

Director of Planning,  
Camden Borough Council  
5 Pancras Square  
London,  
N1C 4AG

14<sup>th</sup> January 2020

Dear Sir/Madam,

**Dual use of ground floor space as A3 or alternatively B1**

We are submitting through the Planning Portal application for Full Planning permission for the change of use of part of the ground floor to provide dual use A3 (restaurant) and/ or B1 (office) facilities as demonstrated on the accompanying plans. The works do not constitute any increase to the existing floor area. The space at present is in B1 (office) use, though physically is a disused loading bay.

The application seeks to provide dual/ alternative use of the space as A3 (restaurant) but retain the ability to revert to the existing B1 (office) use within a period of 10 years. The provisions of Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) Order allows for a change of use to another use authorised by the permission at any time within 10 years from the grant of the permission. This would allow the ability to preserve the existing class B1 use for a period of 10 years, should for any reason the A3 use within the unit cease.

**Background**

The application building is not listed, though it does sit within the Hatton garden Conservation Area. The building is currently being fitted out for use by Areaworks, who operate a brand of co-working space. There are a number of current applications for the building under consideration by Camden Council. These are:

2019/5304/P – alterations to roof level with upgrade and consolidation of plant equipment.

2019/5349/A – Installation of signage to the building

2019/5303/P – Alterations to the Hatton Wall ground floor elevation

The area to the ground floor which is subject of this application was previously a loading bay ancillary to the office building which has not been used for a number of years. The nature of the operation of Areaworks means that this loading bay will not be a functional requirement of the building going forward.

There are plans at present to turn this space into a café ancillary to the office space. The current application seeks to allow this café to be open to the public and therefore increase the usefulness of the space.

The space at present as a loading bay does not create any business employment, therefore any functional use of this space will increase employment opportunities (albeit in a very limited capacity).

### **Proposal**

Areaworks operate a brand of co-working office space and are due to take the tenancy of the entire building and as such require to carry out client fit out works in order to provide office space.

The proposals look to provide A3 use to the ground floor café area which forms part of the current fit out works. The café was originally proposed as a space only for office users, which would form a break out space ancillary to the office function on the floors above. Areaworks, however, consider that there would be a benefit to the wider area in allowing the café to be used by the wider visiting public. As has been described previously, the space at present is a loading bay which has not been in use for a number of years. It is no longer necessary to the functioning of the office, and will not be in the future. It is difficult to see what future use of the space would require such a heavy servicing point to be retained. The café would be primarily for the provision of hot drinks, there is no proposed kitchen with the potential impact on amenity of neighbouring properties. Any food served as part of the outlet would be prepared off site and sold within the cafe. Given the area involved in the proposals (87sqm) it would not be feasible to have an outlet which was capable of housing on-site cooking facilities.

In terms of the application process, we have at present described the works as generating no new employment. It is uncertain at this time if the café would be run and staffed by the Areaworks team or whether an external operator would take responsibility of the unit. There is therefore a distinct possibility that employment will be generated, though this is not guaranteed. The proposals however will not result in any loss of existing employment.

## Policy

Planning policy is set out at National and Local level. Sources of guidance relevant to the present proposals are:

- National Planning Policy Framework (NPPF)
- The London plan 2016
- Camden local plan July 2017
- Camden planning guidance 2017

The current version of the National Planning Policy Framework (NPPF) was published June 2019 by the government and sets out the national standards which require to be considered by individual Authorities when producing Local Planning guidance. It contains an overarching set of principles which must be applied to all planning situations. The NPPF contains the outline within which Local Policy must sit, the guidance within NPPF therefore is primary.

### *Camden Local Plan (2017) Policies*

#### *Policy E2 Employment Premises and Sites*

There is a requirement to protect sites which are suitable for continued business use. It would be argued that in the case of the present site, the loading bay which is to be converted has not been in use for a number of years and will not be used by the current tenant. The space at present does not contribute in any meaningful way to the employment space within Camden. Initial plans were to convert this space to cafe for ancillary use of those using the office space within the rest of the building. This proposal seeks to extend this cafe use to allow it to legally be used by visiting members of the public. The proposals see the space retained as a commercial use.

#### *Policy D3 Shopfronts*

Separate application is currently under consideration by Camden Council for works to the external appearance of the ground floor to allow this to have a more active street frontage.

#### *Policy 9 – Town Centres and Shops-*

This policy considers retail use locations and town centres. Within the local plan there is a hierarchy of acceptable locations for retail uses with A1 uses being focused on Primary and Secondary shopping frontages. Anything outwith this is considered to be out of the town centre.

Whilst the application site is considered to be neither on a Primary or Secondary frontage, the properties facing onto it are considered to be Primary frontages. In the vast majority of Hatton Garden (and elsewhere) Primary frontages have are mirrored on both sides of the street in order to achieve a concentration of activities and retail uses. It could be viewed that the frontage to 57A Hatton Garden is not considered to be Primary frontage as at the time of designation there was no active frontage in place which would require any level of protection, rather than the site not being suitable for retail. Commercial use to the ground floor unit on Hatton Wall would arguably have a benefit to the Primary retail frontage to the other side of the street. When viewed in the context of the rest of the Primary retail frontages of the Hatton garden area, 57A appears out of place as not providing a retail function at ground floor level. In this respect the grating of permission of this application on the specific and individual merits of the site, do not constitute an unwanted precedent.

#### *Policy E1 – Economy and Jobs*

Industrial and warehouse facilities are listed as being protected uses, with in particular change to residential use being particularly resisted. The unit at 57A Hatton Garden does not fall within this designation. Specifically within the Hatton garden area, there is protection of sites suitable for jewellery workshops . This policy recognizes that employment generation is not to be achieved only through the povision of office space. The alteration to the ground floor space from unused ancillary space (in the form of redundant loading bay) to a café use will have the same level of employment generation whether the space is open to the public or not.

Within Camden Local Planning Policy there is a real recognition of the business needs of small and start up companies. There is an appreciation that these types of business are important, but that they have requirements for more flexible office spaces and rental agreements along with the requirements of networking and meeting spaces. The tenant of the building operates flexible co-working spaces which achieve the aspirations of Camden Council.

Although there is a stated protection of business uses within the borough of Camden the circumstances of the individual site require to be considered. Though works are planned for comprehensive fit out of the building, the area in question is at present a loading bay which has not been in use for a number of years. Furthermore there is no requirement for a loading bay to service the office space to be offered by Areaworks. In terms of loss of business premises and employment, the space at present fulfils no employment or business function and there will be no loss of employment as a result of the present proposals.

**Conclusion**

At present the ground floor area of 57A Hatton Garden is a loading bay ancillary to the present use of the office building. There has been no requirement for this loading bay for a number of years. As part of present fit out works the applicant intends to alter this space to provide café space ancillary to the office. The present application seeks to expand and enhance the use of this space in formally requesting A3 use of the space and allowing it to be open to members of the visiting public.

The use will provide activity at street level and be in keeping with the surrounding uses within the Hatton Garden area. The proposals are considered to have no detrimental effect on the Hatton Garden conservation area or the amenity of surrounding properties.

We would therefore encourage Camden Council to grant the dual use of the space for A3 use as well as the current B1 use.

We trust that the accompanying information is sufficient to determine the application. Should you require anything further, please do not hesitate to contact me.

Yours faithfully,



for and on behalf of Left City Ltd.