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London Borough of Camden  
Planning and Borough Development  
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**FAO: Laura Hazelton**

10 March 2021

**Our ref: LJW/NFD/AKG/AJA/J10003**

**Your ref: PP-09494147**

Dear Laura

**Arches E4, E5, E6 and E7, Hawley Wharf, London, NW1 8RP  
Application for Full Planning Permission**

We have been instructed on behalf of our client, Stanley Sidings Limited, to submit an application for planning permission in respect of the following change of use proposed at arches E4, E5, E6 and E7 located within the Hawley Wharf Masterplan:

**“Change of use of Arches E4 and E5 from bike store to flexible Commercial Kitchens (Sui Generis) use/ Class E use and change of use of Arches E6 and E7 from Class B2 Use (general industrial) to flexible Commercial Kitchens (Sui Generis) use/ Class E use.”**

**Background**

Planning permission (ref. 2012/4628/P) was originally granted for the mixed-use redevelopment of the site on 23 January 2013.

Since this time, there have been several minor material (Section 73) and non-material (Section 96a) amendments to the scheme.

The operative planning permission for the site, being the most recently permitted minor material amendment, is planning permission ref: 2020/0362/P, dated 28 October 2020. On 13 September 2020 an NMA (ref: 2019/2927/P) was approved at the site which allowed the following changes at the site relevant to this application

1. Relocation of bike store from arches N5A, N5 and E1 to arches nos. E4 and E5.

As a result of the approved relocation of the bike store under NMA ref: 2019/2927/P, Condition 32, was re-discharged under application ref: 2020/1564/P, dated 4 May 2020.

An application for planning permission (ref: 2020/5442/P) in respect of Arches E4 and E5 was withdrawn on 12 February 2021 for the: **“Change of Use of Arches E4 and E5 from bike store to flexible Class E/Class B2 (general industrial) use”**.

The withdrawn application was made on the basis that commercial kitchens fall within Class B2 (general industrial) use. Therefore, the application only related to Arches E4 and E5 as neighbouring Arches E6 and E7 had approved Class B2 use under the main masterplan permission (ref: ref. 2012/4628/P).

The application was withdrawn following discussions from Camden planning officers, who advised that the proposed use of the Site as commercial kitchens did not fall within Class B2 use but instead, the use fell under 'Sui Generis' use. Correspondence received from Officers on the application on 2 February 2021 also confirmed that Camden consider the site to be "an appropriate location for this use".

### Site and Surroundings

Arches E4, E5, E6 and E7 are located at the north eastern corner of the Hawley Wharf Masterplan.

The site is located within the Camden Town Centre and is accessed from Kentish Town Road which leads onto a rear servicing area, external to the masterplan development site.

### Proposals

The applicant has received confirmed interest from a commercial kitchen operator who wishes to sign a lease to occupy Arches E4, E5, E6 and E7 as a 'commercial kitchen'. The commercial kitchen operator will use the site for production and limited distribution purposes.

The proposal would deliver the following benefits to the masterplan site:

- i. Occupation of currently vacant Arch E6 and E7 units at the site for a business in a growing sector, driven even more so by changing dining habits caused by the coronavirus pandemic;
- ii. Redistribution of the 150 public cycle parking spaces throughout the site, allowing for more options and increasing points where visitors to the site would be able to leave their bikes without having to go to a centralised parking facility;
- iii. No loss of active frontage at the site;
- iv. Located at the edge of the site and all deliveries and access can be contained to the existing rear service yard area without impacting on the East-West pedestrian route through the site or the ambience of the heart of the masterplan; and
- v. Utilising existing turning circle space, taking associated traffic out of the masterplan site.

This application does not seek any external changes to the arches at the site.

The proposals would lead to the following changes in use of area (GIA sqm) at the site:

Land Use	Approved	Proposed	Uplift
Bike Storage	243.19	0 <sup>1</sup>	- 243.19 sqm
Class B2 (general industrial)	157.34	0	- 157.34 sqm
Sui Generis (Commercial Kitchen) / Class E	0	400.53	+ 400.53 sqm
<b>Total</b>	<b>400.53</b>	<b>400.53</b>	<b>0</b>

<sup>1</sup> Note: 150 spaces for visitor bike parking will be redistributed throughout the development site.

## Local Development Framework

The London Borough of Camden's Local Development Framework comprises of the following planning policy documents: The National Planning Policy Framework (2019), the London Plan, 2021) and the Camden Local Plan (2017).

Camden adopted a suite of updated Camden Planning Guidance documents on 25 January 2021.

## Planning Assessment

### Land Use

Camden Local Plan Policy E2 protects business sites which provide employment for Camden residents. Policy E2 goes on to state that Camden will resist development of employment sites for non-business use unless it is demonstrated that (a) the site or building is no longer suitable for its existing business uses and (b) that the possibility of retaining, re-using or redeveloping the site for a similar or alternative type and size of business use has been fully explored over an appropriate period of time.

Paragraph 5.31 of the supporting text of the Camden Local Plan states the Council will continue to protect industrial and warehousing sites and premises that are suitable and viable for continued use.

Arches E6 and E7 currently have planning permission to be operated under Class B2 (general industrial) use. 157.34 sqm (GIA) of general industrial is set to be converted into a Sui Generis use as part of this proposal. Lab Tech is of the view that kitchens of this nature fall into Use Class B2. Camden however is of the view that the delivery aspect means that the use falls into a Sui Generis use ie a use of its own kind. The proposed use is also an employment use and the Operational Management Plan submitted in support of the application sets out how local people and businesses would be employed and supported by the commercial kitchen operation.

Commercial kitchens of the nature proposed to be operated at the site under this application fall under Class B2 use. However, due to the limited delivery aspect of the proposed operation, Camden consider that the nature of the proposed use falls under a sui generis use class. As such the proposals do not represent a true loss of Class B2 floorspace as it is only due to the delivery aspect of the proposed operation of the site, that the land use class falls under 'sui generis'.

The commercial kitchen operator 'Karma Kitchen' will support start-up businesses, Camden Town tenants and run an established programme for young people to get them into the cooking industry. The tenant has received interest from 20 potential tenants prior to the facility being marketed. The site will provide for 13 kitchens.

Officers have confirmed that they believe Arches E4 – E7 are an appropriate location for this use. Therefore, the principle of introducing an additional 234.19 sqm (GIA) of employment floorspace at Arches E4 and E5 and creating a total of 400.53 sqm (GIA) of employment floorspace across these arches, is supported in planning policy and would be in line with previous planning permissions at the site. The use of Arches E6 and E7 as an alternative employment use should also be supported as there will be no loss in employment floorspace in those arches and because, without the inclusion of these arches within the proposed commercial kitchen operation, the use would not be viable.

### Land Use – Introduction of Class E (light industrial use)

This application also seeks to introduce flexibility at the site and enable light industrial operations to take place. Should the commercial kitchen operator wish to leave the site, the applicant wishes to have the flexibility to locate a light industrial tenant in arches E4, E5, E6 and E7.

The acceptability of Class E (light industrial use) at this location within the masterplan site is established as there is planning permission for Class B1c use (as per the Use Classes Order prior to 1 September 2020) in the neighbouring Arches E2 and E3.

The introduction of up to 400.53 sqm (GIA) of Class E (light industrial use) is in line with Camden Local Plan Policy E2 and would contribute to the mix of uses established at the masterplan site by the Applicant.

Should the site be used for Class E (light industrial use) the Applicant would submit an Operational Management Plan prepared by the prospective tenant for approval by Camden.

### Operational Management

The tenant has prepared an Operational Management Plan (OMP) which sets out how the site will be operated in relation to: delivery and servicing, hours of operation, staffing and employment and training opportunities. The OMP also confirms that a small percentage of the offer will have a home-delivery element and therefore this would only form an ancillary function to the proposed use of the site for commercial cooking.

### Amenity

Through Local Plan Policy A4, Camden seek to ensure that noise and vibration is controlled and managed.

A Ventilation Strategy (including noise assessment) prepared by Scotch Partners assesses the proposed use of the arches at the site for Sui Generis use. A further application for planning permission for any associated external changes will be submitted in due course, following any approval received in respect of this application.

The noise assessment has found that condition 53 of the wider masterplan permission ref: 2020/0362/P can be complied with. The report also sets out how the equipment will be maintained and cleaned and provides equipment specification details.

Overall, the proposals have been demonstrated to comply with Policy A4 of Camden's Local Plan.

### Bike Store Relocation

The bike store will be relocated as a result of the proposals. The committee report for the original planning permission (paragraph 2.4) states that these spaces would be a 'public storage facility' for visitors/tourists. The committee report states that the applicant has agreed that the public cycle store facility will be free of charge and will be managed by the on-site management/security team.

The applicant has prepared an indicative plan showing the cycle parking spaces distributed externally throughout the masterplan site in the form of Sheffield stands. The even distribution of the 150 spaces throughout the site is considered a better solution as it allows for more parking options for cyclists

and increasing points where visitors to the site would be able to leave their bikes without having to go to a centralised parking facility. Further details of the redistributed cycle parking include:

- i. The approved cycle parking store in Arches E4 and E5 would be open to visitors once operational and therefore would not be secured by a locked door;
- ii. The approved cycle parking store utilises Josta type double stacked racks that are less accessible and less convenient than Sheffield stands. The proposed redistribution throughout the site would only use Sheffield stands at grade;
- iii. The redistributed cycle stands would include 44 covered spaces beneath the railway arch between buildings C and A2; and
- iv. All the proposed redistributed spaces would be covered by CCTV.

During the determination period of the withdrawn application ref: 2020/5442/P, Camden Transport officers confirmed that the proposed distribution of the public cycle parking spaces was acceptable via email, dated 26 January 2021.

Should this planning application be approved, Condition 32 of planning permission 2020/0362/P would be amended via an NMA and then re-discharged to reflect the new external parking locations.

### **Application Documentation**

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- Application forms and notices;
- Site Location Plan;
- Existing and proposed plans, prepared by LabTech;
- Cycle Stand Plan, prepared by LabTech;
- Operational Management Plan, prepared by Karma Kitchen;
- Ventilation Strategy, prepared by Scotch Partners and
- CIL forms.

The application fee of **£462** has been paid concurrent to the submission of this application.

In the meantime, should you have any questions, please do not hesitate to contact Anna Gargan or Andrew Jackson of this office.

Yours faithfully,



**Gerald Eve LLP**

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