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**PLANNING STATEMENT
CHANGE OF USE FROM USE CLASS A1
(RETAIL) TO USE CLASS D1 (EDUCATION)**

AT

**GROUND AND BASEMENT FLOORS
51 ENGLAND'S LANE
LONDON NW3 4YD**

Date: October 2016

Ref: 12264

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CONTENTS

1.0 INTRODUCTION 1

2.0 SITE AND SURROUNDINGS 2

3.0 THE PROPOSED DEVELOPMENT..... 3

4.0 PLANNING HISTORY 4

5.0 THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS..... 5

 5.2 The London Plan 2016..... 5

 5.3 Camden Core Strategy 2010 5

 5.4 Camden Development Management Policies 2010 - 2025..... 5

 5.5 Camden Planning Guidance 5

6.0 PLANNING ASSESSMENT 6

 6.1 Change of Use from A1 to D1 Use Class..... 6

 6.2 The Fine Arts College 8

7.0 CONCLUSION 10

DRAFT

Revision	Description	Originated	Checked	Reviewed	Authorised	Date
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1.0 INTRODUCTION

1.1.1 This Planning Statement (“Statement”) accompanies an application for planning permission at ground and basement floors, 51 England’s Lane, London NW3 4YD (the “Unit”) for:

“Change of Use of the ground and basement floors from Use Class A1 (retail) to Use Class D1 (education and training)”

1.1.2 The proposed change of use is in connection with the Fine Arts College located to the rear of the Unit and will provide the College with additional educational space to meet existing requirements.

1.1.3 The application is submitted to the London Borough of Camden (“Council”) on behalf of Dukes Education Ltd under the Town and Country Planning Act 1990 (“TCPA”).

1.1.4 This Statement explains how the proposed development for change of use from Class A1 to Class D1 Use complies with the relevant national planning policy, the development plan and other material considerations.

1.1.5 This Statement should be read in conjunction with the following documents submitted:

- Application Form;
- CIL Form;
- Location Plan (Ref: OS1);
- Existing Plan LXA-1228-FAC-010 Rev A; and
- Proposed Plan LXA-1228-FAC-100 Rev E.

1.1.6 The following sections of this Statement consider the site and its context in Section 2 and explain the Proposed Development in Section 3. The planning history of the Unit is detailed at Section 4, the relevant national planning policies, the development plan and other material considerations are set out in Section 5, before providing a detailed planning assessment of the Proposed Development in Section 6. The overall conclusions are contained in Section 7.

2.0 SITE AND SURROUNDINGS

- 2.1.1 The Unit is located within the England's Lane Neighbourhood Centre and toward the western end of the designated retail shopping frontage that comprises 2-50 England's Lane and 41-55 England's Lane.
- 2.1.2 The Unit is situated within the Belsize Park Conservation Area and measures approximately 180sq.m.
- 2.1.3 The Unit is surrounded by residential properties with the nearest occupier located on the first floor of the same building.
- 2.1.4 Belsize Park Underground station is located 800m north and Chalk Farm Underground Station is located 800m east. The Unit benefits from a public transport accessibility level of 3 (on a scale of 1 to 6, where 1 is poor and 6b is excellent).
- 2.1.5 The Unit is located within Flood Zone 1 with reference to the Environmental Agency Flood Risk Map.
- 2.1.6 The Unit is currently vacant and was last occupied by RKP Hardware.

3.0 THE PROPOSED DEVELOPMENT

- 3.1.1 The “Proposed Development” is for the change of use of the basement and ground floors from Class A1 retail Use to Class D1 education and training Use.
- 3.1.2 Internal alterations to the basement will connect the Unit to the Fine Arts College at the rear to allow internal movement between the College and the Unit.
- 3.1.3 The Unit will be used for displaying artwork at the existing shopfront window, teaching space, study areas and a student breakout area in the basement.
- 3.1.4 The proposed change of use will ensure that the England’s Lane Neighbourhood Centre benefits from a wide variety of services and land use and is in accordance with the Council’s adopted development plan policies.

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4.0 PLANNING HISTORY

4.1.1 An online search of the Planning History of the Unit has yielded the following results for the building, which are not considered directly relevant to the Proposed Development:

Ref	Description	Decision	Decision Date
2004/4137/P	(Flat B) Approval of details of 2nd floor privacy screens pursuant to Condition 3 of planning permission dated 14.01.04 (ref: 2003/3535/P) for the erection of railings around existing rear extension flat roof and new French doors in connection with the formation of a roof terrace.	Approve	25/10/2004
2003/3235/P	(Flat B) Erection of railings around existing rear extension flat roof at second floor level and insertion of French doors in connection with the formation of a roof terrace	Approve	12/12/2003
8401547	Erection of rear extension for retail use at basement and ground floor levels as shown on drawing No.8166/1A.	Approve	24/09/1984

5.0 THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

5.1.1 Under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the development plan for any area within Greater London comprises the Spatial Development Strategy and the development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

5.1.2 The statutory development plan for the application site comprises of the following:

- The London Plan 2016
- Camden Core Strategy 2010
- Camden Development management Policies 2010 - 2025
- Camden Planning Guidance

5.2 The London Plan 2016

5.2.1 The London Plan policies which are considered relevant to the Proposed Development are listed below:

3.18 – Education Facilities;

5.3 Camden Core Strategy 2010

CS7 - Promoting Camden's centres and shops;

5.4 Camden Development Management Policies 2010 - 2025

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

5.5 Camden Planning Guidance

CPG 5 – Town Centres, Retail and Employment

6.0 PLANNING ASSESSMENT

6.1 Change of Use from A1 to D1 Use Class

- 6.1.1 This application is for the change of use of the ground and basement floors of 51 England's Lane from A1 to D1 Use in connection with the Fine Arts College and secondary school education.
- 6.1.2 London Plan 2016 ("LP") policy 3.18 states that *"the Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance."*
- 6.1.3 Paragraph 3.102 of the LP recognises that *"London's population will continue to be younger than elsewhere in England and Wales and by 2036, its school age population is projected to increase by 18 per cent."*
- 6.1.4 Camden's Core Strategy 2010 ("CS") designates the shopping parade at England's Lane as the England's Lane Neighbourhood Centre as identified on Map 2: Town Centres. Camden's Planning Guidance CPG5 ("CPG5") identifies the Neighbourhood Centre as units 2-50 (north side) and units 41-55 (south side) at Appendix 1.
- 6.1.5 The significance of the Unit being included within a Neighbourhood Centre is that in accordance with CS policy CS7, *"the Council will promote successful and vibrant centres throughout the borough...by (g) protecting and promoting small and independent shops, and resisting the loss of shops where this would cause harm to the character and function of a centre."*
- 6.1.6 CS policy CS7 further explains under the heading *"Neighbourhood Centres"* on page 80 that the Council will seek to *"ensure that any development in them (Neighbourhood Centre's) does not harm the function, character or success of that centre."* The Council state that they *"will resist schemes that would result in less than half of ground floor premises in a neighbourhood centre from being in retail use or in more than three consecutive premises being in non-retail use."*
- 6.1.7 The strategic objectives of CS policy CS7 are expanded upon in Camden's Development Management Policies 2010 – 2025 ("DMP") policy DP12 *"Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses"*.

- 6.1.8 DMP policy DP12 seeks to ensure that the development of town centre uses *“does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.”*
- 6.1.9 Policy DP12 explanatory paragraph 12.6 states that *“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.”*
- 6.1.10 CPG5 explains at paragraph 3.59 to 3.63 that within Neighbourhood Centres, as a guide, the Council will resist schemes that result in
- less than 50% of ground floor premises being in retail use; **or**
 - more than 3 consecutive premises being in non-retail use.
- 6.1.11 The Proposed Development has been assessed against these criteria.
- 6.1.12 Appendix 3 of CPG5 explains how the 50% of ground floor premises is calculated within a Neighbourhood Centre and that a frontage ends at roadways that interrupt the run of premises. Therefore the units which CPG5 refer to are units 41-55.
- 6.1.13 DWD have recently undertaken a survey of the existing uses at these units and assessed these against the Council’s online planning application database. Our findings are as follows:

Unit	Occupier	Use
41	Black Truffle	A1 Retail shop and café
43	Living In Space	A2 Interior Designers
45	Chamomile	A3 Restaurant
47	Laundrette	Sui Generis
49	England’s Papers	A1 Stationery Shop
51	Vacant	A1 (last use)
53	Harvey Jones	A1 Kitchen Store
55	Starbucks	A1 Coffee Shop

- 6.1.14 The percentage of units within Use Class A1 within the shopping frontage is 62.5%. Following the proposed change of use of unit 51 England’s Lane the percentage of units within Use Class A1 will adjust to 50%.

6.1.15 The Council will also resist proposals for a change of use that result in more than 3 consecutive units being in non-retail use. The Unit sits adjacent to A1 Use units on either side and therefore following the proposed change of use there will not be a more than 3 consecutive premises in non-retail use.

6.2 The Fine Arts College

6.2.1 The Proposed Development will serve as additional education space for the Fine Arts College which is located at the rear of the Unit. Internal alterations will allow the internal movement of staff and students between the Unit and the College.

6.2.2 Notwithstanding the fact that the Proposed Development achieves the pre-requisite criteria provided by CPG5 and CS policy CS7, the London Plan 2016 recognises that London has a growing demand for secondary school education and the proposed change of use will allow the Fine Arts College to accommodate the existing number of students enrolled at the college.

6.2.3 Due to a lack of floorspace, the College's drama classes are temporarily being held in the basement of the Washington Pub at 50 England's Lane.

6.2.4 DMP policy DP12 states that the Council will resist applications for change of use that will result in an unacceptable level of harm to the character, amenity, function, vitality and viability of a centre or local area.

6.2.5 The Unit is currently vacant having last been in use as a hardware store. The nearest hardware store to the Unit is now located at Mercury Stores, 43 Chalcot Road, London NW1 8LS, around 1,200m south. There are also two larger hardware stores at Travis Perkins and Builders Depot in West Hampstead, around 2.5Km west of the Unit.

6.2.6 The Fine Arts College is a long established member of the England's Lane Neighbourhood Centre having been founded in 1978. Approximately 190 students are enrolled at the College and the students contribute to the vitality and viability of the Neighbourhood Centre providing making use of the surrounding shops, cafes and restaurants whilst arriving at and departing the College, or whilst on breaks.

6.2.7 The Proposed Development will enable the Fine Arts College to establish an on-street presence and will utilise the exiting shop window to display the student's art work.

- 6.2.8 It is not considered that the proposed Development represents an unacceptable level of harm to the character, amenity, function, vitality and viability of the Neighbourhood Centre.

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7.0 CONCLUSION

- 7.1.1 This Statement has demonstrated that the proposed change of use of the Unit, from Class A1 (retail) to Use Class D1 (education and training), accords with the planning policies contained in the adopted development plan and all other material considerations.
- 7.1.2 The Unit is located within the England's Lane Neighbourhood Centre whereby Core Strategy policy CS7 requires that either a proposed change of use maintains a provision of at least 50% of the units within the Neighbourhood Centre as Class A1 units, or that the proposed change of use will not result in 3 or more non-retail use units.
- 7.1.3 This Statement has demonstrated that the Proposed Development satisfies both of these requirements.
- 7.1.4 This Statement has also demonstrated that the Fine Arts College is a long established member of the England's Lane Neighbourhood Centre and that the proposed change of use will not cause harm to the character, amenity, function, vitality and viability the Neighbourhood Centre in accordance with the adopted development plan policies.