

Your ref:
Our ref: MR/VG/42695
DD: 020 3837 9884
E: matt.richards@bidwells.co.uk
Date: 16/04/2018

London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London
WC1H 9JE

Dear Sirs

PLANNING APPLICATION FOR THE CHANGE OF USE OF NO. 17 FROM RESTAURANT (CLASS A3) TO RETAIL (CLASS A1) IN CONNECTION WITH A CHANGE OF USE OF NO. 7 FROM RETAIL (CLASS A1) TO RESTAURANT (CLASS A3) AS PART OF A USE SWAP AT NOS. 17 AND 7 NORTHWAYS PARADE, LONDON NW3 5EN

On behalf of our client, Corren Properties Ltd, we hereby submit a planning application (Portal reference PP-06900457) for the change of use of No. 17 Northways Parade from Class A3 to Class A1 in conjunction with a change of use of No. 7 from Class A1 to Class A3 as part of a use swap at Nos. 17 and 7 Northways Parade, London NW3 5EN.

These units are currently vacant, and this application offers the opportunity to bring 2 units with the Primary Shopping Frontage of Finchley Road / Swiss Cottage Town Centre to be brought back into beneficial use.

The application comprises the following documents:

- Completed application form;
- Completed Community Infrastructure Levy (CIL) form;
- Site Location Plan;
- Existing and Proposed Plans; and
- A Planning Statement (comprising this Cover Letter).

The statutory fee of £462.00 for Change of Use applications has been sent under separate cover.

Site and Surroundings

Northways 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 can be found at **Appendix 1**), with residential above. This application relates to No. 17, a restaurant unit (Use Class A3), and No. 7 a retail unit (Class A1). Both these units are currently vacant.

The parade is within the Finchley Road / Swiss Cottage Town Centre and the application premises are located within the Core Shopping Frontage. It is designated within the London Plan as a District Centre. The premises are not statutorily or locally listed and are not located within a conservation area. There are no other specific planning policy designations.

The site has a Public Transport Accessibility Level (PTAL) rating of 6a, indicating excellent accessibility to public transport.

Planning History

The following planning history has been undertaken using LB Camden's online planning application search. The following applications are considered to be the most relevant:

No. 17 Northways 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 alteration works 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; and
- Planning application (Ref: 2016/3826/P) was withdrawn on 12/09/2016 for the change of No.17 from a restaurant (Class A3) to retail (Class A1) in connection with the change of use of No. 20-21 from retail (Class A1) to a restaurant (Class A3).

No. 7 Northways Parade:

- Planning Permission (Ref: 2015/6113/P) was granted on 21/03/2016 for a rear extension to units Nos. 16 and 17 within the enclosed service yard area;
- Planning permission (Ref: 2008/1092/P) was allowed at appeal (Ref: APP/X5210/A/08/2092864) in 2009 for the change of use from retail shop (A1) to restaurant (A3) and a new internal fume extract ducting routed to rear window;
- Planning permission (Ref: PW9702249R1) was granted in 1997 for the installation of an aluminium shopfront; and
- Planning permission (Ref: 8500105) was granted in 1985 for the change of use of the ground floor from retail to a sandwich bar/snack bar, including takeaway facilities.

Application Proposal

The proposals seek the change of use of No. 17 from a restaurant (Class A3) to retail (Class A1) in conjunction with the change of use of No. 7 from retail (Class A1) to a restaurant (Class A3). Under this 'use swap' application there will be no loss of A1 units and the mix of units across the parade will remain unchanged.

SITE	CURRENT USE	UNIT SIZE	PROPOSED USE
No. 17	Restaurant (Class A3)	389sq.m – 3.5m frontage	Retail (Class A1)

No. 7	Retail (Class A1)	66sq.m – 4m frontage	Restaurant (Class A3)
--------------	-------------------	----------------------	-----------------------

Both units are currently vacant. The proposed use swap forms part of a wider investment strategy by the Applicant to enhance the shopping frontage and long-term sustainability of Northways Parade, such as the planning permissions at No. 20-21 (Ref: 2015/5976/P) and No. 20-23 (Ref: 2015/5732/P).

Planning Policy Context

As set out in planning guidance, to the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Accordingly, the development plan for the site comprises the London Plan (MALP 2016); and the Camden Local Plan (2017).

In terms of material considerations, the principle documents include the National Planning Policy Framework (2012) and Camden Planning Guidance Town Centres (March 2018). The relevant planning policy is as follows:

- London Plan Policy 4.7 Retail and town Centre development;
- London Plan Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services;
- London Plan Policy 7.1 Lifetime neighbourhoods;
- Policy A1 Managing the Impact of Development;
- Local Plan Policy TC2 Camden's centres and other shopping areas; and
- Local Plan Policy TC 4 Town Centre Uses.

Planning Assessment

Land Use

In accordance with the objectives of the NPPF, which inter alia seeks to promote competitive town centres that provide customer choice and a diverse retail offer (para 23), the proposed use swap seeks to ensure that the currently vacant units are brought back into beneficial use.

Policy TC2 states that the council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. Policy seeks to protect and enhance the role and character of each centre and ensure that new development is of an appropriate scale and character for the centre. Policy further seeks to 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. The 'use swap' ensures the retention of both units with no change to the overall mix of uses or the general character of the parade. The proposals provide the opportunity to bring these units back into beneficial use. As such, proposals are in accordance with Policy TC2.

Supplementary Planning Guidance CPG Town Centres and Retail states that *"Finchley Road/Swiss Cottage provides a significant convenience goods role in the Borough, serving local needs and those from a wider catchment; however, the centre has a more limited comparison role. The main retail offer in this centre is provided in the O2 Centre. Finchley Road/ Swiss Cottage town centre generally serves the local population, a role which is expected to continue"*.

Local Plan Policy TC4 seeks to ensure that the development of shopping, services, food, drink and entertainment and other town centre uses do not cause harm to the character, function, vitality and viability of the town centre. Within the primary frontage of Finchley Road/ Swiss Cottage Town Centre, policy requires 75% of the total premises in each frontage to be in A1 use. The policy 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. This requirement is also duplicated with the CPG. There will be no changes to the percentage of A1 or A3 units across the parade.

Proposals for town centre uses are assessed against a series of criteria as set out in Policy TC4, which are considered in more detail below:

- a) The effect of development on shopping provision and the character of the centre in which it is located.

As it is proposed to retain the existing uses across the two units. The units have a similar size of frontage being 4m (No.17) and 3.5m (No.7) respectively, which would have a negligible impact on the wider character of the frontage. Thus, 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 and any record of harm caused by such uses.

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. Again, the units have a similar size frontage and there would be no detrimental impact on the character of Swiss Cottage and the primary shopping frontage.

- c) The council's expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 4 of the Local Plan.

The proposed concurrent change of use would not have any impact on the existing balance mix of frontages.

- d) The individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance, on town centres and retail.

The proposed units would continue to serve the local population and the changes would not adversely impact any of the planning objectives set out in CPG Town Centres.

- e) Impacts on small and independent shops, and impacts on markets.

The proposed change of uses would not have any impact on the viability of either plot's suitability for small and independent shops.

- f) The health impacts of development.

The proposed changes would likely result in future occupation of the plots. This will have positive impact on the sustainability of the area.

- g) The impact of the development on nearby residential uses and amenity, and any prejudice to future residential development.

The proposals are consistent with the wider aims of the Local Plan and CPG 5 in promoting Town Centre uses.

- h) Parking, stopping and servicing and the effect of the development on 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.

- i) 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. 7. 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.

- j) Fumes likely to be generated and the potential for effective and unobtrusive ventilation.

As above.

- k) The potential for crime and antisocial behaviour, including littering.

The proposals would enhance the likelihood of the vacant unit, No. 17 and 7, 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

Policy A1 Managing the Impact of Development 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. 7, 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 Policy A1.

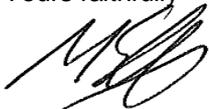
Conclusions

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. 7 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 be 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.

Yours faithfully



Matt Richards
Partner, Planning

Enc Completed application form
Completed Community Infrastructure Levy (CIL) form
Site Location Plan
Existing and Proposed Plans