

<b>Address:</b>	132/140 Hampstead Road London NW1 2BX	
<b>Application Number:</b>	2012/6855/P	<b>Officer: Jason Traves</b>
<b>Ward:</b>	Regents Park	
<b>Date Received:</b>	24/12/2012	
<b>Proposal: Temporary change of use of ground to second floor of 132 Hampstead Road and ground to first floor of 140 Hampstead Road from office (B1) and storage (Class B8) to mixed use of education (Class D1), storage (Class B8) and workshop space (Class B1) until 29 September 2018</b>		
<b>Drawing Numbers:</b> Location Plan; Drgs Prefix 11126: A-03-210-02; A-03-200-02; A-03-201-01; A-03-202-01; 03-A-203-01; A-03-204-01; A-03-205-01; B-03-200-02; B-03-201-01; B-03-202-01; B-03-203-01; B-03-204-02; B-03-2010-01; Planning Statement prepared by Drivers Jonas Deloitte; Transport Statement prepared by Icen Project Ltd dated Dec 2012 and including Appendix 6 UCL Travel Plan revision 13 dated 2010.		
<b>RECOMMENDATION SUMMARY: Grant conditional permission</b>		
<b>Applicant:</b>	<b>Agent:</b>	
Mr Michael Meadows c/o agent.	Drivers Jonas Deloitte Athene Place 66 Shoe Lane London EC4A 3BQ United Kingdom	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing		<i>B1a Office</i>	2,220m <sup>2</sup>
		<i>B8 Warehousing</i>	11,541m <sup>2</sup>
		<b>Total**</b>	<b>13,741 m<sup>2</sup></b>
Proposed		<i>D1 Non-Residential Institution</i>	6240m <sup>2</sup>
		<i>B1a Office</i>	Nil**
		<i>B8 Warehousing</i>	7,501m <sup>2</sup>
		<b>Total**</b>	<b>13,741 m<sup>2</sup></b>

[\*\* - Changes to land use only relate to parts and not the whole floor space. Elsewhere, there is not change to uses of the buildings, including the retention of Class B1 floor space - see section 2 'Proposal' for more information]

## **OFFICERS' REPORT**

### **Reason for Referral to Committee:**

**This application is reported to Committee because it proposes a major development of more than 1000m<sup>2</sup> of non-residential floorspace [clause 3(i)].**

### **1. SITE**

- 1.1 The site comprises two buildings of 22,611sqm floorspace previously occupied by BHS warehouse for Class B8 warehouse accommodation and offices Class B1. It is currently vacant. Other than a disused petrol filling station at its northern end, the application site is bounded by Hampstead Road to the West, Cardington Street to the south and a slip road to the east. Further still to the east is the Network Rail tracks to Euston main line station as well as the switching office building serving the station and network. On the west side of Hampstead Road, opposite the site, are residential blocks 'Cartmel' and 'Silverdale' of seven storeys in height which form part of the Regents Park Estate.
- 1.2 This proposal for change of use concerns only part (13,741sqm) of the floor area of each building (i.e. for 132 Hampstead Road it includes the ground, mezzanine, first and second floor and for 140 Hampstead Road it includes the use of the two mezzanine levels as well as the ground and first floor). Other floorspace not specified here (8,870sqm) is unchanged and does not therefore form part of the planning application, however, it should be noted that it may also be occupied by UCL as various uses falling within the various existing B1 and B8 use classes.
- 1.3 The southern corner of the site contains a small landscaped area (approx 500sqm) in the form of a well maintained garden addressing the junction of Cardigan Street and Hampstead Road. This is listed in the UDP Schedule of designated open space (site 9) as 'BHS Garden'.
- 1.4 The BHS Warehouse and filling station are subject to a UDP land use allocation (Site No. 20) and Site 11 of the draft LDF Site Allocations Document. The site is designated for mixed use development comprising principally residential and employment. Planning permission has been granted for redevelopment of the site in accordance with this designation. This remains extant but is unlikely to come forward in view of the fact that the site has been included within the proposed safeguarding area for HS2.
- 1.5 It is also in the Central London Area and Clear Zone and is part of the Euston Opportunity Area for which the Euston Area Framework which was adopted in 2009.
- 1.6 The application site is not listed and not within a conservation area nor are there any listed buildings in the immediate vicinity.

### **2. THE PROPOSAL**

- 2.1.1 The proposal is for a temporary change of use for University College London (UCL) for 5 years to occupy part the buildings for educational use. It essentially involves a change of use from B8 floorspace at ground and some mid-level floors to a flexible use D1(education) and B8 (storage) for use by Bartlett School of Architecture (Currently located at Wates House, 22 Gordon Street) and Slade School of Fine Art (Currently located in the Warburg Institute). Also, to temporarily relocate academic and admin staff as part of the ongoing renovation works at the Bloomsbury Campus.
- 2.2 Separate to the planning process and policy requirements, it is noted that there have been negotiations to offer an element of affordable B1 space to Camden Town Unlimited (CTU) in support of small business initiative in the borough. However, if not taken up by CTU, and this appears to be the current situation at the time of finalising this report, the space would used by UCL.
- 2.3 The proposal retains the B1 (office) component of the upper-most floors and as such there is no change of use and therefore, these do not form part of the consideration of the application. Nevertheless, it is noted that UCL's Bartlett School of Architecture will occupy this space as offices which are being temporarily relocated from the current location at Charles Bell House, Riding House Street, W1.
- 2.4 Similarly, it is further noted that the remaining area of the floorspace at lower levels i.e. basement which is B8 (storage) which will continue to be used for this purpose by UCL to enable decant and reorganisation of other UCL campus sites, in this case, the Physics Yard servicing hub.
- 2.5 In terms of an indication of the level of use and activity, the Bartlett School of Architecture campus currently services a total of 450 architecture students, 50 planning students and employs 150 staff being a mixture of full-time and part-time. It is expected that these numbers will remain broadly the same during the relocation to 132-140 Hampstead Road. The Slade School of Fine art involves research space, informal gallery space and storage space for artwork and as such, no additional student or staff numbers have been attributed in the planning application information.
- 2.6 The hours of opening proposed are 08:30am to 10:30pm Monday to Saturday, with out of hours access possible and controlled via swipe card and security staff.
- 2.7 The proposal utilises the existing space and proposes little if any change to the building, baring in mind the temporary nature of the use. The space would be divided up by means of temporary partitions, enabling the building to revert to the lawful use once the temporary occupation by UCL has ceased.
- 2.8 There is no change to the access, servicing and parking arrangements for the site, other that to note that the proposal involves the provision of 76 cycle parking spaces, and the use of car parking is limited to accessible spaces other than exceptional use e.g. visiting lecturers for example, with overall management of travel subject to UCL's existing Travel Plan which promotes non car-based modes of travel to its sites.

### 3. RELEVANT HISTORY

- 3.1 Appeal ref: PSX0204398 (scheme A): The redevelopment of the site to provide 24,220sqm of Class B1 floorspace and 4,785sqm of Class B8 floorspace in two separate buildings. **Allowed April 2003**

Appeal ref: PSX0205078 (Scheme B) The redevelopment of the site to provide 24,220sqm of Class B1 floorspace, 2,125sqm of Class B8 floorspace and 6,560 sq. m. of Class C3 residential floorspace in two separate buildings. **Allowed April 2003**

- 3.1 Scheme A approval of reserved matters was granted in May 2005 (ref 2005/0379/P) but due to not having been implemented **expired on 01/04/08**.
- 3.2 Scheme B application for extension of time (ref 2006/1168/P) for submission of reserved matters and implementation for a further 3 and 5 years respectively was **approved 05/06/06**.
- 3.3 2009/2827/P: This was equivalent to a renewal of scheme B. However, due to the ability for such renewal of permission having been taken away by changes to the Planning and Compulsory Purchase Act, this application took the form of a fresh outline planning application. The development description was "*Outline application for the redevelopment of the site to provide 23,863sq.m. of Class B1 floorspace; 2,125sq.m. of Class B8 warehousing; 6,560sq.m. of Class C3 residential and 1,935sq.m. of ancillary space for parking servicing and storage, in two separate buildings of 5 to 7 storeys*" with the marginally lower quantum of B1 space being reflective of a 2 metre access strip added to the retained open space at the southern end of the site to preserve its existing amenity while at the same time affording public access. **Granted 28.09.2009**
- 3.4 2010/4683/P: Change of use of existing building at 132-140 Hampstead Road, together with partial demolition of upper parts and addition of roof top extensions and associated internal and external works, from an existing mixed use of warehouse and offices (Use Classes B8 and B1a) to a mixed use of offices (B1a) and flexible storage/light industrial use (B8/B1c): Demolition of existing petrol filling station at 142 Hampstead Road (Sui Generis use) and construction of a new 12-storey building (Class C3) containing 30 private (9 x 1 bed; 18 x 2 bed; 3 x 3 bed) and 8 affordable (1 x 1 bed; 3 x 2 bed; 3 x 3 bed social rented, and 1 x 2 bed intermediate) residential flats plus a retail unit (Class A1) at ground floor level: Works of hard and soft landscaping, alterations to the service road and other works incidental to the application. **Granted 04 February 2011**

*[NB: Notwithstanding the current application for a temporary occupier the landowner has indicated their intention to implement this permission, the reason for this is to maintain maximum flexibility as to how the site might be used at a time when the future of HS2 remains unclear.]*

### 4. CONSULTATIONS

#### Statutory Consultees

4.1 Network Rail – No issues and no comments to make in respect of the application

4.2 Thames Water – No objection

4.3 Transport for London (TfL):

- Confirmation that there is no community infrastructure levy (CIL) chargeable as the scheme is temporary and does not involve an uplift in floorspace
- No Crossrail planning obligation because there is no increase in floorspace
- Advise that the parking on site is as existing. Recommends that the travel plan should be updated to indicate that no parking permits will be issued for the premises other than allowing for occasional use by visitors, and servicing for example

### **Adjoining Occupiers**

4.4 A total of four site notices were posted around the site on 10.01.2013 and expired 31.01.2013 and the application was advertised in the Ham and High on 17.01.2013 and expired 07.02.2013.

## **5. POLICIES**

### **5.1 NPPF (2012)**

### **5.2 London Plan 2011**

### **5.3 LDF Core Strategy and Development Policies**

- CS1 Distribution of growth
- CS3 Other highly accessible areas
- CS5 Managing impact of growth
- CS8 Promoting a successful and inclusive Camden economy
- CS9 Achieving a successful Central London
- CS10 Supporting community facilities and services
- CS11 Sustainable travel
- CS13 Tackling climate change
- CS18 Waste and recycling
- DP1 Mixed use development
- DP13 Employment premises and sites
- DP15 Community and leisure uses
- DP16 Transport implications of development
- DP17 Walking, cycling and public transport
- DP18 Parking standards
- DP19 Impact of parking
- DP20 Movement of goods and materials
- DP21 Highway network
- DP22 Promoting sustainable design and construction
- DP26 Impact on occupiers and neighbours
- DP28 Noise and vibration

### **5.5 Supplementary Planning Guidance**

CPG3 Sustainability  
CPG6 Amenity  
CPG7 Transport  
Central London CPG

- 5.6 **Unitary Development Plan 2006 Policy LU1 – Land use proposals schedule**  
Site 20 – Acknowledges the 2003 outline approvals on the site granted on appeal (see ‘History’ above)

## 6. **ASSESSMENT**

- 6.1 The principal consideration material to the determination of this application and summarised as follows:
- Principle of development
  - Amenity impact upon neighbours
  - Transport
  - Sustainability

### **Principle of Development**

- 6.2 Policy CS8 of the LDF seeks to ensure that the Borough retains a strong economy. It aims achieve this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers. This is further supported by DP13. This policy seeks to implement the priorities outlined in CS8. It states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business use unless it can be demonstrated that the site is no longer suitable for its existing business use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not viable.
- 6.3 The proposal is considered to accord with the intent of the above policies for the following reasons:
- The employment uses of the site are to be retained in part including some B1 and B8 floorspace and the proposal otherwise demonstrates the employment generation attributable to a D1 educational use in the region of 150 employees;
  - The displacement of B1 and B8 floorspace is only temporary; and
  - The location of the building within the HS2 safeguarding area and the uncertainty which still surrounds the progress of this infrastructure project limits long-term re-use and redevelopment of the site i.e. the indication from Derwent (Landlord) in the course of pre-application discussions that the extant planning permission (Ref 2010/4683/P) is not being built out until such times as the position regarding HS2 is more certain.
- 6.4 In respect to education, policies CS8 and CS10 recognise the contribution that educational uses make in helping sustain a balanced economy and providing employment opportunities. DP15 goes on to require that these be located as closely as possible to the community they serve; be accessible by a range of transport modes, in particular walking and cycling; and to be located in the Central London Area or designated Town Centres. The scheme accords with these

policies, the proposal will employ 150 staff and is suitably located in the Central London Area which is highly accessible, as reflected in its PTAL 6b.

- 6.5 In summary, it is considered that the educational use (Class D1) of the building for a temporary period of 5 years is acceptable on the basis that the long term employment use (Class B1 and B8) of the site would not be lost, neither would its ability to be redeveloped for a mixed use scheme in the future. Furthermore, the property is in a location which is burdened by HS2 safeguarding and the uncertainty around this project in the meantime. The nature of the proposed use is also identified as having benefits to the wider community and will contribute to employment.

### **Amenity impact upon neighbours**

- 6.6 Consideration of any amenity impacts to neighbours is a requirement of policy CS5, CS9 and DP26.
- 6.7 No construction impacts are identified, any redecoration and refit to facilitate occupation is indicated as being internal and minor, using the existing floorspace and not involving any demolition or construction to warrant further consideration.
- 6.8 The building will be accessible 24/7 by means of a security swipe card access although generally the use will operate between the hours of 08:30am and 10:30pm. Given the separation from surrounding properties including those to the west across Hampstead Road, the central London location and an existing building which is essentially closed off to the surrounding area (i.e. few openings), no privacy, overlooking, noise or general disturbance impacts from the proposed use are likely. For these reasons it is not felt necessary to condition the hours of operation.

### **Transport**

- 6.9 London Plan policies consider the integration of transport and development, connecting London, ensuring better streets as well as specifying parking standards. Policies support the objective of London being a city which is easy, safe and convenient for everyone to access jobs, opportunities and facilities with an efficient and effective transport system which amongst other things, encourages more walking and cycling. Camden policies CS9 and C11 also seek to promote sustainable transport including walking, cycling and public transport and improvement to streets and places.
- 6.10 The application is supported by a Transport Assessment. In summary, the report indicates that only 0.7% of students and 3.1% of staff would potentially drive to the site with the vast majority of trips being by sustainable modes (cycling, bus, tube, train). Reference is made to the UCL Travel Plan which is already in place to coordinate the planning and operation of the UCL campus in central London. It is designed to promote sustainable modes and further reduce the reliance on private transport and UCL's parking spaces in and around the campus in accordance with the abovementioned policies and DP16. The site is located in an area with a PTAL 6a 'Excellent'.

- 6.11 In summary, the Council's Transport officer raises no objection to the proposal subject to appropriately worded conditions requiring the following:
- Details of 76 cycle parking spaces should be provided
  - UCL should promote the objectives set out in the Travel Plan
  - All servicing should take place from the servicing yard and loading bays

### **Sustainability**

- 6.12 The LDF and CPG3 require changes of use of over 500 sqm to submit a BREEAM pre-assessment which demonstrates the capability of achieving an 'Excellent' rating as well as 60% of the un-weighted credits in the Energy category. As no alterations to the building are proposed and given its age, it is likely to be difficult for this proposal to achieve an 'Excellent' rating in the BREEAM standards. However, on the basis that the occupation is for a temporary period, that the building is located in the HS2 safeguarding area and has otherwise lain vacant for some time, and that the most recent permanent permission if and when it is implemented would address this requirement as part of a comprehensive mixed-use redevelopment, it is considered reasonable to accept the package of measures proposed on an interim basis and in the interest of promoting sustainable development. The measures proposed include the installation of:
- Energy efficient lighting
  - Heating controls to individually reduce the central heating level in individual parts of the building
  - Update to modern and efficient boiler controls
  - Replacement of existing hot water systems with energy efficient variants
  - Replacing toilet ventilation systems with energy efficient variants
  - Repair of windows to address heat loss
- 6.3 Furthermore, given that this is a temporary use and there is the possibility that the building will be demolished in the near future, it would be unsustainable to carry out significant works to improve sustainability which will not realise their benefit in the longer term.

## **7. CONCLUSION**

- 7.1 In summary, it is considered that the educational use (Class D1) of the building for a temporary period of 5 years is acceptable on the basis that the long term employment use (Class B8) of the site would not be lost, neither would its ability to be redeveloped for a mixed use scheme in the future. Furthermore, the property is in a location which is burdened by HS2 in terms of redevelopment potential in the meantime. The nature of the proposed use is also identified as having benefits to the wider community and will contribute to employment. Finally, there are no amenity or transport impacts. On the basis of the abovementioned considerations and policy the scheme is appropriate and acceptable and is recommended for temporary approval.

## **8. LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.