

Our Ref: JLJ0838
Your Ref:

E-mail: sherwoodm@rpsgroup.com
Date: 24th April 2009

London Borough of Camden
Planning
Development Control
Camden Town Hall
Argyle Street
London, WC1H 8EQ

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION ON BEHALF OF ANTHONY GREEN AND SPENCER (MANAGEMENT)
LIMITED NUMBER 2 RETIREMENT AND DEBT BENEFIT SCHEME
198A BROADHURST GARDENS, WEST HAMPSTEAD, LONDON, NW6 3QT

I am instructed by my client Anthony Green and Spencer (Management) Limited Number 2 Retirement and Debt Benefit Scheme to submit a full planning application for the change of use from workshop (B1) to health centre (non-residential) (D1) at the above site.

The site has previously been granted planning permission for the change of use from workshop (B1) to restaurant (A3) (Reference 2006/0496/P permitted in June 2006). This permission has also been amended to allow for the use of the premises as a drinking establishment (A4) (Reference 2006/3481/P permitted in December 2006). Neither of these extant permissions have yet been implemented. More recently, in January 2009 of this year, planning permission was granted for a change of use from workshop (B1) to gymnasium (D2) (Reference 2008/5487/P).

Four copies of the following are enclosed in support of the planning application for:

“Change of use from workshop (B1) to health centre (non-residential) (D1)”

- Covering letter (comprising planning statement)
- Planning Application Form with Certificate A
- Article 7 Certificate (Agricultural Holdings)
- Site Location Plan – ref. JLJ0838/01
- Existing Floor Plans – ref. PP-010
- Proposed Floor Plans – ref. PP-002

I also enclose a cheque for £335 in payment of the relevant application fee.

(a) Site and Surroundings

The site is accessed via an alleyway between the rear of 102 West End Lane and side of 198 Broadhurst Gardens. The application building is set behind the main frontage of the buildings that comprise Broadhurst Gardens and is situated adjacent to West Hampstead underground and mainline station.

The building includes a ground and part first floor brick construction. The building is currently vacant, however was previously used as a workshop and gallery.

The building is not listed, although it does lie within the Swiss Cottage Conservation Area.

(b) The Proposal

The proposal comprises a new non-residential health centre (D1 use) using the existing floorspace of 198a Broadhurst Gardens. The main internal works that the proposal entails is the removal of some of the existing ground floor rooms to increase the size of the ground floor open area. There are no external alterations proposed.

(c) Relevant Planning History

In June 2006 full planning permission was granted for a "Change of use of 198A Broadhurst Gardens from Class B1 (Workshop) to Class A3 (Restaurant) and change of use of 104 West End Lane from Class A1 (Retail) to Class A3 (Restaurant) with ancillary office space above, plus external alterations including the provision of a new shop front, erection of a glazed link between the two buildings, erection of a steel gate with canopy on the Broadhurst Gardens elevation, and the installation of various ventilation and extraction equipment" (application reference 2006/0496/P).

In December 2006 full planning permission was granted for "Use of the premises as Class A4 (Drinking Establishment), as a revision to unimplemented planning permission granted 12/06/06 (reference 2006/0496/P) for change of use of 198A Broadhurst Gardens from workshop (Class B1) and 104 West End Lane from retail (Class A1) with ancillary office space above to restaurant (Class A3), with external alterations" (application reference 2006/3481/P).

In January full planning permission was granted for "Change of use from workshop (B1) to gymnasium (D2)" (application reference 2008/5487/P).

(d) Planning Policy

The Replacement Unitary Development Plan (UDP), which sets out the Borough's planning policies was adopted in June 2006.

The UDP Proposals Map shows that the site is located within West Hampstead Town Centre and Conservation Area.

Section 8 of the UDP considers Community, Leisure and Tourism and states that health facilities such as health centres, doctor's surgeries and hospitals, where there is no permanent residential element, are considered community uses. It also states that the most appropriate locations for new facilities are on sites in non-residential use within predominately residential or mixed-use areas, and sites within shopping and local service centres.

Policy C1, 'New community uses' states inter alia:

"The Council will grant planning permission for the development of community uses in suitable locations. Facilities with a local

catchment should be located close to, and/or be easily accessible to, the community that they serve.

A – New community uses

The Council will support development in line with policy C1A that provides a net increase in the provision of health care facilities, including the relocation of existing facilities to more suitable sites or premises.”

The supporting text notes that designated town centres will often be appropriate locations for community uses.

The development of a new health centre at this site is therefore supported by policy C1. The proposal would increase the provision of health care facilities. The location within West Hampstead Town Centre and the proximity of the site to public transport services ensures the health centre will be easily accessible. The site is adjacent to West Hampstead London Overground and Underground stations. West Hampstead Thameslink is also in close proximity. The C11 bus route passes the site and stops adjacent to the entrance of the site on Broadhurst Gardens. Additionally, the 328 route runs along West End Road. The officer, in their report for the gymnasium application (2008/5487/P), stated that the site is extremely accessible to public links.

Policy E2 of the UDP considers the 'Retention of existing business uses'. The policy states inter alia:

“The Council will not grant planning permission for development that involves the loss of a business use on a site where there is potential for that use to continue...When a site is not suitable for continuation of any business use other than B1(a) offices, as an exception to the general approach, the Council may allow a change to other uses. In such case the Council will seek a change to permanent residential uses (in particular affordable housing, or community”

As described above, this application seeks permission for a community use. The principle of the loss of the B1 workshop has already been established by the two extant consents for the restaurant/drinking establishment applications permitted in 2006 and confirmed by the consent for the gymnasium permitted in 2009. As stated above, the development of the site for a D1 use is supported by policy C1 of the UDP.

Policy B7 of the UDP concerns 'Conservation Areas' The first part of the policy, 'Character and appearance' states:

“The Council will only grant consent for development in a conservation area that preserves or enhances the special character or appearance of the area. The Council will not grant planning permission for development outside of a conservation area that it considers would cause harm to the conservation area's character, appearance or setting.”

The proposal does not involve any operational development or external alterations to the building. It is therefore considered that the development will preserve the appearance of the conservation area.

(e) Conclusions

The change of use from workshop (B1) to health centre (D1) is supported by, and is compliant with the relevant policies of the Replacement UDP. The three extant consents that exist on the site set a precedent for the loss of the B1 use. Camden's replacement UDP states that the Council welcomes new community facilities that do not have a harmful effect on local amenity, the environment and transport. It is not considered that the health centre will have a harmful effect on any of these factors. Moreover, the impact upon local amenity will be considerably less than that of the A3/A4 uses which the Council deemed as acceptable for the site. The UDP also recognises the difficulty in securing community uses due to the competition with other uses.

I trust that the above is clear and sufficient to register the application. I will call you shortly to discuss the progress of the application but if you have any queries in the meantime, please do not hesitate to contact me.

Yours faithfully,



MATTHEW SHERWOOD
Planner