

## APPENDIX 1: PLANNING POLICY CONTEXT



- 1.1. The adopted Local Development Framework in Camden comprises of the following most recent documents:
- London Plan (2016); and
  - Camden Local Plan (2017).
- 1.2. The following documents are relevant material considerations:
- CPG 5 Town Centres, Retail and Employment (September 2013);
  - CPG 6 Amenity (2011);
  - Holly Lodge Estate Conservation Area Appraisal and Management Strategy (2012); and
  - NPPF (2012).

### National Planning Policy Framework - 2012

- 1.3. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. Central to the NPPF is a presumption in favour of sustainable development, which for decision making, means approving development proposals that accord with an up-to-date development plan without delay.
- 1.4. Chapter 2 of the NPPF seeks to ensure the vitality of town centres. Paragraph 23 requires the positive promotion of competitive town centre environments, with town centres to be recognised as the heart of their communities. Local planning authorities are required to support the viability and vitality of town centres that are resilient to anticipated future economic change.
- 1.5. Local planning authorities are also required to promote competitive town centres that provide customer choice and a diverse retail offer which reflects the individuality of town centres. A range of suitable sites should be allocated to meet the scale and type of development needed in town centres, with development to be located in accessible, well connected sites.
- 1.6. Chapter 12 relates to conserving and enhancing the historic environment. Paragraph 131 requires that, in determining applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 1.7. Paragraph 137 states that, local planning authorities should look for opportunities for new development within conservation areas to enhance or better reveal their

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significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

### National Planning Practice Guidance (2014)

1.8. The National Planning Practice Guidance to accompany the NPPF was launched on 06 March 2014. The guidance is designed to make the NPPF clearer and easier to apply to proposals. In this instance, the following guidance categories have been taken into careful consideration:

- Conserving and enhancing the historic environment; and
- Ensuring the vitality and viability of town centres.

1.9. The 'conserving and enhancing the historic environment' section of the National Planning Policy Guidance notes that "the appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (Paragraph 17 bullet 10) that underpin the planning system".

1.10. The guidance goes on to state that "the conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural and environmental benefits".

1.11. In reference to 'ensuring the vitality of town centres', the NPPG notes 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 London Plan (2016)

1.12. **Policy 4.8** is concerned with Supporting a Successful and Diverse Retail Sector and Related Facilities and Services. Part (g) states that LDFs should manage clusters of uses having regard to their positive and negative impacts on the objectives, policies and priorities of the London Plan including a centre's:

- i. Broader vitality and viability
- ii. Broader competitiveness, quality or diversity of offer
- iii. Sense of place or local identity
- iv. Community safety or security
- v. Success and diversity of its broader retail sector
- vi. Potential for applying a strategic approach to transport and land use planning by increasing the scope for "linked trips"
- vii. Role in promoting health and well-being
- viii. Potential to realise the economic benefits of London's diversity.

### Camden Local Plan (2017)

1.13. The key policies that would be considered are detailed below:

- 1.14. **Policy A1 (Managing the Impact of Development)** states that the council will grant permission for development unless this causes unacceptable harm to amenity.
- 1.15. **Policy TC2 (Camden's Centres and Other Shopping Area)** states that the council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. The council will:
- B) provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice;
  - C) make sure that food, drink, entertainment and other town centre uses do not have a harmful impact on residents and the local area and focusing such uses in King's Cross and Euston Growth areas, Central London Frontages, and Town Centres (Refer to "Policy TC4 Town centres uses");
  - D) support and protect Camden's Neighbourhood Centres, markets and areas of specialist shopping, local shops; and
  - E) pursue the individual planning objectives for each centre, as set out in supplementary planning document Camden Planning Guidance on town centres, retail and employment, and through the delivery of environmental, design, transport and public safety measures.
- 1.16. The policy also states that in neighbourhood centres, the council will seek to retain convenience shopping for local residents in Camden's Neighbourhood Centres and will ensure that development in them does not harm the function, character or success of the centre.
- 1.17. **Policy TC4 (Town Centre Uses)** states that the council will ensure that the development of shopping, services, food, drink, entertainment and other 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. The council will consider:
- a) the effect of development on shopping provision and the character of the centre in which it is located;
  - 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 and any record of harm caused by such uses;
  - c) the Council's expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 4;
  - d) the individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance on town centres, retail and employment;
  - e) impacts on small and independent shops and impacts on markets;
  - f) the health impacts of development;
  - g) the impact of the development on nearby residential uses and amenity and any prejudice to future residential development;

- h) parking, stopping and servicing and the effect of the development on ease of movement on the footpath;
- i) noise and vibration generated either inside or outside of the site;
- j) fumes likely to be generated and the potential for effective and unobtrusive ventilation; and
- k) the potential for crime and antisocial behaviour, including littering.

1.18. The supporting text to the policy 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 and 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.

1.19. Policy TC5 (Small and Independent Shops) states that the council will promote the provision of small independent shop premises suitable for small and independent businesses. Part C of the policy states that the council will encourage the occupation of shops by independent businesses and the provision of affordable premises.

1.20. The supporting text to the policy states that "as a guide, small units are considered to be those that are less than 100sqm of gross floorspace, although we will take into account the character and size of shops in the local area and the function of centres when assessing the appropriate scale of new premises" (Para 9.51).

1.21. Appendix 4 of the Plan states that "neighbourhood centres will be considered suitable locations for food and drink uses of a small scale (generally less than 100sqm) that serve a local catchment, provided they do not harm the surrounding area".

1.22. It goes on to states that "as a guide the council will resist schemes that result in:

- Less than 50% of the ground floor premises being in retail use; or
- More than 3 consecutive premises being in non-retail use."

#### **Camden Planning Guidance 5: Town centres, Retail and Employment (2013)**

1.23. CPG 5 designates Swains Lane as a 'neighbourhood centre located outside the Central London Area'.

- 1.24. Paragraph 3.60 reinforces the Camden Local Plan and states that “as a guide the council will resist schemes that result in:
- Less than 50% of the ground floor premises being in retail use; or
  - More than 3 consecutive premises being in non-retail use.”
- 1.25. Paragraph 3.62 states that “Neighbourhood Centres will be considered suitable locations for food and drink uses of a small scale (generally less than 100m<sup>2</sup>) that serve a local catchment, provided they do not harm the surrounding area.”