

Unit 2 Brunswick Centre, London, WC1N 1AE

Leon

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BIDWELLS

PLANNING SUPPORT STATEMENT
PROPOSED CHANGE OF USE FROM RETAIL
TO RETAIL WITH RESTAURANT/CAFÉ AND
ANCILLARY TAKE AWAY SALES

1.0 Introduction

1.1 This Planning Support Statement has been prepared to accompany a planning application for change of use of the property at Unit 2 Brunswick Centre, London, WC1N 1AE. The application proposes the change of use of this unit from retail use to a mixed use retail and restaurant/cafe with ancillary take away sales. This change of use planning application is retrospective. Changes of use are not required to be accompanied by a Design & Access Statement. No alterations to the external appearance of this building are included as part of this planning application. The application solely seeks planning permission for the change of use.

1.2 The Statement is set out in six sections and comprises:

1.0 Introduction

2.0 Site Description & Surrounding Area

3.0 Proposals & Planning History

4.0 Relevant Planning Policies

5.0 Assessment of Planning Issues

6.0 Summary

List of Appendices

2.0 Site Description & Surrounding Area

- 2.1 The application site comprises a ground floor commercial unit located within the mixed-use complex of the Brunswick Centre.
- 2.2 The Brunswick Centre comprises a complex of commercial retail and food and drink-led businesses with residential accommodation above. The local area is characterised by a variety of commercial uses, as is typical of a mixed-use urban area. The wider local area contains a variety of building styles and heights.
- 2.3 The Brunswick Centre is a grade II listed complex and lies within the designated Bloomsbury Conservation Area. The Brunswick Centre was built between 1967 and 1972 to the design of Patrick Hodgkinson and is recognised as the pioneering example of a megastructure in England and an example of low-rise, high-density living. The Brunswick Centre comprises two linked blocks of 560 flats that incorporate two rows of shops at raised ground level over basement car parking on two levels and a cinema. The complex is principally formed from concrete walls and metal framed glazing. Historic England's listing description states that the interior finished of the flats, shops and cinema have been inspected and are not of special interest. The Brunswick Centre was listed on 14/09/2000, whilst the Bloomsbury Conservation Area was designated on 01/03/1984.
- 2.4 The application site is located within a highly accessible urban location within the borough of Camden, where transport options are very good. The application site has a PTAL rating of 6b (the most accessible).

3.0 Proposals & Planning History

- 3.1 The sole planning element of the application is the change of use of this unit from retail use to a mixed use comprising shop and restaurant/café with ancillary take-away sales. The Class A1 (shops) element of the Leon use comprises the sale of cold food and drink for consumption off the premises, similar to a sandwich bar style of operation, as well as the sale of Leon cookbooks and associated merchandise. This planning application is retrospective and the application site has traded as a Leon since 08/08/2016 without causing any complaints or objections from local residents or neighbouring businesses.
- 3.2 The occupier of the application site is Leon. Leon food company was established in 2004 and specialises in combining retail sales of cold food for consumption off the premises with restaurant dining of cold and reheated food and ancillary sales of reheated food taken away. Leon is a founding member of the Sustainable Restaurant Association (SRA) and efficiently manages the social and environmental impacts of its business. SRA exists to help restaurants to become more sustainable in the way they source ingredients, engage with the local community and manage any impact upon the environment. Leon's overriding philosophy is that food should taste good and do you good. This has become a popular vision statement and has led to them opening around 40 stores to date, with many more in the pipeline. Leon has won a number of industry awards and has received high accolades from renowned chefs and the media.
- 3.3 Leon units operate as a multi-faceted food shop and café/restaurant. The sale of goods is generally split up as follows:
- Retail Sales (cold food products, cook books and associated items): circa 45%
 - Dining in (cold and reheated products): circa 40%
 - Take away (reheated food): circa 15%
- 3.4 The hot food supplied is prepared off site and is re-heated in 'Rational' ovens, which contain their own self-ventilation systems. There is therefore no need for external extraction equipment. Technical specification details of these 'Rational' ovens and their 'Ultra Vent' self-ventilation systems are appended as Appendices 1 and 2 to this Planning Support Statement. There are therefore no associated noises or smells created as a result of the preparation and sale of food on site.
- 3.5 The application premises are solely located on the ground floor. This contains the main entrance with customer sales area and associated counters to one side and customer seating on the other side and to the rear of the central kitchen/prep area (which also includes the office/team room, cold room, stores and a waste store). Fully accessible toilets are provided at the rear of the

premises. A modest area of external customer seating is also provided along the main frontage of the application site.

- 3.6 This Leon unit trades opening hours of 0730 to 2100 hours on Mondays to Fridays; 1000 to 2100 hours on Saturdays and 1000 to 2000 hours on Sundays. It is therefore not a late-night restaurant/café and its trading hours are to serve the breakfast, lunch and early evening meal times of local residents, workers and visitors to the area.
- 3.7 The Leon use involved no sales of alcohol at all. Music is only played at background levels during the customer trading times and is inaudible outside of the unit.
- 3.8 The planning history of the site contains only previous advertisement consent applications, which are not relevant to this change of use planning application.

4.0 Relevant Planning Policy

National Planning Policy Framework

- 4.1 The planning application relates to a proposed town centre use of a building that is ideally located to serve its principal catchment area. It will offer increased customer choice to workers and residents of this part of London and the surrounding area and visitors to this part of London, to the benefit of the local economy and local community. The enhancement of a local commercial activity is sustainable development by definition.
- 4.2 At the heart of the NPPF is a strong presumption in favour of sustainable development (paragraph 14), unless there are demonstrable adverse impacts.
- 4.3 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 4.4 Paragraph 7 states that there are three identified dimensions to sustainable development, comprising economic, social and environmental dimensions. As a consequence, the planning system should contribute to building a strong, responsive and competitive economy.
- 4.5 Paragraph 9 states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (*inter alia*) making it easier for jobs to be created, improving the conditions in which people live, work and travel, and widening the choice of quality homes. Planning decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas (paragraph 10).
- 4.6 Planning decisions should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives. Planning decisions should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to, *inter alia*, respond positively to wider opportunities for growth (paragraph 17).
- 4.7 The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths (paragraph 18). The occupation of the application site by a Leon shop/restaurant provides jobs and prosperity and enhances the vitality and viability of the local area.

- 4.8 The NPPF stresses that planning should operate to encourage and not act as an impediment to sustainable growth (paragraph 19). To help achieve economic growth, LPAs should plan proactively to meet the development needs of business and support an economy fit for the 21st Century (paragraph 20).
- 4.9 The NPPF states that investment in business should not be over-burdened by the combined requirements of planning policy expectations (paragraph 21). Planning policy should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Policies should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality, promoting competitive town centres that provide customer choice and a diverse retail offer which reflect the individuality of town centres (paragraph 23).
- 4.10 Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities (paragraph 37).
- 4.11 Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles (paragraph 60). In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area (paragraph 63).
- 4.12 In order to deliver social, recreational and cultural facilities and services the community needs, the NPPF requires that planning decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments (paragraph 70).
- 4.13 Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value (paragraph 111).
- 4.14 Planning decisions should also aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions (paragraph 123). In this case, it is clearly apparent that there is no significant adverse impact from the development and that any perceived impact could be controlled through the use of appropriate conditions. In practice, noise generated from the application site is no higher than, and is probably lower than, the background noise levels in the vicinity, therefore the presumption in favour of the development remains.

- 4.15 In relation to Heritage Assets, only where a proposed development will lead to substantial harm to/or total loss of significance of a designated Heritage Asset should local planning authorities refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 133). This gives a presumption in favour of development that does not cause substantial harm, or if any substantial harm can be justified.
- 4.16 Where a development proposal will lead to a less than substantial harm to the significance of a designated Heritage Asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).
- 4.17 Local Planning Authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population and any information about relevant barriers to improving health and well-being (paragraph 171).
- 4.18 Local Planning Authorities should approach decision-making in a positive way (paragraph 186) and should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible (paragraph 187).
- 4.19 Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions (paragraph 203).
- 4.20 As the proposed development comprises sustainable development that would contribute significantly to economic vitality and viability of this urban centre, there is clearly a presumption in favour of the grant of planning permission. In these circumstances, there is no conflict with any of the aims, objectives and policies set out in the NPPF. In the absence of any significant adverse impact, there is a presumption in favour of the development.

Planning Policy Guidance

- 4.21 The Planning Policy Guidance (PPG) (March 2014) 'Ensuring the Vitality of Town Centres' also states that local planning authorities should plan positively to support town centres to generate local employment, promote beneficial competition within and between town centres and create attractive diverse places where people want to live, visit and work. The PPG advises that any strategy for a town centre should be based on evidence of its current state and opportunities to meet development needs and support their viability and vitality.

Development Plan Policies

- 4.22 The Development Plan comprises the adopted Camden Core Strategy 2010 – 2025 and the adopted Camden Development Policies 2010 – 2025. Both the Core Strategy and the Development Policies were adopted by the LPA on 08/11/2010 and therefore both documents pre-date the NPPF and their material planning weight must be considered accordingly weakened by

this. Whilst work is on-going with the emerging replacement Local Plan, this is not yet formally adopted and its material planning weight is thus minimal at present.

- 4.23 The application site is designated within a Neighbourhood Centre on the accompanying Policies Map.
- 4.24 Policy CS5 of the Core Strategy addresses the management of the impact of growth and development and states that particular consideration will be given to providing uses that meet the needs of Camden's population, through providing facilities needed to support those who live, work and visit the borough. Policy CS5 also seeks to protect the borough's environment, heritage, amenity and quality of life and to ensure that development contributes towards strong and successful communities.
- 4.25 Policy CS7 of the Core Strategy concerns promoting Camden's centres and shops and seeks to promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. Policy CS7 adds that the LPA will seek to: protect and enhance the role and unique character of each of Camden's centres, ensuring that new development is of an appropriate scale and character for the centre in which it is located; provide for and maintain a range of shops, services, food, drink and entertainment uses to provide variety, vibrancy and choice; resist the loss of shops where they would cause harm to the character and function of a centre; and ensure that food, drink and entertainment uses do not have a harmful impact on residents and the local area. Supporting paragraph 7.11 states that the role and function of the neighbourhood centres are to provide for the day-to-day needs of people living, working and staying nearby.
- 4.26 Supporting paragraph 7.18 to Policy CS7 adds that food, drink and entertainment uses add to the diversity and vibrancy of Camden's centres and bring activity to them outside of normal shopping hours. These uses are important to the borough socially, culturally and economically and contribute to Camden's image as a vibrant and attractive place. Paragraph 7.18 also recognises some of the potential negative impacts of such uses, especially where alcohol is served, and refers to the need to manage such uses to mitigate these potential impacts. The LPA state that they want to see Camden continue as a successful location for food, drink and entertainment uses, while making sure that the quality of life of local people, workers and visitors is not harmed.
- 4.27 Supporting paragraph 7.20 to Policy CS7 recognises that individual small-scale food and drink uses outside larger centres can be important local facilities, which reduce the need to travel and provide community meeting places. It is therefore considered by the LPA that neighbourhood centres are suitable for small-scale food and drink uses which serve a local catchment, providing that they do not cause harm to the surrounding area or residents. The centre specific planning objectives for neighbourhood centres are addressed on page 80 of the Core Strategy. Neighbourhood centres cater for day-to-day shopping, serving the needs of their local populations and the LPA seeks to retain a strong element of convenience shopping for local residents in these neighbourhood centres and ensure that any development in them does not harm the function,

character or success of these centres. The LPA states that they will take into account the individual character of each centre when assessing development proposals but, as a guide, they will resist schemes that would result in less than half of ground floor premises in a neighbourhood centre being in retail use or more than three consecutive premises being in non-retail use. Applications for food, drink and entertainment uses will be carefully assessed to minimise the impact on local residents and the local area.

- 4.28 Policy CS14 of the Core Strategy addresses the conserving of heritage and requires that heritage assets and their settings are preserved and enhanced.
- 4.29 Policy DP12 of the Development Policies seeks to ensure that development for food, drink, entertainment and other town centre uses does not harm the character, function, vitality and viability of a centre, a local area or the amenity of neighbours. Factors which the LPA will take into account through this policy include the effect of non-retail development on the character and function of the centre in which it is located; the cumulative impact of food, drink and entertainment uses taking into account the number and distribution of these uses; and the impacts upon residential amenity. Planning conditions covering hours of opening, details of plant and machinery and the storage of waste and recycling are cited as part of the suite of potential site management measures. Supporting paragraph 12.5 recognises that such uses can add to the vitality and vibrancy of the centres but that the LPA will seek to protect the character and function of centres and prevent any reduction in their vitality and viability. Supporting paragraph 12.6 adds that the LPA will not grant planning permission for development that would harm the character, amenity, function, vitality and viability of a centre.
- 4.30 Supporting paragraph 12.10 to Policy DP12 specifically covers food, drink and entertainment uses, and states that the LPA will seek to prevent concentrations of uses that would harm an area's attractiveness to shoppers or its residential amenities. This paragraph adds that the LPA wishes to see a wide range of entertainment uses within its centres, not just those that primarily involve drinking, and will encourage suitable uses that contribute towards this. Supporting paragraph 12.11 reiterates the potential use of planning conditions to control hours, refuse and litter, noise etc.
- 4.31 Policy DP16 of the Development Policies addresses the transport implications of development and seeks to ensure that development is properly integrated within the transport network.
- 4.32 Policy DP25 of the Development Policies concerns conserving Camden's heritage. This requires development within designated conservation areas to preserve and enhance their character and appearance; whilst only supporting changes of use to listed buildings where it would not harm the special interest of the building.
- 4.33 Policy DP26 of the Development Policies seeks to manage the impact of development on neighbouring occupiers, with development that would cause harm to amenity resisted.

- 4.34 Policy DP28 of the Development Policies seeks to manage the impacts of noise and vibration, stating that the LPA will seek to control and mitigate such potential impacts and will resist development that generates noise pollution.
- 4.35 The Leon use of this unit has traded since 08/08/2016 and has only a modest floor space of 290 square metres. It has already been demonstrated that there is no genuine impact of the Leon use on the aspirations of these local planning policies. As rehearsed in more detail in Section 5.0, the Leon use does, in reality, enhance the character, function, vitality and viability of the Brunswick Centre neighbourhood centre as part of the wider vibrant, mixed-use nature of this part of Camden; providing for the day-to-day food needs of local residents, workers and visitors. The Leon use also provides local employment and an attractive food-led retail and service use which adds significantly to footfall and customer spend within the local area. Residential amenity is also unaffected, as has been demonstrated since the operation of the site by Leon; providing a proven track record of a well-managed business that operates in a respectful manner to its neighbours (and which is subject to the on-going regulation of Camden Council as both Licensing Authority and Environmental Protection Authority). As already rehearsed above, the application site benefits from excellent public transport infrastructure and is within a highly accessible and sustainably located area which has a 6b PTAL rating. The application proposals are for the change of use of the premises only, with no physical alterations to this listed building included. Consequently, the fabric and special interest of this listed building is unaffected whilst the character and appearance of the Bloomsbury Conservation Area is enhanced by the increased pedestrian footfall and activity within and around the application site. Given all of this context, it cannot be reasonably concluded that the proposed use would warrant a refusal of planning permission.

5.0 Assessment of Planning Issues

Implications for vitality and viability of the area

- 5.1 Allowing for the continued use of the application premises as a mixed shop and restaurant/café with ancillary take-away use would ensure the continuing active use of this unit, with an active frontage, in an appropriate mix of town centre uses that are in keeping with the mixed character and economic vibrancy of the Brunswick Centre and this area of Camden as a whole. It will directly assist in maintaining and strengthening the role of the Brunswick Centre and this area of Camden by improving its attractiveness and helping to diversify its evening economy and leisure function; ensuring that this area remains vibrant, attractive and accessible.
- 5.2 A July 2014 study, entitled High Street Performance & Evolution, by the University of Southampton produced evidence to suggest that the “leisure aspect” of shopping trips, including restaurants, is a significant driver of footfall in high streets (see Appendix 3). Additionally, the leisure offer increases not only dwelling time within the high streets, but also the average amounts spent by people. The report states that there is evidence that: *“Local businesses are increasingly seeing the benefits of the leisure offer on their high streets to their individual trading. Additionally people more and more see the value of leisure spaces - spaces for casual dining, like cafes, pubs etc – as community meeting hubs and spaces for mobile working and networking”*.
- 5.3 The Economic and Social Research Council (ESRC) funded the co-authors of the 2014 High Street Performance and Evolution report (Professor Neil Wrigley and Dr Dionysia Lambiri) to undertake a comprehensive evidence review of this report and this was published in March 2015 and titled “Britain's High Streets: From Crisis to Recovery”. This evidence review is clear that town centres and high streets will not revert to pre-crisis forms and the structural shift away from retail *per se* to services, especially leisure (such as bars and cafés) and retail services (such as health and beauty) will continue. High streets will continue a shift away from being shopping destinations to being spaces for service provision, leisure and social interaction. As the UK slowly moves out of recession, it is reasonable to forecast that consumer spending on leisure will increase further, with restaurants, cafés, bars and gyms continuing their growth. The evidence review concludes:

“Overall, what becomes clear from the evidence reviewed is that the “experiential” side of the town centre journey – that is to say, social interaction, visits to cafés and cultural activities, together with the overall town centre atmosphere – heighten enjoyment, increase dwell time and spend in centres, and deter consumers from resorting to on-line alternatives. As such, town centre management and policy initiatives are increasingly focusing their efforts on emphasising the distinctive nature of city centre leisure, especially as out of town leisure (such as casual dining in out of town retail parks) constitutes a major alternative to the city centre, in particular for night time leisure. Early evidence suggests that the expansion of the evening economy of town centres and

high streets can offer employment opportunities, possibilities for new ventures and can contribute to high street vitality after hours..." (see attached extract at Appendix 4).

- 5.4 Understanding Your High Street – a 2013 report by The Association of Town and City Management concurs with the University of Southampton's study that shopping is only an *"element of leisure outings"*, resulting in city centres needing to adapt in order to meet this new demand; *"towns need to provide and measure much more than retail"* (see attached Appendix 5.0).
- 5.5 The rising competition created by the internet and out of town shopping centres is highlighted in Labour's Policy Review circa 2013. The report identifies that *"People want to spend their time shopping in attractive places with a good mix of retail and leisure."* There needs to be a mix of leisure, retail and entertainment, otherwise the high street will become stagnant. The report further advises that *"Where there is a vibrant mix of retail, entertainment, leisure and other uses in an attractive environment the high street can thrive"*. Furthermore, evidence within the report details that *"The increasing importance of entertainment, service and leisure outlets is reflected by the relatively strong performance of these uses which have markedly lower vacancy rates than traditional retail units"* (see attached Appendix 6.0).
- 5.6 The Office for National Statistics' summary of internet statistics, June 2016, illustrates the need for diversification with online retail accounting for 14.2% of all sales; internet sales have grown by 14.1% since June 2015 (see attached Appendix 7.0).
- 5.7 A background note to governmental policy: Supporting High Streets and Town Centres (December 2013) encourages changes of use within the high street and that *"there is considerable scope for local authorities"* to be involved in this process. The note describes a development that would result in a space where *"communities can come together and enjoy a much wider range of activities"*. As well as a more varied visiting opportunity, more flexible opening times are suggested, taking into account *"people's busy lifestyles"* through *"later opening cafes and more restaurants."* (see attached Appendix 8.0). Additionally, the report intimates, *"Diversification is one way local areas can help maximise the potential of their high streets and city centres"*, which is fully supported and encouraged by the fact that the, *"Government wants to see vibrant town centres which move beyond the traditional retail offer."*
- 5.8 Historic England published *"The Changing Face of the High Street: Decline and Revival"* in 2013 and concludes as follows:

"Building a strong leisure offer: Emerging market trends are showing that visitors to town centres are increasingly seeking an "experience", as well as the opportunity to shop. As such, footfall is drawn by eating and drinking establishments and leisure opportunities, and town centres must seek to establish a competitive offer. Historic centres will often have the benefit of an attractive environment and tourist attractions, alongside any potential for commercial leisure. This could give them a strong competitive advantage" (page 63).

- 5.9 As outlined above, there are numerous research reports, conducted by independent and highly qualified institutions and organisations advising of various high street strategies in the face of a changing retail climate. This changing climate has come about for various reasons but none so apparent as the rapid domination of internet shopping. Subsequently, the overwhelming conclusion drawn by all, advise of the need to diversify the uses located within the high street so as to broaden the offering to people and secure higher footfall. The University of Southampton report, 'High Street Performance & Evolution', makes quite clear the fact that a key driver to increasing footfall within high streets is through the incorporation of leisure uses. This is supported by the 2013 report, 'Understanding Your High Street', which reads, *"towns need to provide and measure much more than retail"*. Even the policy review commissioned by Labour, identified that *"people want to spend their time shopping in attractive places with a good mix of retail and leisure"*. This form of diversification is supported by Government guidance. The 'Supporting High Streets and Town Centres' report makes clear that the *"Government wants to see vibrant town centres which move beyond the traditional retail offer"*.
- 5.10 The prime measure of the vitality of a town centre is the number of people attracted to it at different times of the day and evening. The Leon use of this unit attracts high levels of pedestrian footfall that supports the retail and service functions of the Brunswick Centre and the wider area of this part of Camden. This Leon use helps meet the local food needs of residents, workers and visitors to this part of Camden and includes a significant element of Class A1 retail use in addition to the restaurant/café use of this property. This Leon use also increases the time spent at the site by a large number of customers, above and beyond that associated with a purely retail use of this unit. It is highly likely that many customers combine their visit to this Leon premises with other trips and reasons to be in and around the Brunswick Centre; whether for work, leisure or shopping purposes. The character and function of the wider area of this part of Camden is driven by a lively mix of uses, which include retail and more leisure-orientated uses. It is considered that this Leon use of the application site complements the role and function of the Brunswick Centre and the wider area of this part of Camden as a whole. This Leon use attracts a significant number of customers throughout the daytime and into the early evening, at times when a purely retail use would generally be quieter. The Leon use of this unit is therefore not harmful to the character and function of the area and provides a use that attracts the public into the area.
- 5.11 The adopted local planning policy context rehearsed above in section 4.0 is considered to be overly prescriptive, at odds with the requirements of the NPPF and outdated in relation to the economic crisis of 2008 and current retail trends for the recovery of high streets and centres. This, together with the pre-NPPF adoption date of both the Core Strategy and the Development Policies, impacts upon the material planning weight that can be afforded to this local policy context. However, whilst the material weight of the local policies of the adopted Core Strategy and Development Policies is compromised by their age, the criteria that they contain are not considered to be materially breached by this Leon use.

- 5.12 This Leon use has a positive effect on the shopping environment of the area and encourages combined trips, attracting pedestrian activity into the Brunswick Centre and wider area. As rehearsed in more detail below, this Leon use is not detrimental to the amenities of occupiers of nearby properties or the general character of the area, given the complementary nature of the Leon use, its modest trading hours and the management of the unit. Within the main frontage of this unit the principal use is retail sales, retaining the retail character of the previous shop use of these premises. The character and nature of the use of the main frontage of this unit therefore remains as predominantly Class A1.
- 5.13 The increased number of customers who are likely to be combining visits to these premises with shopping, leisure and work trips adds to the vitality of the Brunswick Centre. Subsequently, the viability of the Brunswick Centre and the wider area of this part of Camden in general is enhanced by the presence of Leon at this site. It is also critically important that the Leon use is not a stand-alone Class A3 use, but is instead a *sui generis* mix of uses that also includes a principal element of Class A1 use within the main frontage of this unit.
- 5.14 This Leon use also increases levels of activity in the wider area, as customers compare the various food-led offers available locally. The increased footfall between the various competing food-led offers encourages additional visits to the various shopping and leisure facilities available locally. This Leon unit clearly enhances the vitality and viability of this part of the shopping centre and the actual nature of this use does not result in any detrimental impact on the function and character of the area. In addition to increased customer footfall, this Leon unit also generates high levels of average customer spend. The financial turnover at the site is greater than would occur with a traditional retail only use, therefore significantly contributing to the vitality and viability of the Brunswick Centre and wider area of this part of Camden. As a consequence of this, the aims and objectives of both local and national planning policy would be met; particularly in relation to the NPPF.

Transport and Sustainable Location

- 5.15 The application site is within an urban area which is a highly accessible location where there is an excellent choice of transport modes as an alternative to the private car, thereby helping to reduce CO2 emissions. The site is located within an area that has a PTAL rating of 6b, which comprise the most accessible areas. The use of this unit as a mixed-use food-led facility serving the local resident, working and visiting populations in such a highly accessible location clearly constitutes sustainable economic development for which the NPPF establishes the presumption in favour of (paragraphs 14 and 197). The Leon use of the application site in this highly accessible and sustainable location is therefore in compliance with the aspirations for sustainable transport.

Visual impacts

- 5.16 No external alterations to the unit are proposed as part of this application. The proposal is simply for the retrospective change of use of the existing unit. Consequently, there are no direct visual impacts resulting from this application and there are no direct implications for the historic fabric and character of this listed building, nor for the character and appearance of the Bloomsbury Conservation Area. The generation of significant pedestrian footfall and activity at and around the application site is considered to result in the enhancement of the vitality of this part of the Bloomsbury Conservation Area.

Amenity impacts

- 5.17 This Leon use provides wholesome and healthy food to local residents, workers and visitors to the area as either a cold food, sandwich-bar style operation or an eat-in café/restaurant, with some ancillary sales of reheated food taken away. The unit trades from early morning to late evening and does not serve alcohol. It is therefore not a late-night restaurant/café and its trading hours are to serve the breakfast, lunch and early evening meal times of local residents, workers and visitors to the area. Music is only played at background levels during the customer trading times and is inaudible outside of the unit.
- 5.18 This Leon unit uses 'Rational' ovens with their own self-ventilation systems to reheat hot food prepared off-site (see Appendices 1 and 2). There is therefore no need for external extraction equipment and there are no associated noises or smells created as a result of the preparation and sale of food on site.
- 5.19 The combination of the trading times, the nature of the Leon use and the careful management of this unit ensures that the Leon use does not cause demonstrable harm to the amenities of the local resident population of the local area in general, as has been demonstrated by the lack of complaints from local residents and neighbouring businesses since this Leon unit began trading. The local area is also a typically busy and active urban area at all times of the day and into the night, with the consequential higher levels of ambient noise. During the trading hours of the Leon use, ambient noise levels are such that the Leon use itself has no material impact on local noise levels.
- 5.20 Being food-led, this Leon use mostly involves seated customers; together with associated cold food sales and ancillary sales of reheated food taken away. It must also be reiterated that this Leon use is not a stand-alone Class A3 or Class A5 use, but is a *sui generis* mix of uses that also includes a significant element of Class A1 use. Due to the actual nature of the use, its modest trading hours and the site management regime of the premises, the amenities of local residents and the local area in general is not detrimentally affected.

- 5.21 Leon is a founding member of the Sustainable Restaurant Association (SRA) and efficiently manages the social and environmental impacts of its business. SRA exists to help restaurants to become more sustainable in the way they source ingredients, engage with the local community and manage any impact upon the environment. Leon's overriding philosophy is that food should taste good and do you good. Leon has won a number of industry awards and has received high accolades from renowned chefs and the media. This provision of a healthy alternative to other fast-food style outlets in the wider vicinity accords with the aspirations for health and well-being set out in the NPPF.
- 5.22 As a consequence of all of the above, the Leon use of the application site is therefore considered to comply with the requirements of the NPPF and the relevant adopted planning policies.

Employment Generation

- 5.23 This Leon use of the application site results in the direct employment of c26 staff, as well as indirect employment generation, which is considerably greater than that generated by a traditional retail use of this unit size. Consequently, the additional employment generated is significantly greater and is a material benefit for the local area.
- 5.24 In addition to the direct economic benefit from the employment generated by this Leon use, there is also an increase in local vitality and viability, as rehearsed above, through the increased footfall to and from the Leon premises, together with the increased customer spend and the increase in linked trips with work, shopping and leisure activities and indirect jobs for suppliers, maintenance workers etc. This is to the benefit of other operators in the immediate and surrounding area and the local economy as a whole. The Leon use is therefore considered to generally benefit the whole economy, in accordance with the aspirations of the NPPF.

Servicing and Waste Management

- 5.25 This Leon use includes appropriate management measures for servicing and waste management, together with the storage and sorting of recyclable materials. Fuller details of these arrangements are included in the accompanying Servicing and Waste Management and Operational Management Plan documents.

6.0 Summary

- 6.1 Allowing the continuing Leon use would ensure the retention of an active use of this unit, with an active frontage, in an appropriate mix of town centre uses that are in keeping with the mixed character and economic vibrancy of the Brunswick Centre and the wider area of this part of Camden as a whole. It directly assists in maintaining and strengthening the role of the Brunswick Centre and the wider area of this part of Camden by improving its attractiveness and helping to diversify its daytime and evening economy and leisure function; ensuring that this area remains vibrant, attractive and accessible. This Leon unit clearly enhances the vitality and viability of this part of Camden and the actual nature of this use does not result in any detrimental impact on the function and character of the area.
- 6.2 The report entitled 'High Street Performance and Evolution' shows that the leisure aspects of shopping trips, including restaurants, is a significant driver of footfall in shopping streets and increases their vitality and viability, in line with advice in the NPPF and the recently published Planning Policy Guidance 'Ensuring the Vitality of Town Centres'. The 'Britain's High Streets: From Crisis to Recovery' report is clear that town centres and high streets will not revert to pre-crisis forms and the structural shift away from retail *per se* to services, especially leisure (including leisure uses incorporating bars and cafés) and retail services (such as health and beauty) will continue. High streets will continue a shift away from being shopping destinations to being spaces for service provision, leisure and social interaction.
- 6.3 This Leon use attracts high levels of pedestrian footfall that support the retail and service functions of the Brunswick Centre and this part of Camden. The Leon use also increases the time spent at the site by a large number of customers, above and beyond that associated with a purely retail use of this unit. It is highly likely that many customers do combine their visit to this Leon premises with other trips and reasons to be in the Brunswick Centre and this part of Camden in general; whether for work, leisure or shopping purposes.
- 6.4 The character and function of the wider area of this part of Camden is driven by a lively mix of uses, which include retail and more leisure-orientated uses. It is considered that this Leon use of the application site complements the role and function of this part of Camden. The Leon use attracts a significant number of customers throughout the daytime and into the early evening, at times when a purely retail use would generally be quieter. The Leon use of this unit is therefore not harmful to the character and function of the area and provides a use that attracts the public into the area.
- 6.5 The principal use of the main frontage of this unit is for the retail sale of goods to customers taking these away. Consequently, the retail character of the previous shop use of these premises will be retained on the main frontage of the unit.

- 6.6 The application site is within an urban area which is a highly accessible location where there is an excellent choice of transport modes as an alternative to the private car, thereby helping to reduce CO2 emissions.
- 6.7 The external appearance of the building is not affected by this planning application. There is therefore no impact upon the character and appearance of this listed building, the Bloomsbury Conservation Area or the wider local street scene.
- 6.8 The combination of the trading times, the nature of the Leon use and the careful management of this unit ensures that the Leon use does not cause demonstrable harm to the amenities of the local resident population of the local area in general.
- 6.9 This Leon use results in the direct employment of c26 staff, which is considerably greater than that generated by a traditional retail use of this unit size and this is a material benefit for the local area. In addition to the direct economic benefit from the employment generated by this Leon use, there is also the increase in local vitality and viability through the increased footfall to and from the site; increased customer spend; an increase in linked trips with work, shopping and leisure activities; and indirect jobs for suppliers and maintenance workers etc. This is to the benefit of other operators in the immediate and surrounding area and the local economy as a whole.
- 6.10 It is hoped that this planning application for the retention of this eminently sensible and appropriate use of these premises will be met with the full support of the LPA.

LIST OF APPENDICES

1. Technical specification details of 'Rational' ovens
2. Technical specification details of 'Ultra Vent' self-ventilation system
3. High Street Performance & Evolution (July 2014) Report
4. Extract from Britain's High Streets: From Crisis to Recovery Report
5. Understanding Your High Street (2013) Report
6. Labour's Policy Review Report (c2013)
7. Office for National Statistics summary of internet statistics (June 2016)
8. Supporting High Streets and Town Centres Report (Dec 2013)

