

<b>Address:</b>	Land bounded by Hampstead Road & Robert Street London NW1		
<b>Application Number:</b>	2012/2723/P	<b>Officer:</b> Adrian Malcolm	
<b>Ward:</b>	Regents Park		
<b>Date Received:</b>	23/05/2012		
<b>Proposal:</b> Retention of a temporary single storey building for use by the West Euston Partnership One Stop Shop (sui generis) for a period of 2 years.			
<b>Drawing Numbers:</b> Site Location Plan; PCF01569-006H; PCF01569-006bH; SK1539B; SK1529; and SK1586A.			
<b>RECOMMENDATION SUMMARY: Grant conditional permission.</b>			
<b>Applicant:</b>		<b>Agent:</b>	
The British Land Offices (Non City Ltd) c/o Agent		DP9 100 Pall Mall London SW1Y 5NQ	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	Sui Generis - Open space		131m <sup>2</sup>
Proposed	Sui Generis – One Stop Shop		131m <sup>2</sup>

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

## **OFFICERS' REPORT**

**Reason for Referral to Committee:** The application has been referred to Committee by the Director of Culture and Environment after briefing members [Clause 3 (ix)].

### **1.0 SITE**

- 1.1 The site forms part of the a large council estate known as Regents Park Estate, which is bounded by Stanhope Street, Hampstead Road, Harrington Street, Robert Street & Mackworth Street.
- 1.2 The application relates to the former area of green space located on the corner of Hampstead Road and Robert Street in front of Rydal Water and to the side of The Tarns.
- 1.3 The site does not fall within a conservation area, nor are the buildings listed.

### **2.0 THE PROPOSAL**

- 2.1 The applicant is seeking planning permission to retain a temporary single storey building in the open green space in front of Rydel Water for a period of 2 years. The building was erected in 2008 to house West Euston Partnership One Stop Shop during redevelopment of the site known as the Regent's Place North East Quarter (NEQ) for which planning permission was granted on 24/04/08 (2007/0823/P). Following completion of NEQ the One Stop Shop will be relocated to new permanent premises within part of a retail unit at the corner of Drummond Street and Hampstead Road. The temporary building which was granted planning permission for use was to accommodate this facility during the construction period and prior to the permanent facility being available. The current application for retention of the temporary building for a further 2 years has come about as a result of unforeseen delays in commencing the development of NEQ development and thus a longer time-frame for completion of the permanent facility than was anticipated at the time the original 2008 temporary permission was granted.
- 2.2 The building measures 18.2m (length) x 7.6m (width) x 3.7m (height) and is finished with goosewing grey metal cladding and fenestration on all four elevations. The main entrance is on the western side of the building and from a new access ramp via a gate within the existing metal railings along Hampstead Road. A fire door is incorporated within the southern elevation. Access is maintained from the west via an existing gate adjacent to the access road to Rydel Water.

### **3.0 RELEVANT HISTORY**

- 3.1 Planning permission was granted in October 2005 for environmental improvements involving demolition and replacement of existing bin store structures, demolition of sheds, new railings, new bollards, new vehicle gates, tree removal and planting, alterations to paving surfaces, ramps and stairs, and introduction of a dog run area (Ref 2005/3558/P).

3.2 Planning permission was granted in June 2008 for the erection of a temporary single storey building for use by the West Euston Partnership One Stop Shop (sui generis) for a temporary period of 4 years (Ref 2008/1170/P).

3.3 An application for the erection of a temporary single storey building for use by the West Euston Partnership One Stop Shop (sui generis) for a temporary period of 4 years (2012/1931/P) was withdrawn on 30/05/12 following advice from officers that the 4 year time-frame was not acceptable.

#### 4.0 **CONSULTATIONS**

##### **Statutory Consultees**

#### 4.1 **Transport for London**

The proposal would not result in unacceptable conditions on Hampstead Rd (a road that forms part of the Transport for London Road Network) provided that the footway and carriageway are not blocked during installation or maintenance of the proposal and that no skips or construction material are kept on Hampstead Rd footway or carriageway at any time.

##### **Local Groups**

#### 4.3 **Rydal Water Gardening Club - Objection**

- Provide an account of the history of how the original application for the temporary building came about, highlighting issues that they feel the case was based on incorrect information, had inadequate consultation, was swayed by British Land's offer to improve Samuel Lithgow and re-landscape the green afterwards, and the lack of need to pay rent.
- They consider the West Euston Partnership (WEP) has generally been ineffective at tackling poverty in the area and at consultation.
- A Willow tree was also previously felled without consultation.
- The further period would increase the time that local children would be without a play area, causing them to play in dangerous areas and it is feared that an accident may result.
- The lack of open space imprisons local old aged pensioners.
- Local people can not enjoy local open space or get out of the house during the summer months.
- It was promised that the land would be returned re-landscaped within 4 years, which has not happened.
- Lack of consultation.
- A Council-owned supermarket in the heart of the community in Compton Close is available and could be used.
- A S106 should have been required of the developer to commit them to relocate WEP.

#### 4.3 **Adjoining Occupiers**

Original		
Number of letters sent	73	

<i>Total number of responses received</i>	38	
<i>Number of electronic responses</i>	1	
<i>Number in support</i>	1	
<i>Number of objections</i>	36	

A site notice was displayed outside the application site from 31/05/12 to 21/06/12.

4.4 **1** letter of **support** from a nearby occupier stating that the proposal is a good idea.

4.5 **36** letters of **objection** from nearby occupiers on the following grounds:

- Residents need a safe, easily accessible open space to sit out, exercise and relax, enjoy family time. It also helps engender community spirit.
- The elderly and disabled need open space.
- Loss of seating area that was previously used for sitting out by elderly people.
- Children need play space or a park.
- Local children have to play in the car park and service roads as a result of this development on local open space, which is dangerous and may result in an accident, as there have been several near misses. Others are not allowed to play outside currently.
- The space should be used by local people, rather than by people who do not live on the estate.
- Would like green space returned.
- Loss of ecology and view of greenery.
- The space would make a nice garden with flowers or a safe play area.
- The proposal would set an undesirable precedent, as the practice of extending the erection of buildings on local green spaces amounts to a permanent loss of the space.
- The building is unsightly.
- Residents were previously assured that the building would only be used for a defined temporary period that has now expired. Residents opposed the development at the time and further extensions of time are inappropriate.
- Some residents feel they were deceived.
- The application is dishonest as the proposed building is already in place.
- WEP have overstayed their welcome.
- Question the need for construction of a new building, as the present site is acceptable.
- Shop units in the area, such as that occupied by the former dental practice in Robert Street could be used.
- West Euston Partnership (WEP) has previously claimed they had considered empty shop units in the locality, but no suitable units were available. It is evident that WEP did not pursue such investigations thoroughly, as units are and have been available and some have been let to other parties. Other premises such as the Compton Close supermarket unit could still be used, without causing local residents the inconvenience of the current proposal.
- No meaningful consultation has taken place upon the proposal, as per previous proposals.
- The reliance upon British Land to provide new premises is dubious and unhealthy.

## 5.0 **POLICIES**

### 5.1 **National Planning Policy Framework (NPPF) (2012)**

### 5.2 **London Plan (2011)**

### 5.3 **LDF Core Strategy and Development Policies (2010)**

#### **Core Strategy**

CS1 (Distribution of growth)

CS3 (Other Highly Accessible Areas)

CS5 (Managing the impact of growth and development)

CS10 (Supporting Community Facilities and Services)

CS11 (Promoting sustainable and efficient travel)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity)

CS17 (Making Camden a Safer Place)

#### **Development Policies**

DP15 (Community and Leisure Uses)

DP16 (The Transport Implications of Development)

DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours)

DP29 (Improving Access)

DP31 (Provision of, and improvements to, open space and outdoor sport and recreation facilities)

### 5.4 **Supplementary Planning Policies**

Camden Planning Guidance (2011)

## 6.0 **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Location on previously open land
- Impact on trees
- Impact on neighbouring amenities
- Appearance
- Impact on use of the public highway
- Accessibility
- Security
- Mayor's Crossrail Community Infrastructure Levy

#### **Location on previously open land**

- 6.2 Policy CS15 seeks to protect open spaces in the Borough. This site is not identified as designated open space, however the supporting paragraphs to CS15 indicate that the Council will seek to retain suitable land not formally designated as open space for the use as open space on large estates. It also states that flexibility will be provided for various uses of land to be reconfigured across estates in conjunction with the re-provision of land for open space use. It goes on to say that development will not be allowed on these open spaces unless it is for limited development ancillary to a use taking place on the land and for which there is a demonstrable need. It is also worth noting that Policy CS10 states that the Council will work with its partners to ensure that community facilities and services are provided for Camden's communities and to support Camden's growing population. It states that it will seek to retain and enhance community facilities. Policy DP15 states that it will require replacement facilities that meet the needs of the local population in resisting the loss of community facilities.
- 6.3 The proposed use has been described by the applicants as sui generis, but is essentially offices for the West Euston Partnership (or WEP), which serves the surrounding estates. The WEP is a partnership of public, voluntary and private sector organisations that aims to regenerate the local area, attract funding and improve access to employment opportunities. The WEP One Stop Shop acts as an advice centre and community resource providing professional, confidential and impartial advice on employment, training education and careers. It therefore provides an important resource for residents of the locality and it is important that it is in a location that is readily accessible to people in the West Euston area.
- 6.4 At the time of the previous application, no other suitable premises were available in the locality that could accommodate the services required. The temporary building (which has a floorspace of 139 sq m) was subsequently provided and connected to public utilities and is specifically set out to provide the services it provides to the local community. It would not be feasible nor an effective use of resources for WEP to relocate its One Stop Shop for the short period remaining until the new permanent facilities for WEP at the NEQ development are available. Under the current programme, WEP are likely to move to their new premises next summer, however an additional period has been sought to allow for any further unforeseen delays and time for removal of the structures. The conditions attached to the permission (if granted) will ensure that if WEP vacate the building before the end of the 2-year period then it should be removed at this time, thus the 2-years is a worst case scenario.
- 6.5 The proposal was previously considered to be acceptable in light of the temporary nature of the proposal, the limited scope of site coverage and the availability of other spaces in the locality such as St James Gardens; Hampstead Road Open Space is also nearby.
- 6.6 This space has never been specifically set out for children's play, although it would provide informal play space, it comprises a mixture of grass and paving, surrounded by low railings. The closest area with children's play equipment is the Hampstead Road Open Space around 200m to the north of the site (which is designated open space in the LDF). There are of course other similar grassed areas providing informal play space in neighbouring areas of the estate. The location of the building on this site for a temporary period has therefore not resulted

in the loss of open space specifically set out for children's play and, although such open areas may be used informally for a variety of recreational uses (including children's play and by other vulnerable groups) similar spaces to the space that previously existed are to be found in the locality. Loss of this space in the long-term would of course be resisted, but in this case it remains temporary and there are robust and logical justification in support of extending its temporary use for a further 2 years.

- 6.7 It is proposed to re-landscape the space when the site is vacated by WEP and a condition is recommended to this effect. This is likely to result in an improvement to the amenity value of the space in the long term.
- 6.8 In principle therefore, it is considered that it is acceptable to allow the building to continue to be located on this site for the further temporary period of 2-years, subject to the recommended conditions.

### **Impact on trees**

- 6.9 The Council considers the impact of development on existing topography and trees does not conflict with Policy DP24. The continued positioning of the building on the site would not result in any impact on trees in the vicinity.

### **Impact on neighbouring amenities**

- 6.10 The Council requires development not to be harmful to the amenities of local occupiers, in accordance with the provisions of Policy DP26.
- 6.11 The building is a single storey structure, located 12m away from the nearest residential flat in Rydel Water Estate and open to the public only between 10:00–16:00 Mondays to Fridays (excluding bank holidays). It is not considered that the building would cause undue harm to the residents of the adjacent flats in terms of loss of daylight or sunlight, privacy, outlook, or indeed noise and disturbance. The proposed building is therefore considered acceptable on the basis that the building would be used by the West Euston partnership (which serves the surrounding community) only, and when West Euston Partnership vacate the premises on completion of the development of the Regents Place development, the building will be removed and the site re-landscaped. This is secured by condition.

### **Appearance**

- 6.12 The Council expects development to be of an appropriate standard of design quality in accordance with Policy DP24.
- 6.13 The building is finished with metal panels (painted goosewing grey) and 1m x 1.5m windows in the eastern and western elevations. Additional glazed panels are incorporated within the northern and eastern sides to allow sufficient natural light into the building. Although the building is not of the design quality we might expect of a permanent building, given its temporary nature it is considered suitable and appropriate. It will not harm the visual amenities of neighbouring properties or the streetscape along Hampstead Road or Robert Street.

### **Impact on use of the public highway**

- 6.14 The Council considers the transport implications of development, in accordance with the provisions of Policy DP16. The building serves the immediately surrounding area and does not generate any significant traffic. The impact on the public highway is considered to be very limited and acceptable.

### **Accessibility**

- 6.14 The Council expects buildings used by the public to be as accessible as possible, in accordance with Policy DP29. Ramped access is provided to the building that is DDA compliant.

### **Security**

- 6.15 The Council controls development to make Camden a safer place, in accordance with Policy CS17. A number of features (such as use of laminated glass to windows and the provision of lattice grilles fitted internally to all windows to prevent access) were included in the design of the building and its management at the time of the original application, following liaison with the Crime Prevention Officer of the Metropolitan Police. The proposal is thus considered to be acceptable in terms of security.

### **Mayoral Community Infrastructure Levy**

- 6.16 The building is for a community use and therefore no CIL contribution is payable.

## **7.0 CONCLUSION**

- 7.1 The use provides a valuable facility for the local community and the building is considered to be acceptable in its location for a further temporary period of 2-years when it can move to its new permanent facility. It will not cause an unacceptable impact on the local area or its amenities.
- 7.2 It is recommended that Planning Permission be granted for a temporary period, subject to the recommended conditions.

## **8.0 LEGAL COMMENTS**

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