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Date: 8 July 2016



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Dear Sirs

Planning Application at Nos. 17 & 20-21 Northway's Parade, London NW3 5EN

On behalf of our client, please find enclosed a planning application for the following:

'Change of use of No. 17 from a restaurant (Class A3) to retail (Class A1) in connection with change of use of No. 20-21 from retail (Class A1) to a restaurant (Class A3) as part of a use swap'

This application comprises the following:

- Completed Application Form;
- Completed Community Infrastructure Levy (CIL) Form;
- Site Location Plan;
- Existing and Proposed Plans;
- A Planning Statement prepared by Bidwells (comprising this cover letter); and
- A cheque for £385.00 made payable to the London Borough of Camden (LBC) to cover the statutory fee.

This Planning Statement comprises the following sections:

1. *Site and Surroundings* – briefly describes the application site and its surroundings;
2. *Planning History* – provides details of the planning history relevant to the application;
3. *Application Proposal* – describes the application proposals;
4. *Planning Policy Context* - identifies the planning policy framework against which the application should be determined;
5. *Planning Assessment* – sets out the merits of the application proposal and how it complies with relevant planning policy; and

6. *Conclusions - summarises our conclusions in respect of the application.*

1. Site and Surroundings

Northway's Parade comprises a large seven storey building on the north side of Finchley Road at its junction with College Crescent. The building comprises a number of shops and services at ground floor level (a summary of these uses can be found at **Appendix 1**), with residential use above. This application relates to No. 17, a restaurant unit (Class A3), and No. 20-21, a retail unit (Class A1), which is currently vacant.

The building is not statutorily or locally listed and is not located within a conservation area. It is however, within the Finchley Road/ Swiss Cottage Town Centre, and the units to which this request relates form part of a Core Frontage. There are no other site specific planning policy designations.

The site has a PTAL rating of 6a, indicating excellent accessibility to public transport.

2. Planning History

The online planning history available for these units is limited. However, the following is most relevant:

No. 17 Northway's Parade

- Planning permission (ref: 2015/6113/P) was granted on 21.03.2016 for a rear extension within the enclosed service area.

No. 20-21 Northway's Parade

- Planning permission (ref: CTP/H7/1/B/10061) was granted in 1970 for alterations to the existing shopfront.
- Planning permission (ref: CTP/H7/1/B/22069) was granted in 1976 for the carrying out of works of alterations to the elevation at ground floor level.
- Planning permission (ref: 2015/5732/P) was granted on 27.01.2016 for the replacement of the shopfront.

3. Application Proposal

The proposals seek the change of use of No.17 from a restaurant (Class A3) to retail (Class A1). To ensure nil detriment to the mix of uses within the parade, it is proposed that this change of use be linked to the change of use of No. 20-21 from retail (Class A1) to a restaurant (Class A3), as part of a use swap, illustrated below.

Site	Current Use	Proposed Use
No.17	Restaurant (Class A3)	Retail (Class A1)
No.20-21	Retail (Class A1)	Restaurant (Class A3)

It is considered that an appropriately worded condition could be imposed to prohibit the use of No. 20-21 as a restaurant until the restaurant use at No.17 had ceased operation.

The proposed use swap forms part of a wider investment strategy by the Applicant to enhance the shopping frontage and long term sustainability of Northway's Parade, such as the recently granted application for façade

alterations to the entire parade (ref: 2015/5732/P), and the pending application for façade alterations and public realm improvements at No. 20-21 (ref: 2015/5733/P).

Additionally, a further use swap application is being submitted simultaneously with this application for the below:

'Change of use of No.16 from a restaurant (Class A3) to retail (Class A1) in connection with change of use of No.10-11 from retail (Class A1) to a restaurant (Class A3) as part of a use swap'

4. Planning Policy Context

The planning policy framework against which the application should be determined includes the following:

- London Plan FALP¹ (2015);
- LBC's Core Strategy (2010); and
- LBC's Development Policies (2010).

In terms of other material considerations, this includes the National Planning Policy Framework (2012) and National Planning Policy Guidance (2013 including updates). LBC have also adopted a number Camden Planning Guidance Booklets (CPG) (Nos.1-8).

5. Planning Assessment

This section assesses the application proposals in the context of the planning policy framework identified above. The principal matters that are considered to be relevant to this application are set out in the following sub-sections:

- The NPPF presumption in favour of sustainable development / Principle of the proposed development;
- Land Use; and
- Residential Amenity.

NPPF Presumption in Favour of Sustainable Development

The NPPF established a 'presumption in favour of sustainable development', requiring LPAs to approve planning applications that accord with the development plan without delay (para. 14) and states that planning should do all it can to support and encourage sustainable economic growth (para. 19).

Land Use

Core Strategy Policy CS7 states the Council will promote successful and vibrant centres by providing a range of shops, services, food, drink and entertainment and other suitable uses; supporting and protecting Camden's local shops, and pursuing the individual planning objectives for each centre. In Swiss Cottage, the Council will

¹ Given the scale of this development, it is not of strategic importance and therefore no further reference to the London Plan is made below.



support the core shopping area and manage the location, concentration and impact of food, drink and entertainment uses in line with the Council's Planning Guidance.

Council Planning Guidance 5 (CPG5) states that any reduction in the number of retail units in the Core Frontages could harm the shopping function and character of the centre. The Council will not permit development that results in the number of ground floor premises in retail use falling below 75% of the total premises in each of the Core Frontages. The guidance also states the Council will not permit development for food, drink and entertainment uses in frontages where over 20% of the units are in such uses, and where such development would result in more than two food, drink and entertainment uses in a row.

Development Management Policy DP12 states the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses do not cause harm to the character, function, vitality and viability of a centre. To assess such proposals, a number of criteria are provided by this policy, which are considered in more detail below.

Having regard to the above policy provisions, the proposals would not result in the number of food, drink and entertainment uses exceeding 20% of the units within the frontage, nor would they result in there being more than two such uses in a row. The proposals therefore accord with CPG5 in these respects (as illustrated at **Appendix 1**). In terms of the proportion of Class A1 units within the frontage, this would remain unchanged as the uses are proposed to be swapped rather than lost. To this effect, it is considered that an appropriately worded condition could be imposed to prohibit the use of No. 20-21 as a restaurant until the restaurant use at No. 17 had ceased operation.

In addition, with respect to the criteria set out in Development Management Policy DP12:

- a The effect of non-retail development on shopping provision and the character of the centre in which its located;

As it is proposed to retain the existing uses across the two units, it is not considered that there would be any detrimental impact on the character of Swiss Cottage.

- b The cumulative impact of food, drink and entertainment uses taking into account the number and distribution of existing uses and non-implemented planning permissions;

The existing frontage contains very few food, drink and entertainment uses and the proposals would have nil effect on the overall proportion of such uses within the wider core frontage.

- c The impact of the development on nearby residential uses and amenity;

Given that it is proposed to retain the existing uses across the two units, it is not considered that there would be any adverse impact on residential amenity.

- d Parking, stopping, servicing and the effect of the development on the ease of movement on the footpath;

Servicing for both units would continue to take place within the designated off-street and contained servicing area to the rear of both units. As such, the proposals would have no material impact on parking or traffic conditions within the area.



- e Noise and vibration generated either inside or outside of the site;

The proposals would likely result in loss of the plant / extract equipment serving No. 17, and the installation of new plant and extract equipment at No. 20-21. The opportunity to install up-to-date equipment would have concomitant benefits in efficiency, noise and fume capture. However, as no operator has yet been secured, no plant or extract equipment is proposed as part of this application. They will be expected to apply for planning permission for these elements once their requirements are known.

- f Fumes likely to be generated and the potential for effective and unobtrusive ventilation;

As above.

- g The potential for crime and anti-social behaviour, including littering.

The proposals would enhance the likelihood of the vacant No. 20-21 being brought back into use. This would increase the amount of active frontage to the parade and natural surveillance. Refuse would continue to be dealt with to the rear within the servicing area, minimising any potential for litter.

For the reasons set out above, it is considered that the proposals are an entirely appropriate and sustainable form of development that would enhance the vibrancy and vitality of the centre, whilst also ensuring the optimal use of the site given its prominent location and frontage.

Residential Amenity

Development Management Policy DP26 states the Council will only grant permission for development that does not cause harm to amenity. This includes the impact of noise and vibration levels, odour, fumes and dust.

As noted above, the impact of the proposals should be minimal as there would be no change in the proportion of retail and restaurant units within the parade. It is likely that the proposed use swap would result in the loss of the plant and extract equipment serving No. 17, and the installation of newer, quieter and more efficient plant at No. 20-21, with concomitant benefits for residents living on the upper floors.

Notwithstanding this, as no operator has yet been secured, no plant or extract equipment is proposed as part of this application. The operator will be required to apply for planning permission for these elements once their requirements are known.

For these reasons, the proposals comply with Development Management Policy DP26.

6. Conclusions

The proposals would provide some flexibility to the operation of the units in question to ensure their long term viability. Given that a use swap is proposed, there would no adverse impact on the vitality of the shopping frontage, rather the increased viability of No. 20-21 would enhance the overall sustainability of the parade.

For these reasons, the proposals are a sustainable form of development, which are compliant with all relevant planning policies, and we respectfully request that planning permission is granted.

I trust this is satisfactory and I look forward to receiving confirmation that the application has been validated shortly. Should you have any queries in the meantime, please do not hesitate to contact me.

8 July 2016

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Yours faithfully

A handwritten signature in black ink that reads "K Brown". The signature is written in a cursive, slightly slanted style.

Kimberley Brown
Principal Planner, Planning

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Appendix 1

Table showing breakdown of current uses within the frontage

No.	Use	Use Class
1	Estate Agents	A2
2	Betting Shop	A2
3	Ice Cream Parlour	A3
4	Shop	A1
5	Shop	A1
6	Shop	A1
7	Shop	A1
8	Shop	A1
9	Hairdressers	A1
10	Hairdressers	A1
11	Shop	A1
12	Shop	A1
13	Shop (vacant)	A1
14	Restaurant	A3
15	Café	A3
16	Bureaux de Change	A2
17	Shop	A1
18	Bureaux de Change (vacant)	A2
19	Shop	A1
20	Dry Cleaners	A1
21	Shop	A1
22	Shop	A1
23	Dry Cleaners	A1
24	Estate Agents	A2
25	Estate Agents	A2
26	Shop	A1
27	Dentist	D1

Appendix 2

Table showing impact of change of use on number of A1 units in frontage

	Pre-Change of Use	Post-Change of Use
Total Units	27	26
Total A1 Units	17	16
Total A1 Units (%)	62	62