

# PLANNING, DESIGN & ACCESS STATEMENT

**Change of use from D1(a) & ancillary B1  
(Comprising a Family Planning Clinic) to Class B1(a) Office**

**Site At:**

**40-44 Wicklow Street**

**WC1X 9HL**



**May 2016**

## 1.0 Introduction

- 1.1 This Planning, Design and Access Statement has been prepared on behalf of the applicant the Central and North West London NHS Foundation Trust and it supports an application for change from its current mixed use comprising D1(a) (health) with ancillary B1 office use back to its original office (Class B1a) use.
- 1.2 The site is currently occupied by the world renowned Margaret Pyke Family Planning Centre (MPC) formally located at 73 Charlotte Street in Camden.
- 1.3 The planning permission granted under reference 2012/5834/P was the subject of the following planning condition: -
- 5. Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall only be used as a family planning clinic*
- 1.4 As a result the floor space cannot be used for any other purpose than a family planning clinic and clearly the imposition of such a condition suggests that some potential Class D1 uses may be considered unacceptable in this location by Camden.
- 1.5 The Trust, in order to improve its overall service provision, are relocating the “Margaret Pyke Service” from this site to alternative Trust clinics at Archway and Mortimer Market and as a result there would be no loss of this service (community medical facility) .
- 1.6 The medical services offered by the Trust from this site will not be lost and there is as a result no loss of provision and it is therefore proposed to return this building to its original Class B1 (a) use.
- 1.7 Given the very restrictive wording of the condition imposed on the existing planning permission then without the subsequent grant planning permission this building, which is in a highly sustainable location, would have to remain vacant unless another family planning clinic were to occupy the space which is highly unlikely given the very specialised nature of such services.
- 1.8 This application submission therefore seeks permission for the change the use of all the floors of the building, which comprise lower ground, ground, first and second from their current restricted Family Planning Centre use back to the original B1 (a) office use of the building.
- 1.9 This Statement will set out the relevant policy context and will provide information as to the Applicant's reasons for pursuing an application submission on this site

## 2.0 The Site and its context

- 2.1 The site forms a relatively recent conversion of a former industrial building which prior to the previous permission formed a relatively modern office building on the eastern side of Wicklow Street to the east of the Gray's Inn Road and south of the Pentonville Road.
- 2.2 The site lies opposite to the City & Guilds London Institute building close to the junction of Wicklow and Leeke Streets.
- 2.3 The site has a PTAL rating of 6b and the site lies within a predominantly commercial area and has a lower level railway line (First Capital Connect) running along its eastern boundary.
- 2.4 Predominant building heights in the area are taller than building upon the application site but no additional accommodation is proposed in this submission, simply its change of use
- 2.5 This site has a small loading area adjacent to its northern boundary which is used for refuse storage and for parking of motorcycles and cycles etc. There is no formal car parking on-site

and the local highways are subject to parking restriction due to their predominantly narrow nature.

- 2.6 The site lies within the Kings Cross & St Pancras Conservation Area. Whilst a relatively quiet location in terms of its character the site lies in close proximity to the busy intersection in King's Cross and as identified above has excellent public transport links a very short walk from the site.
- 2.7 The immediate area around the site comprises a mixture of uses and the use of the space once again as an office would be wholly compatible with the character of this vibrant mixed use area.
- 2.8 There are no external alterations proposed to the building and the visual amenities of the area will not therefore be affected by the development proposed. It is likely that the proposed operators may install additional lighting to the exterior of the building, to enhance lighting levels and promote patient safety when attending late afternoon / early evening clinics.

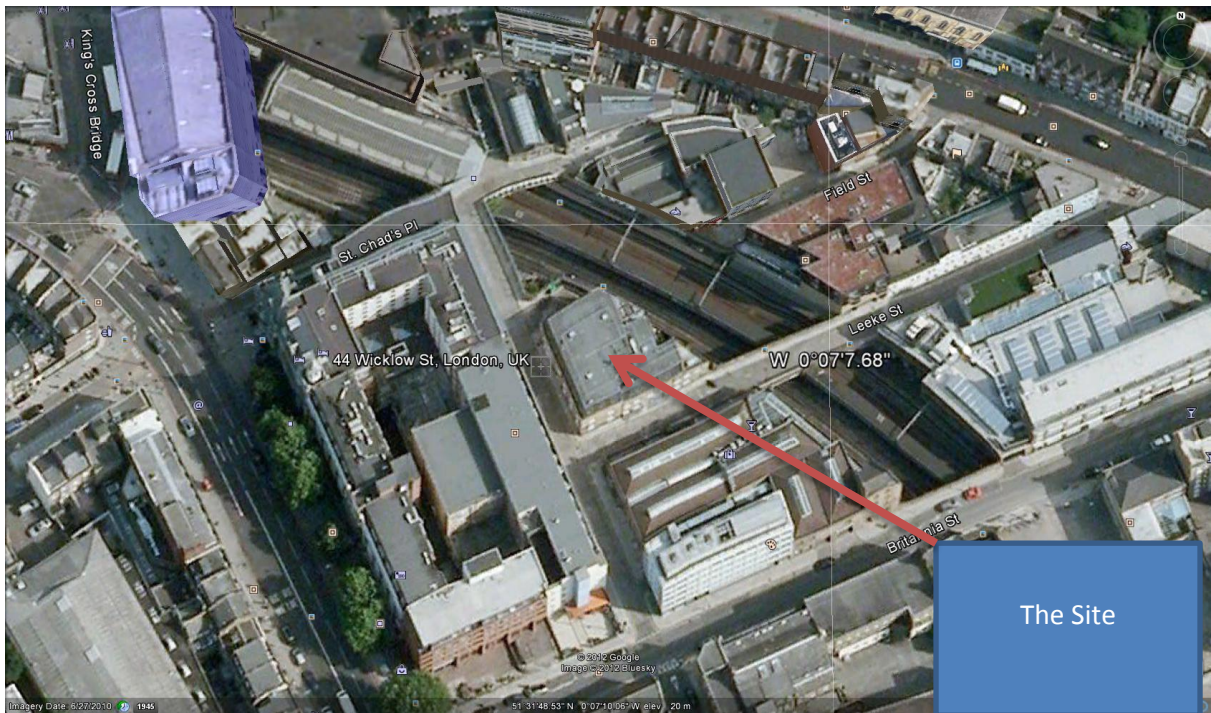


Figure 1 – Location of the site in its wider context

### Heritage Assessment

- 2.9 The application site lies within a defined conservation area but is not a listed building. Paragraph 128 of the NPPF sets out the requirement for applicants to describe the significance of any heritage assets affected by their proposal stating that the level of detail “should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 2.10 The Conservation Area appraisal identifies that the application site lies within sub area 4 “*The Gray’s Inn Road*” describing the immediate area around the site as; -
 

*“Leeke Street is fronted by the flank elevations to nos. 40-44 and 46-52 Wicklow Street to the north and south respectively. The former building is a recently renovated former industrial building constructed of stock brick, highly characteristic of this area, but which has had modern windows in untraditional materials and design and a tall, unsympathetic mansard roof added which detract from the character and appearance of the building.”*
- 2.11 Paragraph 4.2.152 of the Conservation Area appraisal adds that: -
 

*“The eastern side of the northern section of Wicklow Street is lined with former industrial buildings, which are constructed of stock brick and are of late 19th century date. Nos. 40-44*

*Wicklow Street is two-storey building with modern windows and an unsympathetic mansard addition containing roof lights which detracts from the prevailing character of the sub-area.”*

2.12 Given that the application proposal does not seek to make any external alterations to the building and given the fact that this application seeks to return the building to its former office use it is submitted that there would be no alteration to either the character or appearance of this part of the conservation area as a result of this application.

**2.13 It is therefore submitted that there is no requirement to undertake a detailed heritage assessment as part of this application proposal.**

### 3.0 Planning history

3.1 Planning Permission was granted under reference 2012/5834/P for the change of use of the building to a family planning clinic in mixed-use under both class D1 and B1 and this permission was the subject of the following planning condition: -

*5. Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall only be used as a family planning clinic*

3.2 The previous Planning history of the site is identified below: -

Application Number	Site Address	Development Description	Status	Date Registered	Decision
<a href="#">2005/2229/P</a>	Denton House 44 Wicklow Street London WC1X 9HL	Installation of replacement air-conditioning and extract plant to roof of existing offices.	FINAL DECISION	04-08-2005	Granted
<a href="#">26695</a>	40-44 Wicklow Street, W.C.1.	Alterations to entrance from service yard.	FINAL DECISION	13-06-1978	Permission
<a href="#">8400538</a>	Denton House 40/44 Wicklow Street WC1	The continued use of the entire property for office purposes.	APPEAL DECIDED	21-03-1984	Withdrawn after Reg'n (not used on PACIS)
<a href="#">8402000</a>	40/44 Wicklow Street WC1	The use of the ground first and second floors for office purposes.	FINAL DECISION	23-11-1984	Grant Full or Outline Planning Permissn.
<a href="#">PSX0304244/P</a>	44 Wicklow Street, London WC1	Installation of hand rails and access ladders to roof areas, construction of lift motor room, and relocation of 6 condenser units at roof level.	FINAL DECISION	02-06-2003	

3.3 Prior to the permission in 2012 the building had been in use for office purposes for some considerable number of years.

### 4.0 The Application Submission & relocation

4.1 Since 2013 the application site has been in use as a Family Planning Centre, a predominantly Class D1 (a) use with ancillary B1 use occupied by the Margaret Pyke Centre which is previously housed within the Borough at 73 Charlotte Street.

4.2 The Margaret Pyke Centre (MPC) is one of the biggest contraceptive centres in the world seeing between 600 and 900 patients per week. In addition the Centre also has a network of clinics across Brent, Camden and Islington. Over a 12 month period, the whole service carries out approximately 75,000 consultations.

4.3 The Centre and Community clinics are managed by C&NWL/Camden Provider Services and the Margaret Pyke Trust (MPT) is the registered charity, which founded the Margaret Pyke Centre and supports the work of its Research and Training departments.

4.4 The Margaret Pyke Centre (MPC) has an established international reputation for quality research and clinical excellence in the field of sexual and reproductive health. The Centre is also active in training professionals who work in this domain and is widely known for its comprehensive and

effective training programmes.

- 4.5 Given that the MPC represents therefore an important community “medical” facility for both the residents of Camden and those further afield and the services of the MPC are not lost and for the purposes of efficiency and improvement of services are to be housed at Archway and Mortimer Market.
- 4.6 Given the very restrictive wording of the condition imposed on the existing planning permission then without the subsequent grant planning permission this building, which is in a highly sustainable location, would have to remain vacant unless another family planning clinic were to occupy the space which is highly unlikely given the very specialised nature of such services.

## 5.0 Planning Policy

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act requires planning applications for development to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 For the purpose of the Act, the development plan which affects development at the application site comprises:
- National Planning Policy Framework (NPPF);
  - The Regional Spatial Strategy – The London Plan (2015);
  - Camden Core Strategy (adopted 2010); and
  - Camden Development Policies (2010-2025)
- 5.3 Whilst a review of the Camden LDF is underway there are no material policies as yet to consider in this application.

### National Planning Policy Framework

- 5.4 The National Planning Policy Framework at Paragraph 70 of the NPPF seeks to deliver the social, recreational and cultural facilities and services the community needs and states that LPA’s should amongst other matters:
- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- 5.5 The NPPF advises in paragraph 17 the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should amongst other matters be: -
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- 5.6 Paragraph 19 of NPPF adds that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

## London Plan

- 5.6 **Policy 4.2** of the 2015 London Plan advises that the Mayor will and boroughs and other stakeholders should:
- a support the management and mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises*
- b recognise and address strategic as well as local differences in implementing this policy to:*
- meet the distinct needs of the central London office market, including the north of the Isle of Dogs, by sustaining and developing its unique and dynamic clusters of 'world city' and other specialist functions and business environments, and*
  - consolidate and extend the strengths of the diverse office markets elsewhere in the capital by promoting their competitive advantages, focusing new development on viable locations with good public transport, enhancing the business environment including through mixed use redevelopment, and supporting managed conversion of surplus capacity to more viable, complementary uses*
- c encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility*
- d seek increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities in the context of policies 2.7, 2.9, 2.13 and 2.15–2.17*
- e monitor the impact of government liberalisation of Permitted Development rights for changes of use from offices to residential.*
- 5.7 **Policy 3.17** of the London Plan (2011) addresses health and social care facilities and advises that the Mayor will support the provision of high quality health and social care appropriate for a growing and changing population, particularly in areas of under provision or where there are particular needs.
- 5.8 **Policy 3.16** adds that London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population and adds: -
- “ Development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments”*

## Core Strategy

- 5.9 **Policy CS2** of the adopted Core Strategy advises that development within Camden to 2025 will be concentrated in the growth areas of:
- a) King's Cross, where large-scale redevelopment is underway;*
  - b) Euston, where major redevelopment is expected to occur in association with improvements to the station;*
  - c) Tottenham Court Road, Holborn and West Hampstead Interchange, where the mixed use redevelopment of a number of sites is expected to take place.*
- 5.10 Paragraph 2.3 of the Core Strategy adds: -
- “The growth areas are also expected to be the location for over 80% of the new business floorspace, and consequently the majority of jobs created, in the borough over the period covered by the Core Strategy.”*

- 5.11 **Policy CS5** considers the impact of managing growth and development in Camden, and advises that particular consideration will be given to meeting the needs of the Borough's population and contribution to its London-wide role; providing the infrastructure and facilities needed to support Camden's population and for those who work in and visit the Borough; providing sustainable buildings and open spaces; and lastly protecting and enhancing the environment, heritage and amenity of local residents through a range of considerations.
- 5.12 **Policy CS8** advises that in promoting a successful and inclusive Camden economy the Council will secure a strong economy in Camden and will seek to ensure that no-one is excluded from its success including by -:

*a) promote the provision of 444,000 sq m of permitted office floorspace at King's Cross as well as in the range of 70,000 sq m of office provision at Euston with further provision in the other growth areas and Central London to meet the forecast demand of 615,000 sq m to 2026;*

*b) support Camden's industries by:*

- safeguarding existing employment sites and premises in the borough that meet the needs of modern industry and other employers;*
- safeguarding the borough's main Industry Area; and*
- promoting and protecting the jewellery industry in Hatton Garden;*

*c) expect a mix of employment facilities and types, including the provision of facilities suitable for small and medium sized enterprises, such as managed, affordable workspace;*

*d) support local enterprise development, employment and training schemes for Camden residents;*

*e) recognise and encourage the concentrations of creative and cultural businesses in the borough as well as supporting the development of Camden's tourism sector whilst ensuring that any new facilities meet the other strategic objectives of the Core Strategy;*

*f) recognise the importance of other employment generating uses, including retail, markets, leisure, education, tourism and health.*

- 5.13 In terms of new employment (office) supply the Core Strategy identifies that the demand for offices will increase by 615,000 sqm between 2006 and 2026 and to meet this demand, the Council will direct new business development to the growth areas of King's Cross, Euston, Holborn and Tottenham Court Road, elsewhere in Central London, the town centres (except Hampstead) and other accessible established office locations (see policy CS3).

- 5.14 **Policy CS16** seeks to improve Camden's health and well-being and advises that the Council will seek to improve health and well-being in Camden by:

*a) support NHS Camden in its goal to reduce health inequalities by targeting measures to improve health in the areas with poorest health, including King's Cross, St Pancras & Somers Town, Gospel Oak and Kilburn;*

*b) protect existing health facilities in line with preferred approach CS10 – Supporting community facilities and services;*

*c) support the provision of new or improved health facilities, in line with NHS London's plans to consolidate and modernise its facilities;*

***d) recognise and support the borough's concentration of centres of medical excellence and their contribution to health-related research, clinical expertise, employment and training provision;***

- 5.16 The existing Margaret Pyke Centre is only relocating from this location and the overall service

will not be lost and the return of this building to office use would therefore be compliant with the Core Strategy aspirations.

- 5.15 In this case the current MPC will be relocated and not lost to the Capital.

#### Camden Development Policies

- 5.16 Paragraph 13.1 of the document advises that having a range of sites and premises across the borough to suit the different needs of businesses for space, location and accessibility is vital to maintaining and developing Camden's economy.

- 5.17 It adds that an increase in the number and diversity of employment opportunities is fundamental to improving the competitiveness of Camden and of London. The Council wants to encourage the development of a broad economic base in the borough to help meet the varied employment needs, skills and qualifications of Camden's workforce.

- 5.18 **Policy DP13** states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:

*a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and*

*b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. Where a change of use has been justified to the Council's satisfaction, we will seek to maintain some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses. When it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses or community uses, except in Hatton Garden where we will expect mixed use developments that include light industrial premises suitable for use as jewellery workshops. Where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that:*

*c) the level of employment floorspace is maintained or increased;*

*d) they include other priority uses, such as housing and affordable housing;*

*e) premises suitable for new, small or medium enterprises are provided;*

*f) floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses;*

*g) the proposed non-employment uses will not prejudice continued industrial use in the surrounding area.*

*The Council will support the provision of live/work premises provided they do not:*

*h) result in the loss of any permanent residential units; or*

*i) result in the loss of sites in business or employment use where there is potential for that use to continue*

- 5.19 **The locational characteristics of this site close to Kings Cross, with its exceptionally high PTAL rating, fully satisfy the criteria requirements for returning this building to office use**

- 5.20 In addition the existing community medical facility within the building will be relocated as identified in this Statement and there would as a result be no loss of such facilities.

## 6.0 Design & Access Matters



- 6.1 The building has a main “level” public access from Wicklow Street and this will be retained. This entrance provides access to the building for the disabled and the mobility impaired.
- 6.2 The Applicant does not propose any external alterations to the building as a result of this application, or indeed any work to its fenestration or roof area.
- 6.3 All floors within the building have the benefit of access by passenger lift and also have excellent natural light and existing central heating/air conditioning.
- 6.4 The site sits within a mixed use character area with a number of nearby offices and the proposed return of this building to office use would be unlikely to generate noise or disturbance.
- 6.5 Given the previous office use and the existing lawful use of the site as a mixed use, predominantly D1 (a) use as a family planning clinic, it is concluded that there would be no adverse impact upon the amenity of nearby residential or other properties as a result of the change of use proposed.
- 6.6 The site benefits from an excellent PTAL rating offering a myriad of public transport opportunities within an easy and short walk from the site itself.
- 6.7 There is a small service bay adjacent to the premises, which does not have the benefit of any off-street car parking.
- 6.8 The site previously functioned well as offices without parking and matters of refuse collection and waste disposal will be dealt with by the provision of internal storage.
- 6.9 Given that the final layout of the floor space has yet to be determined we would respectfully suggest that a condition be imposed requiring further details of refuse storage and servicing prior to the occupation of floor space for the use proposed.
- 6.10 It is therefore respectfully suggested that subject to the imposition of such condition there would be no adverse impact upon the public highway, or its safety, as a result of the change of use proposed.

## 7.0 Conclusion

- 7.1 The planning application can be best summarised as follows.
  - The planning application for is for the change of use of this building back to its previous office use following its occupation by a Family Planning Clinic, a mixed D1 (a) with ancillary B1 a use.
  - The existing Margaret Pyke Centre (MPC), located in the building is to be relocated as set out in this Planning Statement and as a result there is no overall loss of medical services.
  - Given the restrictive condition imposed upon the previous application then unless an alternative planning permission is granted then this highly sustainable commercial would have to be left vacant.
  - The imposed condition does not allow for any alternative use including those falling within Class D1 without a separate express of grant planning permission.
  - The site is in a location (Kings Cross) and has a high PTAL Rating and therefore its use as offices is encouraged by the policies of the Camden LDF.
  - The proposed use is wholly appropriate within this mixed use area and **there is strong policy support for such a use;**

- The proposed use will retain the **site in an active use, providing additional employment opportunities, and community facilities** in this part of Camden.
- There will be **no harm** to the neighbouring amenities, nor those of Camden, considered more widely.
- There are no external alterations proposed.

7.2 The most up to date existing and emerging planning policy encourage economic development in sustainable locations. The proposed use would provide a number of jobs in a highly accessible and sustainable location. As such the proposal is entirely in accordance with the objectives of the development plan, and government policy more widely.

7.3 The proposals will return this building to its previous use adding to the potential vitality of the immediate area.

7.4 Paragraph 14 of the NPPF identifies the fundamental thrust of the guidance which is a ***presumption in favour of sustainable development***, which should be seen as a golden thread running through both plan-making and decision-taking and that for decision-taking this means:

- *approving development proposals that accord with the development plan without delay*

7.5 We submit that the change of use proposed is wholly in accord with the development plan and would leave the conservation area unaffected by its change of use therefore, in the light of the above we submit that the presumption in favour of this development should prevail.