

Date: 17/03/2014

Ref: 14.515

London Borough of Camden  
Planning Department  
Town Hall Extension  
Argyle Street  
London  
WC1H 8NJ

Dear Sir/ Madam,

**Planning Application – Independent Student Living Ltd, Blackburn Road, West Hampstead, NW6 1RZ**

We are instructed by our client, Loftus Family Property, to submit an application for full planning permission concerning the above premises. The application seeks permission for the following development:

*Change of use of vacant commercial floorspace (B1 Use Class) to allow for a school or educational user (D1 Use Class).*

In order for the Council to determine the application, we provide the following information:-

- This covering letter inc. Planning Statement;
- Application Forms and Certificates;
- Site Location Plan;
- Existing Ground Floor Plan;
- Marketing Viability Assessment; and
- CIL Form.

The statutory application fee has been paid via the Planning Portal (ref: PP-03247138). Please note that because the proposals do not involve any external alterations to the existing building, existing and proposed elevation drawings are not provided. As the application involves only a change of use, a Design & Access Statement is not required either.

**Planning Statement**

This application concerns the vacant commercial floorspace (B1 Use Class) that was provided as part of the redevelopment proposals for the former Mercedes Benz Garage site on Blackburn Road (granted on appeal in 2010). The floorspace is located at ground floor level beneath the student accommodation above. It comprises 2,110sq.m.

*Principle of the Development*

The site is located within the West Hampstead Growth Area. Policy DP13 which concerns existing employment premises and sites states that

*“The Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:*

- a) It can be demonstrated to the Council’s satisfaction that a site or building is no longer suitable for its existing business use; and*
- b) There is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time”*

Marketing of the commercial space was undertaken in July 2012 prior to completion of the building in July 2013. A Marketing Viability Assessment, prepared by The Lorenz Consultancy is provided as part of this application. The Assessment describes that despite extensive marketing attempts over the past two years, the space has remained un-let. It is understood that there are several factors contributing to this, but primarily it is believed that the location is not attractive to office tenants.

The Assessment provides that whilst there has been interest in the space from other potential users, these would require a change of use from the B1 Use Class to either D1 (or D2) Use.

We therefore consider it has been demonstrated that the building is no longer suitable for its existing business use. Due to the fact that a tenant has not been found, despite extensive marketing attempts, we consider it has been evidenced that alternative business uses have been explored over an appropriate period of time.

#### *Appropriateness for D1 Use*

It is considered that the site retains a number of characteristics which make it suitable, and appropriate, for use by a school or educational facility. The site has excellent public transport links (as noted in the Inspector’s decision). The PTAL rating of the site is 6a (excellent). It is located close to several bus routes, both Finchley Road and West Hampstead tube stations, and West Hampstead Thameslink.

Policy DP15 provides that

*“New community and leisure uses must be:*

- g) close or accessible to the community they serve;*
- h) accessible by a range of transport modes, in particular walking, cycling and public transport;*
- i) located in the Central London Area or in the Town Centres of Camden Town, Swiss Cottage/Finchley Road, Kilburn, West Hampstead or Kentish Town if they are expected to attract large numbers of visitors.”*

Supporting text to the policy at Para 15.11 states that *“it is important that Camden’s community and leisure facilities are located close to the people who use them. Locating these facilities where they are easily reached by a choice of means of transport, particularly walking, cycling and public transport will enable as many people as possible to have access to them”.*

By virtue of the property's highly accessible location, it is accessible to the community it would serve. It is accessible by a range of transport modes including walking and cycling. Policy DP15 states that community uses should be located within the Central London Area or the Town Centres – due to these locations being the most accessible. The site is located between two Town Centres. Given the excellent PTAL rating of the site, we therefore consider that the proposal complies with the policy aspiration, as it would be directly accessible from both the Town Centres.

The site is located within a Growth Area, which are designated accordingly as they are considered to be highly accessible. These are also *“based around transport interchanges where increased capacity is planned.”*

We consider that the proposal is in accordance with Policy DP15 and transport Policies DP16 and DP17.

#### *Amenity Impact*

Para 15.12 also states that *“new community and/or leisure uses should not harm residential amenity, the environment or transport networks in line with all the policies in this document. They must also be consistent with their surroundings in terms of scale, character and mix of uses.”*

We consider that the proposal would not harm the amenity of residents in this location, as the site is located in a commercial area where there are few residents. The residential amenity of the student accommodation above would also not be harmed, given that the school or educational establishment would operate between standard business hours, as the space currently allows for. We consider that the potential for noise generation and general disturbance would also be consistent with that which would arise from the permitted B1 use.

#### *Management Plans*

We anticipate that the Council may require by s106 agreement, or condition, management plans to provide further detail as to how the school or educational user will ensure that the proposals are appropriate within this location and that they do not lead to any loss of neighbouring amenity. A Transport Statement, Travel Plan and Management Plan are likely to be sought. These documents would provide further details on the type of school proposed, student and staff numbers, trip generation and travel management, refuse provision, cycle facilities, hours of operation etc.

Yours sincerely

Joseph Daniels MRTPI  
Planner

**Boyer Planning Ltd**

Tel: 0203 268 2434

Email: [josephdaniels@boyerplanning.co.uk](mailto:josephdaniels@boyerplanning.co.uk)