

PLANNING STATEMENT – 125 West End Lane, London, NW6 2PB

Dear Sir/Madam,

I am instructed by my client Dr ASM Grasse to submit the following application for planning permission:

Change of use of the ground floor from doctor's surgery (Use Class D1) to a two-bedroom self-contained residential unit (Use Class C3)

Accordingly the following documents have been submitted in support of this application:

Completed application form, including Certificate B;
Completed CIL form;
Planning Statement;
Design and Access Statement;
Site Location Plan;
Existing Ground Floor Plan (Ref: DWG NO: 15-114-100A1 and DWG NO: 15-114-101A3);
Proposed Ground Floor Plan (Ref: DWG NO: 15-114-200A1 and DWG NO: 15-114-201A3);
and
Proposed Bin/Cycle Store Location (Ref: DWG NO: 15-114-202A1 and DWG NO: 15-114-203A3)

Please note that I am aware site plan drawings are requested in 1:50 on A3. Unfortunately due to the depth of the flat the floorplan would not fit at this scale on an A3 page. I have therefore provided the next best options of 1:100 on A3 and 1:50 on A1. I trust this is acceptable in this instance.

In addition, I can confirm that the required fee of £385 is being paid online.

Application Site

The application site, known as 125 West End Lane, occupies the ground floor unit within a large three-storey Victorian building, located on the end of terrace row on the western side of West End Lane, on a corner plot at its junction with Cotleigh Road.

The building is understood to have been constructed as a single large dwellinghouse but was subsequently converted into three separate units, one on each floor of the building. This application relates to the ground floor unit which has been in use as a doctor's surgery (Use Class D1) for over 60 years up until its closure earlier this year. The upper floors of the building were converted into two self-contained flats accessed from a separate entrance on the Cotleigh Road elevation. The primary access into the ground floor unit is through the characterful door and porch on the West End Lane elevation, with a secondary entrance installed on the Cotleigh Road elevation.

The ground floor unit has been subject to a series of extensions in connection with its use as a doctor's surgery. As a result, the original building and subsequent single storey structures now cover the majority of the plot. However a courtyard space has been retained between the rear elevation of the original building and the later extension. The Cotleigh Road elevation of this extension features a series of casement windows and the secondary entrance to the former surgery.

To the front of the building is a small garden area which is currently in a poor state of repair. This garden also contains the pathway to the main pedestrian entrance and is also used as a storage area for the bins for all three units.

To the north of the building, on Cotleigh Road, is a designated on-street parking bay for the doctor of the now vacant surgery. The remainder of the street is unallocated parking within a controlled parking zone.

The area surrounding the application property is predominantly residential in nature. The pattern of development largely comprises terraced Victorian era houses of a similar size and appearance to the host building.

Planning Constraints

The application site is not listed, however it is located within the South Hampstead Conservation Area and is subject to an Article 4 Direction. Both West End Lane and Cotleigh Avenue are understood to be under the control of the local highway authority as opposed to Transport for London. The application site is located within Flood Zone 2.

Planning History

A search of Camden's planning database shows the following planning history at this property:

TP76748/10128 – Application Withdrawn - (September 1955)

Information regarding the specific nature of this application is limited. However the documentation available on the local authority's website indicates that the application sought consent for the erection of a garage. The application was withdrawn prior to formal determination however the Council provided a letter dated 27/09/1955 which outlined what type of garage structure would likely be acceptable under the relevant legislation at the time of writing.

TPD434/6429 – Application Permitted – (June 1961)

Erection of a vehicular garage to the rear of the property together with the formation of an associated vehicular access.

9300382 – Application Refused & Appeal Dismissed – (March 1993)

Erection of a single storey ear extension to provide additional accommodation for doctor's surgery.

2012/2611/P – Application Withdrawn – (June 2012)

Change of use of ground floor from doctor's surgery (Use Class D1) to 1 x 3 bedroom self-contained flat.

The most recent application is considered to be relevant to the consideration of this application. It is understood from the client that at the time of withdrawal in 2012, the application was recommended for approval by the previous case officer, Mr Sam Fowler. However due to the potential purchaser for the premises withdrawing their offer, together with the sensitivities involved with closing what was then an operating practice, the client decided to withdraw the application.

Application Proposal

The application proposes the change of use of the vacant ground floor doctor's surgery (Use Class D1) to return it to residential use as originally constructed. The proposal involves creating a new self-contained three-bedroom flat (Use Class C3).

The application relates to the use of the ground floor only. There are no external changes proposed and only minor internal alterations to help create a high quality family sized unit in this prominent location. All historic, characterful internal features will be retained as part of the refurbishment works where they are not already beyond repair.

Access to the proposed residential unit would be provided through the primary entrance on the West End Lane elevation with the secondary access maintained on the Cotleigh Road elevation.

Development Plan

The Development Plan for the application site comprises the following:

The London Plan (2015);
Camden Core Strategy (2010); and
LDF Development Policies Document (2010)

In addition to these policy documents, when designing the scheme regard has also been given to the following:

London Plan Housing SPG (2012); and
Camden SPG: Housing (2013).

Planning Policy Considerations

Land Use

The starting point for assessing an application of this nature will be the acceptability of the development on land use grounds. In this instance it is acknowledged that Policy CS10 of Camden's Core Strategy (2010) places an onus on the retention of existing community facilities.

However it is also considered that there is sufficient flexibility within development plan policies to ensure that applications for a change of use to community facilities are not resisted where it is unreasonable to do so. Policy DP15 of Camden's Development Policies Document (2010) provides specific guidance on this point and it states that the Council will protect existing community facilities by resisting their loss unless:

a replacement facility that meets the needs of the local population is provided or;
the specific community facility is no longer required in its current use. Where this is the case, evidence to show that the loss would not create, or add to, a shortfall in provision for the specific community use and demonstrate that there is no demand for any other community use on the site.

In relation to the above it is considered that there is a significant body of evidence to help demonstrate that the facility is no longer required as a doctor's surgery. Most significantly this includes the most recent report on the facility by the Quality Care Commission who are the independent regulator for all health and social care facilities in England. A copy of their most recent report, dated 8th May 2015, is appended to this statement, for the consideration of the local authority, under Appendix A. In summary the Quality Care Commission's report describes the on-site facilities as inadequate and that there was significant access issues in relation to wheelchair users together with those pushing pushchairs.

This is reflected within the statement by Dr Grasse who operated the surgery for over 30 years. This statement is appended under Appendix B. Within this statement Dr Grasse specifies that the unit is no longer suitable for modern general practice and that despite an extensive marketing exercise he was unable to find a successor to operate the practice in advance of his retirement earlier this year. This lack of interest demonstrates that the facility is not an attractive proposition particularly noting that it requires a GP to manage the practice on their own with only locum GP's for support.

This lack of interest in the unit for D1 purposes is also reinforced through the thorough marketing exercise that has been undertaken in relation to the this unit. Summaries of the marketing exercise that has been undertaken have been provided by the estate agents who have been instructed to market the property. These have been appended to this statement

under Appendix C. This is considered to help demonstrate that there is no reasonable prospect of the unit being used for any other D1 use.

Furthermore, the closure of the practice earlier this year has not resulted in a shortfall in healthcare facilities within the West Hampstead area. In comparison to other facilities, this was a small practice with a maximum number of 1900 registered patients. These were all transferred to other nearby practices, including Belsize Priory Medical Centre, which is in very close proximity to the application site. The email, appended under Appendix D, from NHS England confirms that the entire patient list was being dispersed to nearby facilities.

In summary, the above body of evidence is considered to be sufficient to demonstrate compliance with Policy DP15 of Camden’s Development Policies Document (2010). However should the local authority require any further clarification regarding the loss of the doctor’s surgery then we would be delighted to assist.

Having discussed the principle of the loss of the doctor’s surgery, it is considered that the principle of a new residential unit is also acceptable on land use grounds. This is noting the range of relevant planning policies within the Development Plan, including Policy CS6 of the Core Strategy (2010) and Policy 3.3 of the London Plan (2015). These policies encourage new high quality residential development in appropriate locations noting housing pressures across Camden and London in general.

Residential Quality

With regards to the size of the overall unit and the individual rooms within it, these are all considered to be compliant with the relevant Camden and London wide standards contained within the London Plan Housing SPG (2012) and Camden SPG: Housing (2013). The unit and room sizes are detailed in the following table:

	Size	Camden Requirement	GLA Requirement
Overall Unit Size (3 bed, 5131m ² person)		84m ²	90m ²
Lounge/Kitchen/Diner	36.95m ²	N/A	29m ²
Bedroom 1	18.76m ²	11m ²	12m ²
Bedroom 2	13.12m ²	11m ²	12m ²
Bedroom 3	8.26m ²	6.5m ²	8m ²
Bathroom	7.88m ²	N/A	5m ²

In addition to minim floor areas, the floor to ceiling heights throughout the proposed unit would be generous typifying the character of properties of this area. The floor to ceiling height in each room would exceed the guidance height of 2.3m.

It is considered that all rooms throughout the unit would benefit from good levels of daylighting with each habitable room being serviced by at least one large window. Indeed the open plan kitchen/dining/living space would be serviced by windows on the Cotleigh Road elevation, windows facing out onto the private courtyard and rooflights.

This open plan space also benefits from the existing access to the private courtyard area which will provide a private amenity space for the unit. This amenity space covers an area of 11.58m² which exceeds the 8m² minimum area as listed within the London Plan Housing SPG. Occupants of the unit will also be able to take advantage of using the communal front garden area which will be tidied and beautified as part of the refurbishment works.

The refurbishment of the property will also ensure that it complies with all relevant Lifetime Homes standards.

The flank windows to the unit front directly onto Cotleigh Road and do not benefit from any defensible space. Therefore in order to ensure suitable levels of privacy from pedestrians passing on the adjacent footpath it is proposed that obscure film would be internally applied to all flank windows to a height of 1.7m above pavement level. This is not considered to be development which would require full planning consent.

Given the above assessment and the high standard of refurbishment work proposed by the client it is considered that a high quality family sized residential unit would be created as a result of these proposals.

Design

This application seeks a change of use only with associated internal works to facilitate the creation of high quality new residential units. No changes are sought to the external appearance of the building at present. If upon further consideration external changes are required these will be subject to separate applications for full planning permission.

Residential Amenity

In terms of the amenity of adjoining occupiers, it is considered that the proposed change of use would represent an improvement from the existing situation. This is because it would involve a change to single residential unit which would be a much less intensive use than the current lawful use as a doctor's surgery. This is resultant from the fact that there will be much less pedestrian and vehicle movements to and from the site whilst there would be a substantial reduction in the number of deliveries and general noise and disturbance.

Transport

The existing doctor's surgery benefits from an existing dedicated parking bay on Cotleigh Road which is reserved specifically for the doctor. It is recognised that the loss of the doctor's surgery will mean that this dedicated bay will need to be removed. It is considered that the removal of the doctor's dedicated parking bay would increase the amount of unallocated on-street parking which characterises the rest of the street. The provision of an additional parking space within the street is considered to demonstrate that there is sufficient parking capacity within the street and that the proposed change of use would not result in additional parking stress. To this end we would expect that the occupants of the property will be eligible to apply for a parking permit.

With regards to cycle parking, it is recognised that the London Plan (2015) requires the provision of two dedicated cycle parking spaces either in the building or its curtilage. To this end designated cycle storage is provided within the front garden area as indicated on plan ref: DWG NO: 15-114-202A1 and DWG NO: 15-114-203A3.

Refuse

The existing refuse collection arrangements are retained under this application with 'wheelie bins' stored and collected from the front garden area. A designated refuse store within the front garden area is indicated on plan ref: DWG NO: 15-114-202A1 and DWG NO: 15-114-203A3.

CIL

The proposal seeks the creation of a new residential unit and as such becomes CIL liable. However it is understood that this property would qualify for CIL exemption under the CIL Regulations (2015) by way of the fact that it has been in lawful use for a period of 6 months with the past 36 months. Further confirmation of this can be provided if required by the local authority.

Conclusions

In summary, the proposed change of use is considered to be acceptable in principle noting that the loss of the community facility can be supported on the basis that it has been demonstrated to be unsuitable for modern general practice with no reasonable prospects for reuse for another D1 use. Furthermore, the additional residential unit will contribute to overall housing targets and will provide an additional high-quality family sized unit within the borough.

The application fully accords with the London Plan, Camden Core Strategy, Camden Development Plan Policies Document and relevant Camden/GLA guidance documents, as demonstrated in this submission.

In light of the above, the scheme has planning merit and should be properly granted planning permission. I trust the attached documents provide you with all the necessary information to register and validate the application. If you require additional information then please do not hesitate to get in contact.

Appendix A: Quality Care Commission Report

Appendix B: Supporting Letter

Appendix C: Marketing Summary

Appendix D: NHS Email