

Our ref: 00038

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Date: 07 May 2024

Planning - Development Control
Camden Council
Camden Town Hall
London
WC1H 8ND

Dear Sir/Madam,

WEST HAMPSTEAD SQUARE, HERITAGE LANE, LONDON PROPOSED REDESIGNATION OF PARKING SPACES BELOW LESSING BUILDING PODIUM

On behalf of our client, West Hampstead Square LLP, please find enclosed a retrospective application for the redesignation of four car parking spaces below Lessing Building podium, West Hampstead Square, Heritage Lane, London, NW6 2BR, for the following:

‘Retrospective application for the allocation of four residential disabled parking bays to be used for commercial car parking.’

It is proposed that four of the car parking spaces located at the podium car park between Lessing Building and Beckford Building would be changed from disabled parking to commercial car parking to meet the essential operational needs of the commercial occupiers of the scheme. There are no proposed alterations to the buildings or change to the total number of parking spaces provided.

The documentation forming part of this application includes:

- Application Form,
- Site Location Plan,
- This covering letter,
- Addendum Car Parking Management Plan prepared by WSP.

Site Context

The 0.9ha site is bounded by the London Overground railway line to the north, the Underground line to the south and West End Lane to the east. The site is in an accessible location adjacent to West Hampstead Overground station, and within walking distance to West Hampstead Underground station and Rail station. The site has an internal road running along the southern boundary known as Heritage Lane.

The site’s eastern end fronting West End Lane is within the West Hampstead Town Centre boundary. The site is also within the Fortune Green and West Hampstead Neighbourhood Plan area. The site’s eastern end has PTAL level 6B and the rest of the site is PTAL 5.

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The site is an allocated site (Site 27: 187-199 West End Lane) in Camden’s Site Allocation Plan (adopted 2013) for a ‘mixed use development of residential with retail, employment and community uses alongside other appropriate transport improvements’.

The West Hampstead Square development was built in accordance with planning permission ref: 2011/6129/P (as amended by ref. 2013/1924/P; 2013/6627/P; 2014/5816/P; 2015/5524/P; 2015/5581/P). The development has seven buildings ranging between five and twelve storeys in height to provide 198 residential units with 10% wheelchair accessible units, one supermarket, four retail units (Class A1/A2/A3/A4), five flexible commercial units (Class B1/D1) ranging from 84sqm to 138sqm in size, 18 car parking spaces, and a public square on West End Lane. The seven buildings are known as Hardy Building, Orwell Building, Beckford Building, Lessing Building, Milne Building, Lily Building, and Charlotte Building.

The residential-led development is a car free development served by just 18 car parking spaces comprising:

- 14 disabled bays, spread between two parking areas below the podium level between Beckford Building and Lessing Building, and Orwell Building and Beckford Building;
- 3 disabled bays located in front of Charlotte Building; and
- 1 commercial car parking bay at the podium parking area between Beckford and Lessing Buildings.

Proposals – Relocation of Spaces

Since the scheme was completed, there has been very low utilisation of the disabled parking bays on site. The Estate Facilities Management Team confirmed that of the 17 disabled bays on site, only six of these bays are currently being utilised by blue badge holders who are the residents of West Hampstead Square. The Estate Facilities Management Team also confirm that no more than six disabled parking spaces have ever been in use concurrently, leaving an unused surplus of 11 spaces.

This retrospective planning application is seeking the relocation of four of the disabled parking bays to be used by the occupiers of the commercial units on site. Currently, four of the disabled parking bays located underneath the podium level between Lessing Building and Beckford Building, are being utilised by the commercial occupiers at West Hampstead Square, namely:

Company	Use	Address	Parking Space
Short Stay Property Ltd/ Even Group	Property Development	Unit 1 Milne Building, Heritage Lane, London	2 spaces
Blue Chip Trading Limited	Hotels for the Homeless	Unit 2 Lessing Building, Heritage Lane, London	1 space
Johns & Co Estate Agent	Residential Estate Agent	Unit 7, Heritage Lane	1 space

Short Stay Property Limited/Even Group is a property developer company who requires access to two private vehicles in order to attend daily site meetings inside and outside of London, often in areas not easily accessible by public transport. Their typical day would involve meetings in North Kent, Romford and Edmonton and their office at West Hampstead. Their business capacity would be reduced by half if they don’t have access to their car in order to travel from their offices at Heritage Lane to development sites situated around London and the South East.

Blue Chip Trading Limited is a hotel operator and developer who has been operating from their offices at West Hampstead Square since January 2018. Their business involves developing and running hotels for the homeless. Their typical day would involve early start in their office at Heritage Lane and then visiting different hotels and construction sites and replenish commodities which each hotel needs on a daily basis; at the end of the day, they would return to their office at West Hampstead Square to complete administrative work.

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Johns & Co is a residential estate agent. They require a car to travel around the area to undertake viewings and valuations on a daily basis. It is part of their business model that they need to attend viewings and valuations at dwellinghouses within a tight timescale where it is not possible to get around by public transport and be on time to meet their customers.

It is therefore proposed to amend the disposition of parking bays by type so that the site will have 13 disabled parking bays and 5 commercial bays. There will be no additional bays created but simply the conversion of 4 unused disabled bays to meet the essential operational parking needs of the commercial occupiers.

Planning Policy Context

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the Development Plan, unless other material consideration indicate otherwise.

The adopted Development Plan for London Borough of Camden (LBC) comprises the following:

- The London Plan (2021).
- LBC Local Plan (2017);
- LBC Site Allocations Plan (2013).

LBC is reviewing their draft new Local Plan with Regulation 18 consultation held in January 2024. Camden Council aim to publish an updated version of the Local Plan for further consultation later in 2024.

London Plan Policy

London Plan Policy T6 (Car parking) expects all development in places well-connected by public transport to be car-free, with no general parking but only disabled persons' parking.

London Plan Policy T6.1 (Residential parking) requires a minimum of 3% disabled parking (by residential units) should be provided from the outset, and 7% future provision if the existing provision is insufficient.

London Plan Policy T6.2 (Office parking) noted office development in Inner London Borough should be car free, with the exception of disabled parking. However, Policy T6.2 Part F noted that '*Operational parking requirement should be considered on a case-by-case basis.*'

London Plan Policy T6.3 (Retail Parking) indicates that retail parking in PTAL 5-6 area should be car free but allows flexibility where this could impact on the viability of the town centre first approach or mixed-use developments in a town centre.

Camden Local Plan Policy

LBC Local Plan Policy E1 (Economic development) supports businesses of all sizes, in particular start-ups, small and medium-sized enterprises.

LBC Local Plan Policy T2 (Parking and car-free development) requires all new developments in the borough to be car-free and on-site parking spaces will be limited to bays designated for disabled people where necessary, and/or essential operational or servicing needs. The supporting text to Policy T2 in paragraph 10.18 states that '*parking will only be considered for new non-residential developments where it can be demonstrated that the parking provided is essential to the use or operation of the development.*'

There are also a number of Camden Planning Guidance (CPG) providing advice on information on how Camden will apply their planning policies, including a CPG on Transport (January 2021).

The **LBC Transport CPG** sets out how the Council will implement Local Plan Policy T2 on how exceptions to the car-free approach will be applied such as meeting the parking needs for disabled people and other essential users. Paragraph 5.23 of the CPG states that for non-residential development the Council will consider parking provision where it is demonstrated that this is essential to the use, operation and/or servicing of the use, business or service.

LBC Draft Local Plan (Regulation 18) Draft Policy T5 (Parking and car-free development) seeks to limit the availability of parking and requiring all new developments to be car-free. On-site parking in new development will be limited to disabled parking; and/or essential operational or servicing needs; and/or car club spaces. Supporting text in Paragraph 14.30 stated that '*car-free development means that no car parking spaces are provided within the site other than those reserved for disabled people, car clubs, and business and services reliant upon parking, where this is integral to their nature, operational and/or servicing requirements (e.g. emergency services, storage and distribution uses). Parking will only be considered for new non-residential developments where it can be demonstrated that the parking provided is essential to the use or operation of the development.*' (RPS emphasis in underline).

Planning Assessment

The development originally granted in March 2012 has 198 residential units 4 retail units and 5 commercial units. It is a car free scheme, with 17 disabled parking bays and 1 parking space for the commercial units on site. The scheme was granted in line with the London Plan 2011, which generally expected one blue badge parking space for each wheelchair accessible unit, including those developments that would otherwise be car-free. The level of disabled parking provision equates to 8.8% provision by unit.

However, this is now acknowledged that the occupational demand is not a fixed situation, where blue badge holder tenants could move in and out of the development at any one point. This is reflected in the latest planning policy whereby London Plan (2021) Policy T6.1 requires the provision of 3% disabled bays from the outset, and a further 7% to be provided in the future should the demand arise. The current level of disabled provision equates to 8.8% provision by unit. The common practice now is to monitor the usage of the disabled bays, and a strategy to manage this fluctuating demand and supply, when there is no demand for disabled parking, the space is more commonly used for alternative uses such as planting, or storage.

The attached Addendum Car Parking Management Plan prepared by WSP demonstrates that only 6 disabled bays are ever used by blue badge holder residents; that there is plenty of available capacity with 11 disabled bays not being utilised. This data is provided by the on-site Estate Management Team. The extent of the **under-utilised parking situation** reflects the 2021 Census data that the West Hampstead ward has below average car ownership compared with the rest of London with 62% of households reported to have no cars or vans.

The site therefore has a high number of disabled parking bays not being utilised since the development was built and this is not the most **effective use for land** in an urban location. There will remain 13 blue badge spaces which is significantly in excess of the London Plan requirement.

Camden Local Plan Policy T2 allows limited on-site parking for essential operational needs for commercial development. This approach is continued in the Draft Camden Local Plan Draft Policy T5 where on-site parking will be limited to disabled parking and/or essential operational or servicing needs.

Currently, three of the commercial units at West Hampstead Square utilise four of the disabled bays. Given the nature their business, Short Stay Property Ltd/Even Group, Blue Chip Trading Limited, John & Co Estate Agent, require the use of cars and car parking spaces for the day-to-day operation of their businesses, which would cease to be viable without the bays. Their use of these bays is considered essential to meeting their operational needs.

The principle of retail and commercial uses have long existed on this site prior to the redevelopment and the West Hampstead Square development is an important landmark in West Hampstead Town Centre. The success of these **small and medium-sized businesses** on the site contribute to the viability and vitality of the town centre, in line with Camden Local Plan Policy E1.

The Addendum Car Parking Management Plan assessed that by allocating four spaces to commercial use, the development would still have **seven unused disabled bays to meet future residential needs** (a total of 13 disabled bays). The redesignation of four spaces would not materially affect the ability for blue badge holder residents to park on-site and remaining unused bays remain available to accommodate any additional future

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demand. The historical level of take up reflects the latest Census data pointing to a trend of below average residential car ownership in the area.

The use of four disabled parking bays for commercial parking is essential to meet the **operational needs** of these existing commercial occupiers. The redesignation of four disabled parking bays to commercial parking is considered an **exceptional circumstance** for the site and will utilise part of the site's parking provision which has not been in use since the scheme was developed, **making better use of the land to support small and medium-size enterprises** in West Hampstead Town Centre and the Borough of Camden.

We trust that above is in order and look forward to discussing the application with you at the earliest opportunity. Should you require any further information, please do not hesitate to contact myself, Karen Jones, or Summer Wong at this office.

Yours faithfully,

RPS

for RPS Consulting Services Ltd