

Our ref: KJ/SW/00038

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Date: 30 July 2024

Josh Lawlor
Planning - Development Control
Camden Council
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Dear Josh,

**WEST HAMPSTEAD SQUARE, HERITAGE LANE, LONDON
RETROSPECTIVE APPLICATION FOR THE ALLOCATION OF FOUR RESIDENTIAL
DISABLED PARKING BAYS TO BE USED FOR COMMERCIAL CAR PARKING
PLANNING APPLICATION REF: 2024/1836/P**

We write to provide further information addressing the consultation comments received from the Highway Officer in relation to the above.

Background

West Hampstead Square 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) to provide 198 residential units and retail and commercial accommodation. The residential-led development is served by 18 car parking spaces comprising:

- 14 disabled bays, distributed between two parking areas below podium levels;
- 3 disabled bays located in front of Charlotte Building; and,
- 1 commercial car parking bay.

A Car Parking Management Plan produced by WSP dated June 2016 was discharged against the s106 (dated 30 March 2012) Clause 4.5.2. The purpose of a Car Parking Management Plan (CPMP) is to set out objectives and policies to ensure that car parking associated with a development can operate efficiently, securely, and safely. The CPMP also ensures that bays are allocated in an agreed manner such that mobility impaired occupants are always given priority to a bay as close to where they need it.

The June 2016 CPMP (discharged as part of the s106 obligations), sets out in Section 3.3.1 (see **Figure 1** extract) the ability to re-allocate spaces based on a demand-led approach. This allowed disabled bays to be allocated to non-mobility impaired occupants but on the understanding that should a mobility impaired occupant move into the development the current user would be asked to vacate immediately and the bay re-allocated.

Figure 1 – Extract of Section 3.3 from Car Parking Management Plan by WSP dated June 2016

3.3	CAR PARKING MANAGEMENT
3.3.1	<p>The specific management of the car and motorcycle parking bays will reflect the following allocation:</p> <ul style="list-style-type: none"> → Three disabled parking spaces, located at Block G, are designated to the affordable units and are available only by blue badge holders at a nil cost to the occupants of the Wheelchair Accessible Units in this Block; → One parking space designated to commercial units with no restriction to its use; → The fourteen remaining disabled spaces will be made available on request for use by the tenants who possess a blue badge; and → Four motorcycle spaces will be available for use by the residential tenants only.
3.3.2	<p>In line with the planning permission the following items are of importance for the residential / commercial tenants within the estate:</p> <ul style="list-style-type: none"> → A restriction applies to limit all occupiers applying for Residential Parking Permits in the local area unless they hold a blue badge; and → A restriction applies to limit all occupiers applying for Business Parking Permits in the local area unless they hold a blue badge.

As such whilst blue badge holders have priority over these car parking spaces, they can be used by other occupiers that may not be blue badge holders. If a blue badge holder moves into the development, and there are no other available accessible bays (i.e., the other 13 disabled bays are occupied), the current commercial occupiers of the 4 parking bays will have to vacate the spaces.

The current application is seeking the relocation of 4 of the disabled bays for commercial parking. No changes are proposed to the one commercial parking bay as approved under the original scheme.

Further Justification

To address the consultation comments of the Highway officer, the commercial occupiers have provided further information demonstrating the following:

- The background of their businesses.
- The importance of being situated in West Hampstead.
- Details of why access to a vehicle is essential for the operation of their businesses.
- Why it is not feasible / viable for them to use public transport.

The submitted evidence comprises the following as set out in **Table 1**:

Table 1– Summary of Additional Submitted Evidence

Company	Use	Parking Space	Additional Justification
Short Stay Property Ltd/ Even Group	Property Development	2 spaces	Company Background; Travel Report
Blue Chip Trading Limited	Hotels for the Homeless	1 space	Letter dated 22 July 2024
Johns & Co Estate Agent	Residential Estate Agent	1 space	Letter dated 16 July 2024

As demonstrated in the attached evidence, all these businesses require access to private vehicles as part of their day-to-day operation. The commercial occupiers cannot apply for Business Parking Permits in the local area due to the s106 car free restriction. Without any car parking, their business would not be viable and are likely to be closed or relocated with the potential for the buildings to be left vacant and therefore not generate any business rates. 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 which supports businesses of all sizes, in particular start-ups and small and medium-sized enterprises.

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Conclusion

The 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 at West Hampstead Square equates to 8.6% provision by unit.

A common practice across the industry is to monitor the usage of the disabled bays and have a strategy to manage this fluctuating demand and supply through the Car Parking Management Plan which is what has taken place at this Site. This is particularly important as the occupational demand is not a fixed situation.

The existing 17 residential disabled bays at West Hampstead Square are significantly under-utilised, as only 6 disabled bays have ever been used by blue badge holder residents since the development was built. This is not the most effective use of land in a prime urban location. With the proposed allocation of four commercial bays, 13 blue badge spaces would remain which is still significantly more than the London Plan 3% (i.e., 6 spaces) requirement.

Camden Local Plan Policy T2 and Draft Camden Local Plan Policy T5 allows limited on-site parking for essential operational needs for commercial development. As demonstrated by the letters provided by Short Stay Property Ltd/Even Group, Blue Chip Trading Limited, John & Co Estate Agent, the use of cars and on-site car parking spaces is essential to meeting their operational needs, and their business would cease to be viable without these parking bays. The success of these small and medium-sized businesses on the site contributes to the viability and vitality of the town centre, in line with Camden Local Plan Policy E1.

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 operational, 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 Karen Jones, or Summer Wong at this office.

Yours sincerely,



for RPS Consulting Services Ltd