of Camden, including the Hampstead and Belsize Park areas, has led to traffic congestion, road safety and parking problems related to the 'school run'.**