

NLP/AD/92

London Borough of Camden Local Plan, Inspector's Report, April 2017 (extract only)

Assessments would be required in association with developments that include biomass boilers/combined heat and power (**MM78**).

Conclusion on Issue 7

131. Overall I therefore conclude that, subject to the above main modifications, the policies relating to sustainable growth and climate change are positively prepared, justified, effective and in line with national and local policy.

Issue 8 - Does the Plan set out a positively prepared strategy and policies for viable centres and the provision of shopping facilities, which are justified, effective and in line with national and local policy?

132. At the hearing the Council confirmed that the list of centres in Policy TC1 is not intended to operate as a hierarchy, but that a sequential approach would apply to sites outside designated centres in line with the NPPF. This is currently unclear, and therefore modifications are necessary to Policy TC1 to clarify this position (**MM81, MM82**). Changes are also required to correct the list of Specialist Shopping Areas and clarify their operation (**MM79, MM80, MM82**).

133. Policy G1 establishes that approximately 30,000 sqm of additional retail floorspace is required over the Plan period to meet needs identified in the Council's Retail and Town Centre Study (2013) (CD2.7). The Council's post-hearing note on retail (ED25) indicates that approximately 39% of the overall retail floorspace requirements in the borough have either been completed, gained planning permission or been the subject of an application. Additional supply is anticipated on a number of allocated sites and through windfall development in Camden's designated centres. The number of designated centres in Camden is extensive. Overall I am therefore satisfied that the requirements are deliverable over the Plan period.

134. The Council's adopted SPD on town centres¹⁹ includes specific requirements relating to the proportion and size of retail, non-retail and food, drink and entertainment establishments in centre frontages. However, the PPG states that SPD can build on and provide further guidance on policies in the development plan, and therefore, by definition, should not be used to make policy itself. Therefore, in order to accord with national policy and to be effective, I consider that modifications are necessary to include details of frontage controls within the Plan rather than SPD (**MM83, MM84, MM85, MM91**). The proportions and uses currently defined in the Council's SPD is supported by evidence in the Council's Retail and Town Centre Study (2013) (CD2.7). On-going monitoring will ensure that these proportions and uses, and the boundaries of designated centres, are kept under review.

135. Criterion c in Policy TC2 seeks to focus food, drink and entertainment uses in the King's Cross and Euston Growth Areas, town centres and Central London Frontages. This appears appropriate having regard to the role of these centres, as defined in Policy TC1 and the Council's SPD on town centres. I consider that widening the categories to include the CAZ is not justified, as the CAZ includes locations which have a distinct residential character.

¹⁹ Camden Planning Guidance 5 Town Centres, Retail and Employment (2013).

136. The Council's evidence shows some increase in betting shops, payday loan shops and pawnbrokers in Camden since 2007. However, the rise in betting shop numbers in particular has been relatively modest, and the evidence does not show extensive numbers of clusters in the borough. There is also little Camden-specific information before me to demonstrate that concentrations of these uses are having a significant adverse effect on the vitality and viability of centres. As such it is unclear that 'saturation levels' have been reached 'where negative impacts outweigh benefits', in line with guidance in the Mayor for London's Town Centres SPG (2014) (CD5.14).
137. The Council's approach in Policy TC4 would limit betting shops, payday loan shops and pawnbrokers to one within 400 metres. There is no clear evidence before me that a grouping of two such uses within this distance would amount to a cluster or saturation or cause significant adverse effects on vitality and viability or in other regards. The approach would also capture areas outside centres and extend over a considerable portion of developed parts of the borough.
138. Policy 4.8 in the London Plan promotes the management of clusters of retail uses. Nevertheless, overall, I consider that the Council's approach to betting shops, payday loan shops and pawnbrokers in the last section of Policy TC4 is not adequately justified or in line with national and local policy. Accordingly, I recommend deletion of these requirements through modification **MM86**.
139. However, in the context of Policy 4.8 and the need to promote a mix of uses in town centres, I consider that the general reference in the supporting text to proliferation should be retained. I also consider that the general reference in the supporting text to community safety and fear of crime is appropriate, on the basis that these are valid planning issues that may or may not arise.
140. Policy TC4 also resists the development of hot food takeaways within 400 metres of secondary schools. The Council has drawn my attention to a study by the London Borough of Brent on 'Takeaway Use among Brent's school students' (2014) (CD8.38), and cited a number of other national and international studies relating to the use of hot food takeaways near schools. Nevertheless, there is no Camden-specific evidence before me that demonstrates a causal link between A5 uses and childhood obesity/eating habits in relation to the proposed 400 metre zone around secondary schools. I also note that the proposed zones would cover the majority of the Euston Growth Area and a significant proportion of the King's Cross Central London Frontage. These areas are identified as a key focus for growth in the Plan, and therefore the effectiveness of the policy is unclear.
141. The health impacts of development are relevant planning considerations, as established in the NPPF. Nevertheless, for the reasons above I consider there is insufficient evidence before me to support the Council's approach in Policy TC4 to hot food takeaways. Accordingly, I recommend that the last section of criterion f is deleted and related changes made to the supporting text (**MM87**).
142. The Council recognises the challenges of managing the competing needs of residents and other visitors in Camden Town, and identifies a suitable framework for addressing this matter. This includes the identification of

'sensitive frontages' where there are tighter controls on food, drink and entertainment uses. Policy TC6 also provides general protection for Camden market and other markets, with detailed matters of management necessarily being dealt with outside the local plans system.

Conclusion on Issue 8

143. Overall I therefore conclude that, subject to the above main modifications, the Plan sets out a positive strategy and policies for viable centres and the provision of shopping facilities which are justified, effective and in line with national and local policy.

Issue 9 - Does the Plan set out a positively prepared strategy and policies on transport, which are justified, effective and in line with national and local policy?

144. The public transport section of Policy T1 refers to bus infrastructure, and needs to be widened to capture other forms of public transport. Modifications **MM88 and MM89** are therefore required for reasons of clarity and effectiveness.

145. Policy T2 requires all new development in the borough to be car-free. This approach is supported by evidence in the Council's Car Free Report (CD2.10) which identifies high levels of public transport accessibility in Camden, and good access to jobs and services. The Council's viability testing indicates that such development is deliverable. The approach is also in line with Policy 6.13 in the London Plan, which allows boroughs to determine their own standards based on specific circumstances, and to explore car-free housing in locations with high public transport accessibility.

146. However, in relation to existing town centre car parks some flexibility is necessary to allow either the retention or some re-provision of parking in redevelopment schemes, recognising the important role that such car parks play in supporting town centre vitality and viability. Accordingly, for reasons of effectiveness, modifications are necessary to alter paragraph 10.20 (**MM90**).

147. In general I consider that the transport strategy and policies in the Local Plan are clearly expressed, contain an appropriate level of detail, and avoid undue prescription. Overall, they provide a positively prepared framework for promoting sustainable travel and reducing car use, thereby benefiting air quality and health and well-being. Subject to the above main modifications, the framework is justified, effective and consistent with national and local policy.

Other Matters

148. Land at Gondar Gardens is shown as open space on the Local Plan Policies Map. Representations have been made late in the examination process, indicating that the boundaries are incorrect, and that part of the site has outstanding planning permission for development and should accordingly be omitted. I note that this issue was considered by the Examiner for the Fortune Green and West Hampstead Neighbourhood Plan, and it was recommended that the boundaries should take account of outstanding