

## **Planning Statement**

### **January / 2020**

This statement is submitted in support of a full planning application for the Change of Use of Ground Floor A1 Use to A3. Use to facilitate a restaurant with The Installation of Extract System.

This statement should be read alongside the submitted floor plans, site layout plan and location plan.

The application site is located on the west side of Fairfax Road, and forms part of a neighbourhood shopping centre which comprises a long parade of retail, and food retail uses with three storeys of residential accommodation above.

The application premises is a vacant retail unit comprising of 97sqm in area, occupying the ground level. It was previously occupied by a *off-license*. Access to the public is from Fairfax Road only however a service delivery entrance exists at Marston Close giving service access to the building at the rear.

The neighbourhood centre has controlled parking immediately outside and wide footpaths creating an attractive pedestrian environment. Many of the restaurants on street have external tables and seating to serve additional customers.

Outside of the established Neighbourhood Centre, the area is predominantly residential in character with large amounts of housing to the north and west. The site is very well connected with Swiss Cottage and South Hampstead stations located nearby.

Finchley Road, which is a major thoroughfare of four lanes with retail units established on either side is a short walk northwards.

The site has a PTAL of 6a, demonstrating that the immediate area is subject to excellent public transport links.

There is only one planning application submitted to Camden Council in relation to 93 Fairfax Road. It was submitted in 1962 and granted, detailed below.

Installation of a new shop front at 93 Fairfax Road, Hampstead.  
Within this planning application, the established use was correctly described as A1 retail.

Surrounding units in the neighbourhood centre have been subject to various A3 applications.

### **PROPOSED SCHEME**

This application involves the change of use of this vacant retail unit (A1) to a restaurant (A3) To implement this use, external alterations are not required (except extraction pipe).

Change of use from A1 to A3 mixed use and installation of extraction system to allow cooking of hot food.

93 Fairfax Road  
London | NW6 4DY

The proposed hours of business are as follows:

**Mon-Fri** 6am – 12pm

**Sat** 7am – 11pm

**Sun** 8am – 10pm

Since this is already a vibrant neighbourhood centre with some units having extended hours of operation currently (Zara Cafe at 95A Fairfax Road opens at 7am while Singapore Garden at 83 Fairfax Road is open until 12pm most evenings), the necessary proposed hours of operation are considered to be acceptable.

This proposal will make active use of a vacant unit within an established neighbourhood centre.

## PLANNING APPRAISAL

### **Principle of Development**

The site is located in the middle of an established neighbourhood centre. Camden's planning policies CS7 and DP12 therefore apply. Under these policies, the Council seeks to maintain a range of shops amongst other suitable uses to provide variety, vibrancy and choice, as well as resisting the loss of shops where this would harm the character and function of the centre. In addition to this, Camden Council will only grant permission for the loss of shops outside centres in Central London where it considers that the replacement use will also contribute positively to the local area. There are various vacant premises on the site. Our proposal will be a new addition to the whole area.

Specific Planning Objectives for neighbourhood centres are outlined in Section 7 of the Core Strategy, and in particular Policy CS7. It states that as a guide, development proposals that result in over *half of the ground floor* units being non-retail would be inappropriate development within neighbourhood centres. In addition to this, Camden Council will resist developments that result in *three or more units in a row* being non-retail.

In accordance with the above policy, a retail survey of the neighbourhood centre along Fairfax Road was conducted on 7<sup>th</sup> January 2019. The results are as follows: (Page 3)

### **Retail Survey**

The results of the survey are tabulated on Page 3. There is a good mix of local convenience stores, restaurants, furniture stores, and hairdressers (Use Classes A1-A5), fulfilling its role as a functioning neighbourhood centre. There are two vacant units on the site.

Camden Policy CS7 states that the Local Planning Authority will resist development proposals that would result in the number of retail units in the neighbourhood centre being less than 50%. The table provided in Page 3 of this document confirms that the existing retail element stands at 95% (20/21). If this proposal is granted planning permission, the retail element of the neighbourhood centre will still be over 50% retaining a strong retail presence. In addition, this proposal will provide a further service for the local people which is not already evident in this neighbourhood centre. This development proposal complies with this policy regarding non-retail uses in a neighbourhood centre.

In addition, Policy CS7 states that any development in a Neighbourhood Centre which results in five non-retail (A1/A3) uses in a consecutive row will be resisted by the Council. The application site is sandwiched by Zara Cafe to the south Singapore Garden and Sushi Bar Atari restaurant to the north, both in A3 use. This proposal therefore complies with this policy.

Appendix 1

**RETAIL SURVEY RESULTS - JAN 2019**

	Address	Occupier	Use Class
1	33 Fairfax Road, London	Residential Entrance	C3
2	35-37 Fairfax Road, London	Posners Floor Studio Current Status: Vacant	A1
3	39 Fairfax Road, London	FairFax Flooring	A1
4	41 Fairfax Road, London	Skin3	A1
5	43 Fairfax Road, London	Belsize Bathrooms	A1
6	45 Fairfax Road, London	Nico Hair & Beauty	A1
7	47 Fairfax Road, London	Chad Lubavitch	A1
8	49 Fairfax Road, London	Residential Entrance	C3
9	51-53 Fairfax Road, London	Habiba's Deli	<b>A1/A3</b>
10	55 Fairfax Road, London	AT&C	A1
11	57 Fairfax Road, London	Unnamed Office	B1
12	59 Fairfax Road, London	Residential Entrance	C3
13	61 Fairfax Road, London	Camerich Showroom	A1
14	63-65 Fairfax Road, London	Vacant Restaurant due to Decoration	<b>A1/A3</b>
15	67 Fairfax Road, London	Residential Entrance	C3
16	69 Fairfax Road, London	<a href="http://Regal-London.co.uk">Regal-London.co.uk</a>	A2
17	71-73 Fairfax Road, London	<a href="http://woodenfloorsuk.com">woodenfloorsuk.com</a> CLOSED	A1
18	75 Fairfax Road, London	Sushi Bar ATARI	<b>A3</b>
19	77 Fairfax Road, London	Residential Entrance	C3
20	79-81 Fairfax Road, London	Performance RX	D2
21	83 Fairfax Road, London	Singapore Garden	<b>A3</b>
22	85 Fairfax Road, London	Residential Entrance	C3
23	87-89 Fairfax Road, London	Betfred	A2
24	91 Fairfax Road, London	Bathroom Design Studio	A1
25	93 Fairfax Road, London	<b>Proposed Restaurant</b>	A1
26	95 Fairfax Road, London	Savemore Food & Wine	A1
27	95A Fairfax Road, London	Zara Cafe	<b>A3</b>

As a result of the retail survey, the proposed change of use is wholly justifiable and suitable in its location. The neighbourhood centre will suffer from no change in external appearance and will become more vibrant with an additional A3 commercial unit on the parade.

## **Transport**

It is considered that the principle of the proposed change of use from the current A1 use to A3 would be acceptable and would comply with planning policy as the percentage of the existing A1 uses within close vicinity of shops dominate any other uses as demonstrated on the diagram below. Furthermore the restaurants uses are low compared other uses which show that there is a need for such use within the area.

Visitors to the proposed restaurant who arrive by car can use the existing “pay and display” parking located immediately outside this unit. When conducting a site visit on 7th January 2019, there was an ample amount of unoccupied spaces which could be utilised by the fitness facilities customers. Given the low numbers of customers expected at any one time, the change of use is not expected to have any impact on the highway network.

As this scheme is well below a 97sqm floorspace threshold outlined in Appendix 1 of the Development Policies, a transport assessment will not be submitted with this report as the transport impact of this proposed scheme will be negligible.

## **Design and Accessibility**

In respect of Policies CS14, DP24, DP29 and DP30 which consider amongst other matters, the character and appearance and accessibility of proposals, this application is for a change of use with no external changes including the point of entry via Fairfax Road. As a result, the scheme complies with all relevant policy in relation to design and accessibility.

## **Impact on neighbouring amenity**

In respect of protecting amenity of neighbouring occupiers and residents pursuant to CS5 and DP26, there will not be amplified levels of music or excessive noise generated by restaurant owners/customers.

*“No loud music shall be played on the premises in such a way as to be audible within any adjoining premises or in the adjoining highway”*

*Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.*

## **CONCLUSIONS**

This application for a change of use from vacant retail unit (A1) to a fitness facility (A3) is considered to be a suitable change of use in accordance with adopted planning policy.

This development is justified in terms of its location within a neighbourhood centre. The retail survey in PGE 3 shows that the high proportion of retail activity in the neighbourhood centre will not be affected by this proposal.

As can be seen from the submitted plans, any works required to implement this permission will be internal and the existing frontage will not need to be altered in any way. We would consider this scheme wholly suitable to attain planning permission.

The development will increase the footfall along the Fairfax Road neighbourhood centre and provide an alternative community use to the locality, making a positive contribution to this part of Camden borough.