

DISCLAIMER

Decision route to be decided by nominated members on Monday 19th April 2010. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	14/04/2010
		N/A / attached	Consultation Expiry Date:	16/04/2010
Officer			Application Number(s)	
Gavin Sexton			2010/0788/P	
Application Address			Drawing Numbers	
Hampstead Town Hall 213 Haverstock Hill NW3			See Decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Variation of Condition 10 pursuant to permission dated 22/09/1997 (PW9702245R1) to allow leasing of part of ground floor at Interchange Studios for office use (Class B1a) by LB Camden Parking Services.				
Recommendation(s):	Grant Variation of condition (Council's Own application)			
Application Type:	Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	Two site notices were placed outside the premises and a further one was put on the lobby noticeboard within the premises, on 26/03/2010.					
CAAC/Local groups* comments: *Please Specify	Belsize CAAC: No comments.					
Site Description						
<p>The former Town Hall is located on the corner of Haverstock Hill and Belsize Avenue, and was converted and extended in 1998 for Interchange Trust's use for offices, arts centre, arts college and public rooms. The site has a side car park fronting Belsize Avenue and with an entrance from Haverstock Hill adjoining the main entrance to the Centre.</p> <p>The building is Grade 2 listed and within Belsize Conservation Area.</p>						
Relevant History						
<p>22.9.97- pp for "Change of use from former Local Government institution ("sui generis") use to uses within Classes B1, D1 and D2 (as defined by the Use Classes Order 1987), to include Council "first stop shop" services, rooms for use as public exhibitions, meetings, performances etc., a performing arts college and ancillary accommodation, ancillary cafe, Interchange Trust offices, and lettable office accommodation; erection of side and roof extensions to Town Hall, and erection of a new 3 storey performing arts building to its southwest side on the site of the air raid shelters; external alterations to the Town Hall including the entrance steps off Haverstock Hill; provision of new carpark/service areas on the northeast and southwest sides of the site." subject to conditions.</p> <p>Condition 10: The Class B1 elements of the building shall be used only for offices of Interchange Trust and their resident charities and for no other purpose, (including any other purpose within Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).</p> <p>Reason: To ensure that the accommodation is used in accordance with the intentions of the proposed scheme and is not used for unauthorised purposes.</p>						

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Replacement Unitary Development Plan 2006

C2 Protecting Community Uses

LDF Core Strategy and Development Policies

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.

CS10 - Supporting community facilities and services

DP15 - Community and leisure uses

Assessment

Background

In September 1997 permission was granted for change of use from a local government institution (Sui generis) to uses within Classes B1, D1 and D2 to include Council 'one stop' services, rooms for public exhibitions and performing arts, a performing arts College and offices for the Interchange Trust, who provide a range of community facilities from education programmes for children, event and room hire, and a legal advice service.

Condition 10 of this approval stipulated that that the B1 elements of the building should be used only for the purposes of the Interchange Trust and their resident charities. It seems that this condition was attached to ensure that the Council retained control over the office elements, and to ensure that they did not pass onto a private 'commercial' occupier should the Interchange Trust vacate.

Listed building

The proposals relate to approx 115sqm at ground floor level in two existing rooms. Temporary partitions would be added to one room to sub-divide it into changing areas for the CEOs. The works of sub-division would be reversible and minor in nature, retaining existing features in a part of the listed building which is of lesser importance in terms of hierarchy of spaces. Therefore the works would not require Listed Building Consent.

Proposal

The application has been submitted by the Council's Strategy and Resources Team and request a temporary and exclusive change of use of part of these offices by Camden's Civil Enforcement Officers (CEO's). The need to use the space at Hampstead Town Hall has arisen as a result of the CEOs vacating premises at 45 Heath Street as part of the Council's accommodation strategy to streamline Council building resources. 45 Heath Street has been closed, and office space is required for the CEOs close to their areas of work (so that they can efficiently patrol NW3). As a result, a small part of the office space at Hampstead Town Hall has been identified for use by the CEOs.

The CEOs are street-based operatives, ideally based close to their area of operation so that no transport is required to travel between their base and their beat. Among other things the CEOs perform the following as part of the Council's services within the Borough:

- Give help and directions to general public, local businesses and tourists.
- Liaise with organisations to arrange parking
- Report misuse of residents permits and blue badges
- Help the police to tackle car crime
- Report abandoned vehicles

- Report vehicles causing obstruction in disabled bays etc

Condition 10 of the 1997 permission is quite specific in that it identifies that the B1 elements should be used only for the Interchange Trust. Clearly, the motives behind this condition were to ensure that the Council retained control over the B1 space and ensure that it was not let to a commercial occupier in future.

It is considered that their base could constitute a B1 office use, a community (Class D1) use, or even sui generis use as a local government institution. Regardless of use class the operation requires a small scale of floorspace and whilst not part of the Interchange Trust, it seems clear that the proposed use would remain one which continues to serve a community based function and is therefore not contrary to policy C2. The principle of variation to the condition to accommodate the specific proposals is therefore acceptable.

The applicants have provided evidence to demonstrate that they have unsuccessfully sought to secure alternative premises. Such information is not vital to the determination of the application but presents clear indication that proximity to the beat areas is a key motivator for the location of the base. A further point to note is that the lease arrangements between LB Camden and the Interchange Trust permit letting up to 25% of internal floor area for the purposes of raising money to support charitable activities in order to support the wider function of the Trust.

In summary, given the size and nature of the proposed use, it is considered that the wording of the condition may be amended to incorporate community related functions such as the one proposed. It is not considered necessary nor appropriate to amend the condition on a temporary basis, nor to amend the wording exclusively to the benefit of the specific applicant. Officers consider that the following is an appropriately worded amendment:

Revised condition 10:

The Class B1 elements of the building shall be used only for offices of Interchange Trust, their resident charities and organisations undertaking functions for the benefit of local communities and for no other purpose, (including any other purpose within Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: *To ensure that the accommodation is used for the benefit of the local community, residents and charities in accordance with the intentions of the proposed scheme and in accordance with policy C2 (Protecting Community Uses) of the Camden Replacement Unitary Development Plan 2006.*