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**RE: Objection to Hawley Wharf Masterplan Site Minor-Material Amendments to Planning
Permission ref: 2020/0362/P**

This application seeks to change the operating hours of the retail areas on the upper ground floor and first floor of buildings A1 & A2 at Hawley Wharf. The proposed, extended market retail operational hours are as follows: - 08:00 – 23:00 Mondays to Thursdays; - 08:00 – 23:00 Fridays and Saturdays; and - 08:00 – 22:00 on Sundays and Public/Bank Holidays.

The existing condition 11 of **all** approved planning applications for this site reads as flows:

Condition 11: Market Retail: 08:00 - 21:00 Monday to Sunday and on Public/Bank Holidays [except on 12 days out of every year where the use shall not be carried out outside the following times 08:00 - 23:00 and these days shall first be agreed in writing by the Council].

Reason: The limitations on the operating hours were imposed by Camden Planning to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC2, A1 and A4 of the London Borough of Camden Local Plan 2017.

Background

The original planning application sought to provide a different retail experience to the Stables market opposite. They have not met their vision statement (see extract below from the original approved planning application) and not all of the retail units are let or if they are let they are not yet opened. On walking the site it is clear there are no furniture retailers and none that appear to be exemplary, specialist craft or designers. There may be some independent retailers but what they sell does not appear to be much different to the Stables Market or Camden High Street. In the HWCLG view the retail offer does not provide an attraction for local residents or others in North London.

As a member of the HWCLG I am aware that there have been issues with letting retail units at Hawley Wharf from well before the pandemic. As you will know an application was submitted and supported by local residents to loosen the restrictions on tenants and the size of units.

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6.0 Scheme Description

6.1 Market Vision

The vision for Camden Lock Village market is to create a new and exciting leisure shopping attraction within Camden Town that is distinct, but complementary, to the offer of Camden's existing markets. One which takes full advantage of the site's canal side setting by providing a unique and diverse mix of small units for Class A1, A2 and A5 purposes within a modern purpose built multi storey market building. It will serve as an attractive market destination catering for a different demographic group of visitors to those already visiting Camden Town.

The vision is to create a diverse retailing and leisure area in the form of a market, with a mix of exemplary independent and specialist traders, designers and crafts people. The market, consistent with some of London's best and unique markets, will offer high quality bespoke retail, provided by a stimulating mix of traders selling home-wares, furniture, hand crafted jewellery - an offer which is fundamentally different to the composition of existing markets within Camden Town.

For more information please refer to the Market Vision statement within the planning statement.



Artisan stall, Portobello market, London



Alan Monroe Jewellery Workshop, London



Alan Monroe Jewellery, London



Coffee shop, London



Borough Market, London



Stall stall, Spitalfields Market, London

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The produce market and local retail are not operating/open or have tried to open but have not had the type of offer to attract local shoppers and so have not made the required sales to continue.

The two restaurants on the roof have now been let and local residents have supported a slight increase in operating hours and terrace arrangements to accommodate the providing two evening sittings. We have not yet been advised of an opening date but assume they will encourage footfall when open.

The following plans show what was originally set out in the master plan versus what has been built on both the upper ground and first floors of buildings A1 & A2.

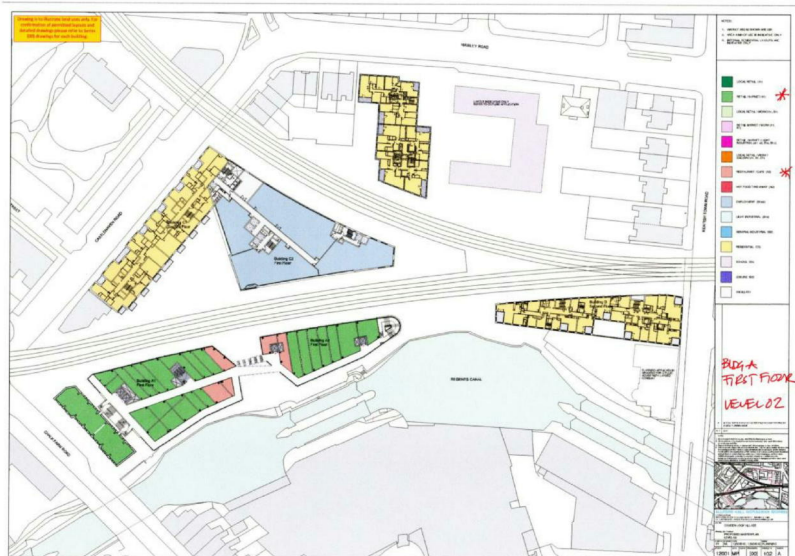
The master plan for the upper ground floor of buildings A1 and A2 suggests a mainly retail market offer with no hot food take-aways or café/restaurants. The reality of what has been built is entirely different with c.50% of the space being food & beverage hot food take-away/cafe including c.10 licenced units.

The master plan for the first floor of buildings A1 and A2 suggests a mainly retail market offer with no hot food take-aways and very limited café/restaurants. The reality of what has been built is entirely different with 100% of the space being food & beverage including c.10 licenced units. Most of the units are hot food take-aways operating as a food court with some (yet to open) operating as cafes/restaurants. This is not what was set out in the original approved scheme.

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The basis for the approved scheme and all subsequent applications for amendments has been that the market retail operational hours were limited from 08:00-21:00hrs. The reasons for this has not changed and the surrounding residential area has not changed.

The retail assessment (extract below) highlights the issues of later opening and aligns with Camden's decision notice conditions to limit the operating hours as above.

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- 5.26 The application proposals will provide a range of new food establishments e.g. restaurants, café and takeaways within a controlled environment. Such uses should not result in congregations of people late at night, which has the potential to cause general disturbance to nearby residential areas. In this respect it is significant to note that the proposals do not include any establishments that solely sell alcohol. The restaurants are proposed at roof top level of the Canal buildings and will operate both during and outside market trading hours. Conversely, due to the likely nature of the proposed A5 units these will solely operate during market trading hours. *
 - 5.27 The application proposals will provide a unique blend and mix of uses. Furthermore, the intention is to attract operators that are of high quality and thereby distinguish their food offer from other establishments currently trading within Camden Town. In this way, the application proposals will have a limited impact upon established food and drink businesses within Camden Town.
 - 5.28 The proposed Class A3/A5 uses are located broadly in accordance with locations prescribed by the Camden Town SPD - it is then necessary to assess whether the proposed Class A3/A5 uses would have an unacceptable harm. Appendix D of the SPD provides an overview of how impacts are considered. The table relates to the superseded policies of the Camden UDP. Nevertheless, key indicators of harm can include; air conditioning units, placement of tables and chairs, smoking ban, amplified music and hours of operation. These matters are duly assessed within the other technical reports that have been submitted in support of the application proposals.
 - 5.29 The application proposals provide replacement Class A3/A5 floorspace. The uplift in Class A3/A5 is 1,750sqm gross which is in scale with the level of proposed development. Over half of the proposed Class A3/A5 floorspace is for Class A3 restaurant purposes which will assist in minimising impacts on the environment. The Applicant is prepared to accept a condition which limits the maximum amount of floorspace (net area) for Class A3/A5 purposes within Area A to 17% (excluding the roof top restaurants). *
- d) **Impact Issues**
- 5.30 In allocating the application site for retail purposes the Council will have had to consider retail expenditure capacity and impact matters. The Class A element of the application proposals comprises 10,954sqm gross floorspace of which 4,065sqm gross comprises replacement floorspace (including A1 and A3/A5 uses). The net increase in Class A floorspace proposed is 6,889sqm gross. The allocation of the site is intended to improve the retail offer of Camden Town and in this context any development of the site would reasonably be expected to be significant i.e. in excess of 2,500sqm threshold prescribed by the NPPF. Accordingly, in allocating the application site for retail purposes, in accordance with the then national retail planning policy (PPS4), the Council would have had to consider the potential impact of such a scheme of redevelopment as part of its plan making process notwithstanding the fact that none of the Council's adopted policy documents specify the quantum of retail floorspace permissible.
 - 5.31 Unlike, PPS4 the NPPF does not require proposals for new retail and other main town centre uses on sites within town centres to be considered in impact terms. Put simply, town centres are the preferred location for new development of the type proposed. Such development can only have a positive effect on the overall vitality and viability of centres such as Camden Town.
 - 5.32 The proposed development will provide for the physical regeneration of the site and will help to improve the overall retail offer of Camden Town including the provision of a range of shop units



The application to change the hours of operation are material in that what was originally a retail market proposal is now an all-day food court with alcohol. There is no doubt that this is not what was envisaged when planning was approved. Condition 11 is there to protect the amenity of residents from the anti-social behaviours that occur when people come and go from these types of facilities.

As you will be aware several complaints have been made to Camden regarding noise coming from the food court in breach of planning conditions.

We ask you to refuse this application as there has been no change to the surrounding area that would support modifying condition 11 and the applicant has not yet implemented their vision for Hawley Wharf and so the conditions for their tenants to succeed are not yet in place.

Yours sincerely,



Kate Gemmell
TRACT Chair