



**PLANNING SUPPORTING STATEMENT**

**RETROSPECTIVE CHANGE OF USE OF D1 UNIT TO B1A (OFFICE) USE**

**AT**

**10/11 STUCLEY PLACE, LONDON, NW1 8NS**

**GRID REFERENCE: X 528836, Y 184052**

**Ref: 47109**

**April 2020**

# Planning Supporting Statement

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## **1.0 Introduction**

- 1.1 This Planning Supporting Statement (PSS) has been prepared on behalf of the applicant Duffy Clothing Ltd by AAH Planning Consultants in support of the planning application seeking permission for the retrospective change of use of 10/11 Stucley Place from D1 (non-institutional) use to B1a use (office use).
- 1.2 AAH Planning Consultants are members of the Royal Town Planning Institute (RTPI) and the Institute of Environmental Management and Assessment (IEMA).
- 1.3 The site is located within the London Borough of Camden. This Statement sets out the relevant local and national policies and an analysis of these policies in support of a retrospective change of use from D1 to B1a at 10/11 Stucley Place. As the change to the current use occurred in June 2016, this proposal seeks a retrospective planning permission for the change of use from D1 to B1a; there are no proposed alterations to the internal layout of the unit or external elevations.

## 2.0 Site Description and Context

- 2.1 10/11 Stucley Place is a self-contained, low rise three-storey building located to the southern end of Stucley Place and forms part of the western side of the street. The building extends to c.1,430 sq ft. Stucley Place is located within the heart of the London Borough of Camden and runs parallel to Camden High Street between Camden Station and Camden Lock. The following image depicts the location of the site.



**Image 2.1: Site Location**

- 2.2 Since June 2016, 10/11 Stucley Place has been used as a B1 Use Class, offices for a high-end fashion company. A new occupier for the building has been found however the owner would like to retain the B1 use, which this planning application seeks retrospective planning permission for. Prior to that, the site was used as a private physiotherapy clinic known as Camden Physiotherapy Clinic.

- 2.3 The immediate area of Stucley Place is predominately a mix of residential and office use. The eastern side of Stucley Place is dominated by residential accommodation with an educational institution, in the form of the Open University, located to the northern end of Stucley Place. On the western side of Stucley Place, either side of 10/11, there is a mix of uses, terminating in a public house to the north, and tattoo parlour to the south. The wider area is largely a mix of cafes, restaurants and shops with offices and residential units interspersed.



**Image 2.2: External Elevation of 10/11 Stucley Place**

- 2.4 Located in the centre of Camden, the site is in close proximity to a number of good transport links including the London Underground and various bus routes. Camden Town Underground Station is within a 2-minute walk to the south of the site and the Camden Road Overground Station located c.0.3 miles to the north west of the site. Stucley Place is also located within walking distance to a number of bus stops all of which provide excellent transport links to the rest of London and beyond.

## 3.0 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority (LPA) to determine planning applications in accordance with the Development Plan unless there are material considerations which 'indicate otherwise'. Section 70(2) of the Town and Country planning Act 1990 provides that in determining applications the LPA: *"shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations."*

3.2 The Development Plan for London Borough of Camden, as defined in paragraph 3.1, consists of:

- London Plan
- Camden Local Plan (adopted 2017)
- Site Allocations Plan (Adopted 2013)
- Fitzrovia Area Action Plan (adopted 2014)
- Euston Area Plan (adopted 2015)
- Fortune Green and West Hampstead Neighbourhood Plan (adopted 2015)
- Kentish Town Neighbourhood Plan (adopted 2016)
- Highgate Neighbourhood Plan (adopted 2017)
- Hampstead Neighbourhood Plan (adopted 2018)

### Camden Local Plan

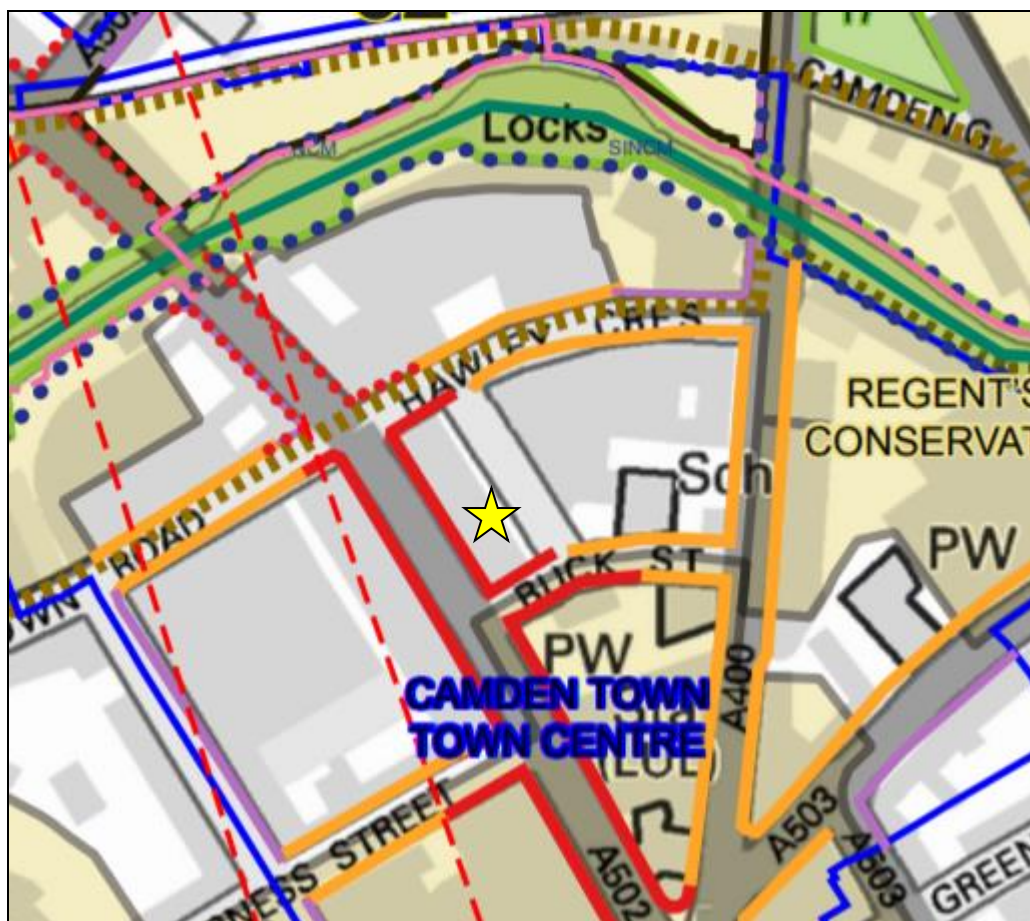
3.3 The Camden Local Plan was adopted by the Council of 3<sup>rd</sup> July 2017 and covers the period from 2016-2031. It sets out the Council's policies and ensures that Camden continues to have robust, effective and up-to-date planning policies that respond to changing circumstances and the borough's unique characteristics and contribute to delivering the Camden Plan and other priorities. The following policies of the Camden Local Plan are considered to be pertinent to the proposed development:

- Policy G1 – Delivery and Location of Growth
- Policy C2 – Community Facilities
- Policy E1 – Economic Development
- Policy E2 – Employment Premises and sites



- Policy TC2 – Camden’s centres and other shopping areas
- Policy TC4 – Town Centre Uses
- Policy T1 – Prioritising walking, cycling and public transport
- Policy T2 – Parking and car-free development

3.4 The following extract is taken from Camden Council’s Proposals Map which was updated in March 2019, following its adoption as part of the Camden Local Plan. The site is shown by the yellow star for context.



**Image 3.1: Proposals Map**

3.5 As can be seen, the site is located within Camden Town Town Centre however is not covered by any specific designations. Whilst the roads surrounding Stucley Place are considered to be a mix of primary and secondary frontages, this designation does not extend to cover Stucley Place. In addition, the site is not located within a conservation area, although the Regent Street Conservation Area is located to the east and north of the site.

3.6 The site is also not located in an area covered by a Neighbourhood Plan or an Area Action Plan, nor is there one in progress.

3.7 Supplementary Planning Documents (SPDs) are used to provide more detail and information about the policies and proposals found in Development Plan Documents (DPDs). Although SPDs are not part of the statutory Development Plan, they do however form part of the Local Development Framework (LDF) and are therefore a material consideration in determining planning applications. The following SPDs, which in the London Borough of Camden are called Camden Planning Guidance (CPG), have been referred to and are considered relevant to the application:

- Community uses, leisure and pubs CPG (adopted March 2018)
- Employment sites and business premises CPG (adopted March 2018)
- Town Centres and Retail CPG (adopted March 2018)
- Transport CPG (adopted March 2019)

### **London Borough of Camden Emerging Planning Policy Documents**

3.8 The Council is in the process of updating a number of its planning policy documents, including the Site Allocations Plan. The Site Allocations Plan identifies key opportunity areas for housing, employment, community and other uses and set out the Council's approach to their redevelopment to secure the benefits of growth for Camden and its residents. The first formal consultation of the plan took place between 13 February and 27 March 2020, so it is considered to be at an early stage in the process of adoption and can only be given limited weight.

3.9 However, Policy IDS6 – Camden Town Over Station Development, of the emerging Site Allocations Plan, allocates development located on the eastern side of Stucley Place, opposite the site under consideration in this application. The site allocation has been considered for a proposed capacity upgrade by Transport for London (TfL) and is the preferred location for facilitating the delivery of the station works and providing a second station entrance, subject to funding and contingent on a Transport and Works Act Order being confirmed by the Secretary of State. The allocation considers small-scale retail uses at ground floor level along the Buck Street and Kentish Town frontages with housing on the



upper storeys. Furthermore, it considers Stucley Place as an appropriate area for employment uses to be concentrated, which would lie opposite 10/11 Stucley Place.

### **London Plan 2016**

3.10 The London Plan is the overall strategic plan for London to which all London borough's local development documents have to be in general conformity with. It is part of the borough's development plan and has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not. The London Plan sets out the integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

3.11 The following policies, and their relevant overarching chapters, of the London Plan, are considered pertinent to this application for a retrospective change of use from D1 to B1a:

- Policy 2.9 – Inner London
- Policy 2.15 – Town Centres
- Policy 3.17 – Health and Social Care Facilities
- Policy 4.2 – Offices
- Policy 6.9 – Cycling
- Policy 6.10 – Walking
- Policy 6.13 – Parking

### **Draft New London Plan**

3.12 Work on the New London Plan has commenced and an Intend to Publish version of the Plan was submitted to the Secretary of State on 9 December 2019 prior to the adoption of the plan. However, in the most recent correspondence, the Secretary of State has asked for a number of directions to be included within the plan before it can be adopted. The Lord Mayor is considering the SoS's response and taking the statutory steps to finalise the Plan. The draft New London Plan is a material consideration in planning decisions however is not given significant weight at this stage, considering it is likely to be subject to further change, prior to its adoption.

3.13 Despite the limited weight, the policies listed below are considered relevant and in support of the proposal detailed throughout this statement. It should be noted that the Secretary of State has not asked for directions to be incorporated to any of the below policies.

- Policy SD6 - Town Centres and High Streets
- Policy SD7 - Town Centres: Development Principles and Development Plan Documents
- Policy E1 – Offices
- Policy E2 - Providing Suitable Business Space
- Policy T5 – Cycling
- Policy T6.2 - Office Parking

3.14 An assessment of the London Plan policies in support of the retrospective change of use from D1 to B1a of 10/11 Stucley Place has been provided below at Section 5.

### **National Planning Policy Framework (NPPF, 2019)**

3.15 The revised National Planning Policy Framework (NPPF) was published on 19 June 2019 and replaced all previous revisions and versions, including the initial NPPF published in 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. National Planning Practice Guidance (NPPG) adds further context to the NPPF and the two documents should be read together. The NPPF and NPPG are both material considerations in determining planning applications.

3.16 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the need of the present without compromising the ability of future generations to meet their own needs. There are three over-arching objectives to help achieve sustainable development; an economic objective, a social objective and an environmental objective. At the heart of the NPPF lies the presumption in favour of sustainable development (Paragraph 11) to ensure that sustainable development is pursued in a positive way.

3.17 Chapter 6 of the NPPF seeks to build a strong, competitive economy with Paragraph 80 stating that *“significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for*

*development.*” Whilst an application for a retrospective change of use, it is considered below in Section 5 of this statement how the office use at 10/11 Stucley Place supports the economic growth of Camden.

3.18 In addition, considering the location of Stucley Place within a town centre, Chapter 7, Ensuring the Vitality of Town Centres, is pertinent. At Paragraph 85 of the NPPF considers that *“planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaption.”* The assessment provided in Section 5 of this statement demonstrates how the existing office use of 10/11 Stucley Place is in accordance with the Camden Local Plan and supports the role of Camden Town Town Centre, which is considered to be up-to-date and the sequential test therefore not applicable.

3.19 Chapter 9 of the NPPF seeks to promote sustainable transport through plan-making and is an important consideration in any development proposals. Paragraph 108 considers that *“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*a) appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of developments and its location;*

*b) safe and suitable access to the site can be achieved for all users; and*

*c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

3.20 Furthermore, Paragraph 109 states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* In addition to this, the NPPF encourages priority should be given to pedestrian and cycle movements and facilitate access to high-quality public transport. (Paragraph 110) Section 5 below demonstrates the sustainable location of the site and any potential impact on the local transport network, considering the retrospective nature of the application for an existing use.

## **4.0 Planning History**

### **Relevant Site Planning History**

4.1 A search of the Council's Public Access System has illustrated the following relevant site planning history:

- 8700320 – Use of the basement for light industrial purposes and alternations to front elevations – Granted 15.04.1987
- 8701275 – Alterations to the previously approved scheme (Reg No. PL/8700320) in respect of the rebuilding of the rear wall – Granted 11.11.1987
- 8701384 – Approval of details in respect of windows doors and elevational materials – Granted 25.09.1987
- 2005/0199/P – Change of use from office use (Class B1) to Physiotherapy Clinic (Class D1) – Granted 11.03.2005
- 2015/0693/INVALID – Erection of 2<sup>nd</sup> floor extension and change of use from D1 Clinic to form 8 units in HMP (Sui Generis) – Withdrawn

### **Relevant Area Planning History**

4.2 There have been a significant number of applications along Stucley Place, including conversion of office spaces into residential development at 1-8 Stucley Place in 2013 granted under planning applications 2013/4317/P and 2013/5812/P.

## 5.0 Planning Assessment

5.1 The following section will assess the proposal against local and national policy and consider any impacts which may result due to the proposal. This application is solely for a retrospective change of use from D1 (non-residential institution) to B1a (office use). There are no proposed alterations to the external elevations or the internal layout although floor plans have been provided in support of this application. The considerations relevant to the assessment of this application are therefore:

- Principle of Development
- Character and Appearance
- Residential Amenity
- Transport/Highways

### **Principle of Development**

#### ***Site Background***

5.2 10/11 Stucley was previously used and occupied by Camden Physiotherapy Clinic until 2016. A D1 use was secured via planning permission 2005/0199/P in 2005 which sought for a change of use from office use (Use Class B1a). Therefore, the proposal considered in this application simply seeks a reversion back to the former office use of this site.

5.3 Since June 2016, the site has been used as office space and showroom for a high-end clothing company. Camden Physiotherapy Clinic vacated the premises due to their expanding business and the need for a larger premise and it is understood that the clinic relocated within the borough of Camden, to King's Cross. Furthermore, it is understood that Camden Physiotherapy Clinic has since been incorporated into Capital Physio, which has recently rebranded to BodySet. Bodyset have a number of centres across the country, with the main cluster of clinics located within London, and two clinics located in Camden; one in Camden Lock and the other in Kings Cross respectively.

5.4 Therefore, it is important to note that as a result of this retrospective proposal, there has been no net loss of D1 use within the borough, due to the relocation of the physiotherapy clinic. In addition, the use of the site as an office was previously established prior to the

change of use to the D1 use in 2005 meaning that office has previously been considered a suitable use for the site.

### ***Town Centre Location***

5.5 As detailed in Paragraph 3.5, the site is located within the defined area of Camden Town Town Centre, which is considered to be a vibrant centre and an internationally renowned tourist destination whilst also being home to a number of small and large businesses. It is also designated as a Major Centre in the London Plan under Policy 2.15. Policy TC4 of the Camden Local Plan considers those uses which are most desirable for a town centre and the impact of the proposed use on the surrounding areas. At Paragraph 9.32, the preamble related to Policy TC4, office use (B1a) is included within the list of Town Centre uses. Therefore, it is considered that the proposed use is an acceptable use within this area.

5.6 The Town Centre and Retail CPG adopted by the Council in March 2018 supports Policies TC2 and TC4 and details further what are considered as acceptable uses in the town centre through the planning and definition of street frontages into four street frontage types where particular considerations apply. These are:

- Primary Shopping Frontages (north and south)
- Secondary Frontages
- Sensitive Frontages

As shown in Figure 3.1, whilst Stucley Place is located within Camden Town Town Centre, it has not been designated any form of street frontage type and therefore is not subject to the thresholds described by the Council in the Town Centre and Retail CPG and also found at Appendix 4 of the Camden Local Plan.

5.7 Policy TC4 considers that *“The Council will ensure that the development of shopping, services, food, drink, entertainment and other town uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.”* The policy then details out 11 considerations (a-k) the Council will consider in relation to town centre uses. Considering the existing office use of 10/11 Stucley Place, it is considered there is no harm to the character, function vitality and viability to the centre and



in fact, contributes to these characteristics. In relation to the 11 considerations detailed in Policy TC4, parts c, d, g and h are considered most relevant to this application.

- 5.8 Policy TC4 Part c, considers that *“the Council’s expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 4.”* As detailed above in Paragraph 5.6, Stucley Place has not been afforded any form of frontage designation and is therefore not subject to the thresholds set out in Appendix 4 of the Camden Local Plan or the Town Centre and Retail CPG.
- 5.9 Part d of Policy TC4 considers the Council will consider *“the individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance on town centres and retail.”* The compliance of the existing office use of 10/11 Stucley Place in accordance with the Town Centres and Retail CPG has been detailed above in Paragraphs 5.5 and 5.6.
- 5.10 Parts g, *“the impact of the development on nearby residential uses and amenity and any prejudice to future residential development”* and h *“parking, stopping and servicing and the effect of the development on ease of movement on the footpath”* have been considered below in this statement under the sub-headings of Transport/Highways and Residential Amenity respectively.
- 5.11 Given the above, office use is considered to be a suitable use which is found in the town centre and would be in accordance with an up-to-date local plan. It has been demonstrated that the existing office use (Use Class B1a) is an acceptable use for 10/11 Stucley Place, helping to maintain the vitality and diversity of Camden Town Centre in accordance with Policies TC2 and TC4 of the Camden Local Plan and London Plan Policy 2.15.

### ***Employment***

- 5.12 Policy G1 (Delivery and location of Growth) considers that the Camden Local Plan seeks to provide 695,000sqm of office floorspace by 2031 with town centres, such as Camden Town, considered to be highly accessible locations and areas of growth. Policies E1 (Economic Development) and E2 (Employment Premises and Sites) of the Camden Local Plan 2017 are supported by the Employment Sites and Business Premises CPG, which was adopted by the

Council in March 2018. These policies and guidance work together to provide the Council's approach to the provision and protection of employment sites and business premises.

- 5.13 Policy E2 (Employment Premises and Sites) seeks to *“protect premises or sites that are suitable for continued business use, in particular premises for small businesses, business and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone (CAZ) or the local economy.”* In addition, Policy 4.2 (Offices) of the London Plan 2016 seeks to protect and encourage office use in appropriate locations in order to maintain and contribute to London's economic sectors and workspaces which this proposal seeks to contribute towards. It was deemed in the 2009 London Office Policy Review that office-based employment may grow by 303,000 between 2011 and 2031. In an ever-increasingly service-based economy, it is a key task of the London planning system to ensure there is enough office space of the right kind in the right places.
- 5.14 Duffy Clothing Ltd is a high-end fashion company which has successfully operated out of 10/11 Stucley Place since June 2016, utilising the building as offices and a showroom. Whilst it is considered a micro company, employing 10 people or less, it nevertheless provides employment opportunities and contributes to the diversity found within the town centre as well as the economy. If approved, the use of 10/11 Stucley Place as office space would allow the site to continue to offer flexible and successful office space in a central location and continue to contribute to Camden as well as the wider economy. In turn, this will support the existing role of Camden Town Town Centre, helping it grow, manage and adapt in accordance with the Camden Local Plan Policies E1 and E2 as well as national policy as detailed at Paragraph 85 of the NPPF.
- 5.15 Furthermore, the Employment Sites and Business Premises CPG considers that a substantial proportion of the projected supply of office floorspace (Use Class B1a) is likely to consist of larger floorplate, corporate office space in the Kings Cross and Euston areas which may be out of reach of the micro, small and medium-sized enterprises (SME). Due to the existing office use of 10/11 Stucley Place, this has demonstrated it can offer valuable office space in the centre of Camden, with good transport links to the rest of the borough and beyond which may be more attractive to a number of SMEs.
- 5.16 It has been demonstrated that 10/11 Stucley Place has successfully operated in an office use for the last four years and contributes to the economic growth of Camden, providing space

for local business needs, which should be afforded significant weight in the determination of this application, as suggested within Paragraph 80 of the NPPF.

### ***Summary***

- 5.17 This application seeks retrospective planning permission for the change of use of 10/11 Stucley Place from D1 to B1. The current use has been in operation since June 2016 and this application is necessary to ensure the continued successful operation of this premises, including the employment of any staff. The proposal is a suitable use for its town centre location and in compliance with Policy TC4 of the Camden Local Plan. In addition, the use of the site for the past four years as office space for a high-end fashion company has demonstrated that 10/11 Stucley Place can successfully be used for office space, contributing to the local and wider economy and provides space for local business needs in accordance with Policies E1 and E2 of the Camden Local Plan. The application also demonstrates that this retrospective proposal would not result in the loss of the D1 use within the borough, due to the relocation of the physiotherapy clinic in 2016. Furthermore, B1 office use has previously been established on the site illustrating the acceptability of the proposals. Overall, it is therefore considered that the use of 10/11 Stucley Place as offices is acceptable in principle in accordance with both local and national planning policy.

### **Transport / Highways**

- 5.18 In terms of transport, the site is extremely well located to public transport facilities. Camden Town Underground Station is within a 2-minute walk to the south of the site, with the Camden Town Overground Station located c.0.3 miles to the north east. Both of these stations provide onward travel to the rest of London and subsequently beyond. In addition, due to the close proximity of the site to Camden High Street, the site is located within a number of bus stops, further increasing the options of public transport options within the locality of the site.
- 5.19 Policy TC4 part h considers that the Council will consider *“parking, stopping and servicing and the effect of the development on ease of movement on the footpath”* in any proposed development in a town centre. The application site has a PTAL 6b rating, the highest PTAL rating, indicating an excellent level of accessibility. There is no existing off-street parking provision nor cycle parking, and none is proposed as part of the proposal making the

proposal car-free, in accordance with policy. The proposed use is not considered to be a more intensive occupation of the building and therefore does not generate the need for additional cycle parking provision from the approved use. The trip generation to and from the site is not expected to increase with commuters utilising the excellent nearby public transport connections.

5.20 There are to be no other alterations to the property, this application simply seeks to confirm the use class of the premises. Therefore, there is no impact from the effect of the development on ease of movement on the footpath. In addition, due to the use of the premises as office, it is likely that stopping, servicing and deliveries are infrequent. As detailed in the Transport CPG at Paragraphs 4.33 to 4.35, this can be managed through various means such as prohibiting deliveries to the office and encouraging click and collect services as well as considering the timing of any potential deliveries.

5.21 The proposal is considered to lie within a highly sustainable location and is not considered to detrimentally exacerbate existing levels of parking stress or congestion, and therefore would not impact on the local highway network in accordance with Policies T1 and T2 of the Camden Local Plan, Policies 6.9, 6.10 and 6.13 of the London Plan and Chapter 9 of the NPPF.

#### **Residential Amenity**

5.22 As residential dwellings are located directly opposite 10/11 Stucley Place, any potential impact on residential amenity has been considered as part of this application. Policy TC4 part g states that the Council will consider *“the impact of the development on nearby residential uses and amenity and any prejudice to future residential development.”*

5.23 This application seeks to confirm the office use of 10/11 Stucley Place with no other changes (external alterations etc). Office uses are generally not considered to result in circumstances which would result in harm to nearby residents, particularly in a town centre location such as this where the comings and goings of staff or visitors will not be noticed. This is demonstrated by the fact that the site has been in its current office use since June 2016 and it is not known that there has been any conflict between the two uses during this time. There are no alterations proposed either internally or externally as part of this application. Overall, it is not considered that there will be any impact on residential amenity, in line with local and national planning policy.

## **6.0 Conclusion**

- 6.1 10/11 Stucley Place is a low rise three-storey building located in the heart of the London Borough of Camden. This application seeks a proposed change of use of the building from D1 to B1a office use. There are no internal or external alterations proposed to the building.
- 6.2 The site is located within the Camden Town Town Centre as defined through the Camden Local Plan however it is not subject to any other designations.
- 6.3 Whilst the building has a current use class of D1, office use has previously been established in this location prior to the D1 use. In addition, the site has been in B1a use since June 2016 with no known impacts to the surrounding area occurring due to this use. The former D1 use of the premises has not been lost, due to the relocation of the former physiotherapy clinic within the borough.
- 6.4 This statement has shown that an office use for this premises is appropriate to the town centre location of the site. It also demonstrates how the site has successfully been used as an office for the past four years, contributing the diversity and vitality of Camden as well as the economy, and if permission is granted, it can continue to provide this important contribution to the borough. Furthermore, it has also demonstrated that emerging planning policy also supports employment/office use in Stucley Place.
- 6.5 In addition, the site is already located in a highly sustainable location with a PTAL 6b rating. There are no proposed changes to the current transport provision, nor is there expected to be any increase in impact on the surrounding transport network due to the proposal.
- 6.6 Therefore, it is considered that the proposal is in accordance with local and national policy and we respectfully ask the London Borough of Camden Council to look favourably on this application.