

**THE UNIVERSITY OF ARTS LONDON
5 RICHBELL PLACE LONDON WC1N 3LA.**

FOR:

THE UNIVERSITY OF ARTS LONDON

BY: ALAN WIPPERMAN BA MRTPI MRICS C DIP AF

DATE: 31ST JULY 2015

1 INTRODUCTION.

- 1.1 This short Planning Statement supports the requirement that has emerged for the University of Arts London to amend their operational plans to relocate from Richbell Place within two years of the planning permission granted in 2014 as it has emerged they will now need to stay for a period of about two further years.
- 1.2 For reasons of educational needs and planning they will now need to stay at Richbell Place for a further short period pending completion of a new building where the University can relocate to. Their actual occupation and use of the new building is expected to be taken in about two years.
- 1.3 They must, in any event, relocate from their building in Richbell Place as vacant possession is required by their landlord when the lease expires. The landlord also requires the building's authorised and lawful use to revert to a B1 office use. Their use must cease and the building must be vacated by the 14 January 2018. No further extension will be agreed.
- 1.4 Accordingly the Applicants wish to extend their temporary planning permission for a further short period up to the date of lease expiry so that their authorised and lawful use can continue for a mixed sui generis education and office use and that use revert to office use only when the temporary permission expires. The applied for date is the 13th January 2018.
- 1.5 This Statement supports the proposed amendment of Condition 1 to the permission to allow this.

2 THE PROPERTY AND THE LOCATION.

- 2.1 Richbell House is a six storey office building with basement built for office use some 35 years ago. It was an office building with a single office use falling in Class B1 of the Use Classes Order (B1a). It was occupied by the University's IT support staff. The staff were relocated to offices in High Holborn after the grant of the temporary planning permission in 2014 to allow the implementation and use of the property for the mixed use permitted. The primary use permitted was for the provision and teaching of short art courses, falling within Class D1 of the Use Classes Order, and ancillary office use falling within Class B1(a) and this is the use currently undertaken on site as permitted.
- 2.2 No external alterations or significant alterations internally have been undertaken and it is being used as envisaged and approved.
- 2.3 The University of the Arts offers short art courses for the hours applied for, being 8am-10pm weekdays and 8am to 6pm Saturdays only, with no use on Sundays or Bank Holidays, and there is no provision of social facilities on site.
- 2.4 If the use continues until the lease expiry date, or up to some short time before, then the proposed reversion to office use will have to be deferred for about another two years, before a full relocation can be achieved.
- 2.5 The building has been made suitable for the mixed use. There has been a temporary permission for the use and no further works or disruption for the use will be required. It has worked well.
- 2.6 It is not thought that the use has caused complaints or issues.
- 2.7 It is a non-residential educational use that is very close to public transport and other supporting services and facilities for students and staff, and is well located for local and London wide access. It has a very high Public Transport Accessibility Level (PTAL) rating of 6b. (See the Delegated Decision Report granting the current permission in 2014).

- 2.8 The use is one that is well supported by the development plan policies and the sustainable location for the use by the National Planning Policy Framework. Loss of office employment on site has been offset by educational staff employment on site and the relocation of IT staff to another building.
- 2.9 The continued temporary use of the property would still accord with the local development plan policies which have not changed, and would not cause any significant adverse impacts. Nor would it conflict with any defined area policies for the location. It would be for a further short period of about two years.

3 PLANNING HISTORY.

- 3.1 There is no relevant planning history prior to the 2014 consent.
- 3.2 Permission was given for a sui generis mixed use on the 31st January 2014, for a period of two years, from the decision notice 2013/7055/P below:

Proposal:

Temporary change of use from office use (Class B1) to non- residential education and training centre (Class D1) with ancillary office use (Class B1) for a period of 2 years.

- 3.3 Condition 1 states the temporary permission will expire on the 31st January 2016 when the authorised and lawful use will revert of office use:

1 The use hereby permitted is for a temporary period only and shall cease on or before 31st January 2016 at which time the premises shall revert to their former lawful use which is office (Class B1).

- 3.4 The lease expires on the 14th January 2018 and therefore this condition now needs to be amended to the following date, 13th January 2018, for the reasons given above to allow time for the new premises works to be completed and for relocation and occupation taken.
- 3.5 It would appear this can be best achieved by a variation to the condition to the original permission whilst the permission is extant. The permission expires in January 2016 and the amendment must be made before then, and as soon as possible to give the University of Arts London security of occupation.

4 THE LONDON PLAN 2015 FURTHER ALTERATIONS ADOPTED 10 MARCH 2015 (LPFA 2015).

- 4.1 The Mayor's London Plan extant at the time of the 2014 permission was amended in March 2015. Further amendments and supplementary policies are being prepared. Further Minor Alterations have been recently consulted upon.
- 4.2 Policy in the new adopted Plan is now more favourable to Class D1 uses as these form part of the social infrastructure of London and the London Boroughs. Higher education is also identified as part of the City's key strengths to be supported by policy and in planning decisions.
- 4.3 Support for the continued temporary use thus accords with the LPFA 2015 and the reversion to office use by amendment to the date of expiry of Condition 1 to the permission is maintained. This reversion to office use is required by the landlord and this also accords with Camden's employment policy to safeguard employment and office use.
- 4.4 Since the 2014 decision the updated LPFA 2015 is more favourable to the proposed use than the 2011 version. **The proposed extension of time accords with the policies in this up to date development plan document.**
- 4.15 See in particular para. 1.18 regarding growing demand for education, 1.21 world class higher education, and relevant aspects of Policy 2.1Aa, and Policy 2.1Da.

- 4.16 Educational inequalities which courses at the University of the Arts can help address are part of the problems to be addressed by policies in the LPFA 2015. See para. 3.14 and 3.43A, and 3.88, and in particular Policy 3.18 which covers higher education. (3.18A).
- 4.17 Policy 3.18C makes specific reference to planning decision making for changes of use:

Planning decisions

C Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address

- 4.18 See also Policy 3.18E and especially para.s 3.107 and 3.108, the latter being particularly relevant for supporting higher education and universities as part of London's social infrastructure.
- 4.19 Policy 4.10 further emphasises the need for support for universities.
- 4.20 See also para.s 4.54 and 4.59, 4.61 and 6.6.

5 THE CAMDEN LOCAL DEVELOPMENT FRAMEWORK. (LDF).

- 5.1 The Camden LDF includes a number of adopted and emerging policies.
- 5.2 The Core Strategy was adopted in 2010, and the permission of 2014 accorded with this development plan document, especially with policies CS8 and CS10, where the educational use is identified as helping to sustain a balanced economy and provide employment opportunities. The retention of the office use maintained in part and which can be reinstated on expiry, was important and this can be repeated and so meets the requirements of Policy CS8. The Core Strategy policies remain unchanged and extant.
- 5.3 Camden's Development Policies were also adopted in 2010 and the permission was considered to accord with this policy document. Policy DP13 seeks to protect employment and Policy DP15 seeks to protect and support community use, especially in accessible locations. This site with a PTAL of 6b (as rated by Camden) is accessible and this criterion of the policy is very clearly satisfied. These policies also remain unchanged and extant.
- 5.4 Although it was not originally intended to have to extend the mixed use beyond the 31st January 2016 this now proves necessary. Without an extended permission the current occupier will be in breach of lease and planning control on expiry of the temporary permission, and would have great difficulty securing any alternative site before then, and relocating, by the 31st January 2016.
- 5.5 This will prove impossible to achieve and could bring the educational use and activity to an abrupt end. **This is a material consideration of some weight and an outcome of a planning decision clearly contrary to the policies and explanatory paragraphs that form part of the LPFA 2015 adopted development plan and Camden policy.**
- 5.6 **It is still the case that even with the extension of time now sought, that the use accords with development plan policies, as was the case when the proposed use was first considered in 2014 by the local planning authority. It is still the case if the use is extended for a further two years, or thereabouts to the 13th January 2018. No significant adverse impacts arise and material considerations direct otherwise than to grant permission. (See below).**

6 OTHER MATERIAL CONSIDERATIONS.

- 6.1 The continuation of this higher education and office mixed use meets a need for adult education in the Borough and London wide and forms part of the established social infrastructure and university course provision. This is a material consideration. Other material considerations also apply.
- 6.2 The use is understood to have not given rise to any objections or complaints.
- 6.3 The use is and has been considered comparable in activity and impacts to an office use.
- 6.4 This was a general presumption adopted by Camden in making the 2014 decision and is confirmed in the delegated decision report with regard to such matters as operation, footfall and noise. No special conditions were imposed or considered necessary, and there appears no reason why special conditions should be needed again.
- 6.5 **There are no significant or adverse impacts arising that would now warrant refusal or the imposition of additional conditions.**
- 6.6 **There are no material considerations that direct a refusal.**

7 NATIONAL PLANNING POLICY FRAMEWORK AND THE NATIONAL PLANNING PRACTICE GUIDANCE.

- 7.1 NPPF para. 14 makes clear:

For **decision-taking** this means:¹⁰

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.⁹

- 7.2 It has already been accepted by the Local Planning Authority that this mixed temporary use can accord with the Camden development plans and the use now accords well with the LPFA2015.
- 7.3 Policy is otherwise silent in the Camden Plans and in the NPPF for adult education and there is no indication in these documents that suggest such development should be restricted.
- 7.4 The impacts of the grant of permission and the benefits of this would safeguard and significantly outweigh any adverse impacts of the period of the use being extended; whereas the impacts of refusal and the dis-benefits arising would be very adverse, abrupt, and significant.
- 7.5 **As a sustainably located proposal para.14 requirements are met.**
- 7.6 National Planning Practice Guidance advises that renewals of temporary planning permission should not normally be given and it would not be appropriate to await the expiry of the consent and re-apply.

7.7 Accordingly an extension of time is being sought under the extant permission reflecting the special circumstances.

7.7 **The NPPF indicates the balanced decision should be that there is a grant of permission to vary condition 1 to the permission and extend the life of the extant temporary permission to the 13 January 2018.**

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31st July 2015