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# Planning Statement

Ground Floor Unit, 12 Highgate Road, London NW5  
1AS

Iceni Projects Limited on behalf of  
Chrome Productions Ltd

December 2017

ICENI PROJECTS LIMITED  
ON BEHALF OF CHROME  
PRODUCTIONS LTD

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**Planning Statement**  
GROUND FLOOR UNIT, 12 HIGHGATE ROAD, LONDON  
NW5 1AS



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# 1. INTRODUCTION

- 1.1 This Planning Statement is submitted to the London Borough of Camden on behalf of Chrome Productions Ltd in support on a planning application for the ground floor unit at 12 Highgate Road, London NW5 1AS.
- 1.2 This application seeks the dual use of the ground floor unit for both office (Class B1) and financial and professional services (Class A2) uses, which would permit the Applicant, Chrome Productions Ltd, to utilise the unit as their office premises. This flexible planning permission is sought pursuant to the flexible provisions contained within Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 1.3 Specifically, planning permission is sought for:

*“Dual use of ground floor premises for offices (Class B1) and / or finance and professional services (Class A2).”*

## Background

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- 1.4 Chrome Productions are an established local production company that create a variety of commercials for clients predominantly within the sports, luxury, travel and lifestyle industries. They work closely with a number of established local film studios, kit hire companies and post-production companies in North London to produce their digital content.
- 1.5 Chrome currently employ 11 staff and due to their recent growth and plans to continue to expand, they are seeking a new headquarters for their company within Kentish Town, which is fast becoming known as a small mecca for the production and wider creative industries. Their headquarters would be used as offices, where creative concepts are conceived with clients, film and sound editing undertaken and the final digital content created. They would not use their headquarters as a film or sound recording studio, with Chrome using these facilities separately once they have conceived the creative concept they wish to create for their client.
- 1.6 After searching in the area, the ground floor unit at 12 Highgate Road was selected as the ideal location for the firm, allowing them to consolidate existing connections with other local creative industries. Their occupation of the unit would also ensure the unit would end a 12-month period of vacancy, which has followed previous long-term periods of vacancy between 2011 and 2014.

- 1.7 The ground floor unit has had historic issues with being vacant and un-let. The unit was originally part of a larger A1 retail unit at the ground floor of the Tally Ho Apartments development which was originally granted in 2005 (LPA ref. 2005/2242/P) and subsequently modified in 2008 (LPA ref. 2008/0275/P). The larger A1 unit was left vacant for 6 years between the completion of the mixed use scheme in 2008 until it was split in 2014 into a larger A1 unit for use by the Cooperative Supermarket (LPA ref. 2014/5740/P) and a smaller A2 unit for use by Green and Co Estate Agents (LPA ref. 2014/4458/P).
- 1.8 After occupying the smaller ground floor unit for circa 2 years, Greene and Co left the premises due to changes in the estate agency industry and the company's desire to centralise their service offering. The unit has subsequently sat vacant for 12 months and, despite a programme or targeted marketing to various A1 and A2 occupiers, no interest has been received. A letter from an agent who has been marketing the unit is submitted with this application.
- 1.9 As such, there is a need to find a viable use for the unit so it no longer remains vacant, which is to the detriment of the streetscape and the northern area to the Kentish Town centre.
- 1.10 Chrome Productions have agreed to take over the lease of the ground floor unit, with this proposal seeking permission for the dual use of this unit for offices (Class B1) and estate agents (Class A2). This flexible use arrangement would allow Chrome Productions to use the premises as their headquarters, and also allow the unit to be used for Class A2 purposes should Chrome Production decide to vacate the premises within 10 years.
- 1.11 This application is strictly in relation to the use of the premises, and would not involve any external alterations to the current shopfront.

### **The submission**

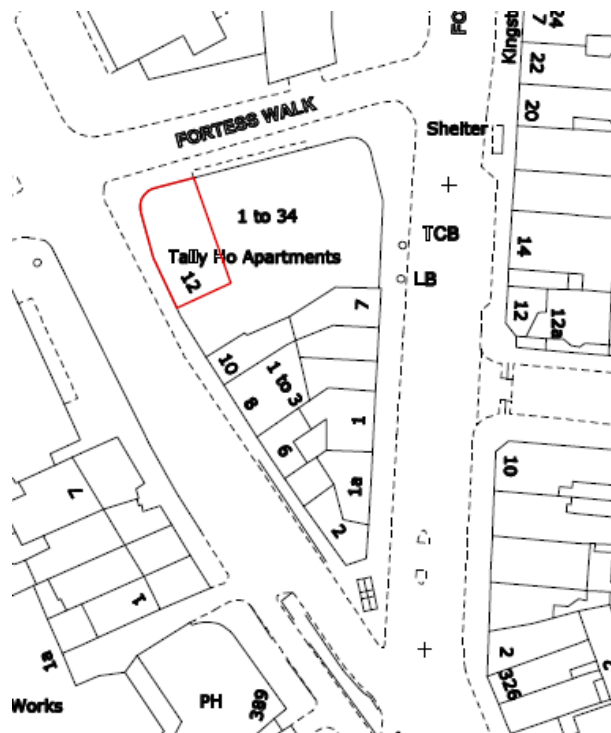
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- 1.12 This Planning Statement provides a description of the proposed development and an assessment against relevant national, regional and local planning policy. It should be read in conjunction with the following technical reports and supporting documents:
- Planning Application Form and Certificate of Ownership;
  - CIL Determination Form;
  - Existing and Proposed Drawings, prepared by Mitzman Architects; and
  - Design and Access Statement, prepared by Mitzman Architects.

## 2. THE SITE AND SURROUNDING AREA

- 2.1 The subject site is situated at 12 Highgate Road, London NW5 1AS. It is located within the Kentish Town Ward within the administrative boundary of the London Borough of Camden.
- 2.2 The site forms the ground floor unit with frontages to Highgate Road and Fortress Walk. It is currently vacant with the windows of the shopfront covered via plastic hoarding. The unit is one of two ground floor units forming part of the Tally Ho Apartments mixed use development, which sits the northern end of a triangular street block bound by Highgate Road to the west, Fortress Walk to the north and Fortress Road to the east. A Site Location Plan is provided at **Figure 2.1**.

**Figure 2.1 Site Location Plan**



*Source: Mitzman Architects, 2017*

- 2.3 The wider street block is situated at the northern end of the Kentish Town Centre and contains a range of town centre uses at ground floor level. There are a total of 12 ground floor units within the triangular street block, including:
- 2 x A1 retail units;
  - 1 x A2 unit and 1 x vacant A2 unit (the subject site);

- 2 x A3 units and 2 x vacant A3 units;
  - 1 x A5 unit;
  - 1 x B1 unit (8a Highgate Road);
  - 1 x sui generis unit (laundrette); and
  - 1 x D1 unit (dental surgery).
- 2.4 Compared to the main core of the Kentish Town Centre, the character of this block is comparatively less vibrant and less active, with the long-term vacancy of the site contributing to this.
- 2.5 In terms of planning designations, the site is located within the Kentish Town Centre, located within the Kentish Town Archaeological Priority Area and is within a Designated View area between the Kenwood Viewing Gazebo to St Paul's Cathedral. The latter two are not relevant to this application. The site is also identified as forming part of a secondary retail frontage by Appendix 2 of the Kentish Town Neighbourhood Plan. However, this designation appears to have been removed as part of the Policy Map Alterations, adopted in June 2017 (ref. Map 82).
- 2.6 The site does not contain any listed buildings and is not located within a conservation area. The nearest listed building is the Grade II listed Forum opposite the site on Highgate Road.
- 2.7 The site has an excellent public transport accessibility level (PTAL) rating of 6a, with numerous bus routes operating within the vicinity of the site, along with London Underground and National Rail services operating from Kentish Town Station to the south of the site.

### 3. THE PROPOSED DEVELOPMENT

#### 3.1 Planning permission is sought for:

*“Dual use of ground floor premises for offices (Class B1) and / or financial and professional services (Class A2).”*

- 3.2 This flexible dual use, sought in accordance with Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), would permit Chrome Productions to use the premises as their offices. The premises would also be able to be used for A2 purposes, should Chrome Productions decide to vacate the unit within 10 years.

#### **The proposed office operation**

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- 3.3 Chrome Productions are a production company that produce a variety of commercials for clients predominantly within the sports, luxury, travel and lifestyle markets. They work closely with a number of local film and sound studios, including AIM Image, Camden Studios, Spring Studios and Better Sounds, as well as other local kit hire companies and post-production companies.
- 3.4 Their proposed occupation of the site as the company's office and headquarters would allow the company to embed themselves into Kentish Town, which is fast becoming a creative hub and small mecca for the production industry due to many production companies being forced out of central London due to increasing rents.
- 3.5 Chrome would fit out the premises to meet the needs of their operation. It would include office and desk space for its staff, as well as areas and meeting rooms for clients and dedicated digital film and sound editing stations. It is important to note that the office would not be used as a film or sound recording studio, with all of these activities occurring at specialist premises within the local area.
- 3.6 One of the objectives of the scheme is to activate this area of streetscape that has been blighted for prolonged periods of vacancy since the completion of the Tally Ho Apartments mixed use development in 2008. The existing corner entrance to the unit would be the main entrance to the office, fitted with a client seating area, foosball tables and a generous reception area creating an active feel and relationship to the street. **Figure 4.1** illustrates how this space would look. Additionally, the existing glass shopfront would have various images and videos displayed internally playing the current show reels and content that Chrome Productions produce. The proposed arrangement is shown at **Figure 4.2**.



**Figure 4.1** The proposed interior of the premises



*Source: Chrome Productions, 2017*

**Figure 4.2** The proposed outward facing external frontage of the scheme



*Source: Chrome Productions, 2017*

### **Employment and hours of operation**

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- 3.7 Chrome Productions currently employ 11 Full Time Equivalent (FTE) office staff and, following their move into the new premises, are planning on increasing the number employed to 15-20 within the next three years.
- 3.8 A number of freelancers are also employed on a project-by-project basis, and would utilise the office space as necessary.

### **Refuse and recycling**

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- 3.9 The operation would result in the creation of general office waste and recycling and would be disposed of using standard refuse and recycling bags for schedule collection by the Council.

### **Access and cycle parking**

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- 3.10 The existing access on the corner of Highgate Road and Fortress Walk would be used and provision for cycle parking would be provided within the unit for the use of staff.

## **4. PLANNING POLICY FRAMEWORK**

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.2 The statutory development plan for the subject proposals includes the adopted Kentish Town Neighbourhood Plan (2016), the adopted Camden Local Plan (2017) and the consolidated London Plan (2016).
- 4.3 The London Borough of Camden has a number of supplementary planning documents entitled Camden Planning Guidance (CPG), which provide further information to support local policies and form a material consideration in planning decisions.

## 5. PLANNING CONSIDERATIONS

5.1 This section of the Statement provides an assessment of the proposals against relevant planning policy together with other material considerations. Each planning consideration is assessed in turn and are listed as follows:

- Principle of office use;
- Principle of dual use;
- Active frontages;
- Impact on residential amenity;
- Heritage;
- Transport and parking; and
- Waste.

### **Principle of office use**

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5.2 The economic health of Kentish Town has suffered in recent times, with the Kentish Town Neighbourhood Plan noting that at least 130 small businesses and offices have been lost since the adoption of the Town and Country Planning (General Permitted Development) Order in 2012, which has seen these small businesses replaced by residential uses without the need for planning permission.

5.3 As such, Policy SW1 of the Kentish Town Neighbourhood Plan encourages the provision of new small businesses and office floorspace, with small businesses defined as those that employ fewer than 50 people.

5.4 Policy TC4 of the Local Plan notes that office (Class B1) uses are commonly found in centres, with town centres considered the most appropriate location for this use. Similarly, Policy TC3 notes that secondary frontages are to protected for town centre uses, such as offices, that support the viability and vitality of the centre. Policy E1 of the Local Plan also notes that all new office development should be in defined growth areas and within town centres. The Kentish Town Centre was also identified in the 2014 Camden Employment Land Review as an important area for the provision of office floorspace.

- 5.5 Chrome Productions meet the definition as a small business and their use of the premises as offices would see a compatible use being introduced into the town centre. It would also see a vacant unit brought back into use, to the benefit of the local economy, the character, function and vitality of the town centre. It would also have indirect benefits for the town centre through the staff employed being able to use various cafes, restaurants, shops and leisure facilities in Kentish Town. As such, Chrome Productions' use of the unit would result in the growth of a local small business in line with the objectives of Policy SW1 of the Kentish Town Neighbourhood Plan, and Policies E1 and TC4 of the Local Plan.

**Contribution to the function, character and viability of the Kentish Town Centre**

- 5.6 One of the key benefits resulting Chrome Productions' use of the premises would be the occupation of a unit that has suffered long term vacancy, to the benefit of the Kentish Town Centre. Camden Planning Guidance 5 (CPG 5) seeks to protect and reinforce the retail function of the various town centres within Camden, with this achieved through the protection of existing retail premises and the encouragement of new retail premises. This is expressed through an objective to have a certain percentage of shopfronts in retail use, with the percentage based whether a site falls within a primary or secondary shopping frontage.
- 5.7 Under Policy SW2 and SW3 of the Kentish Town Neighbourhood Plan, the objective is for 60% of secondary retail frontages to be in A1 retail use, with any scheme resulting the loss of any A1 unit to be resisted. The site is not identified as being a secondary frontage in the Proposals Maps Alterations dated June 2017 (Map ref. 82), however it is noted as being a secondary frontage by Appendix 2 of the Kentish Town Neighbourhood Plan.
- 5.8 Despite this inconsistency between adopted policy, it is important to note that the proposed scheme would not result in the loss of an A1 unit, with planning application 2014/4458/P changing the use of unit to A2 usage. As such, the scheme would not result in any further loss of a retail unit.
- 5.9 Notwithstanding this, it is noted that the current triangular block, containing 12 ground floor units, has a low percentage of retail uses. As noted above, the current uses are:
- 2 x A1 retail units;
  - 1 x A2 unit and 1 x vacant A2 unit (the subject site);
  - 2 x A3 units and 2 x vacant A3 units;
  - 1 x A5 unit;
  - 1 x B1 unit (8a Highgate Road);

- 1 x sui generis unit (laundrette); and
  - 1 x D1 unit (dental surgery).
- 5.10 The current percentage of retail frontage is 16.7% and this section of the town centre is performing poorly, which is reinforced by the long-term vacancy of the ground floor unit that detracts from the functioning, vitality and character of the area. It is therefore important to note that these proposals would not result in the loss of any further retail (Class A1) floorspace. Instead, the proposals would seek to ensure a vacant premises is brought back into use to the benefit of the vitality of the Town Centre. As such, it cannot be argued that the current ground floor unit contributes to the vitality and character of the area, with the proposed office usage of the unit specifically seeking to bring some vibrancy back to this area of the Kentish Town Centre. This would be further reinforced by the attempts to activate the frontage as much as possible (refer to section below in this report).
- 5.11 Furthermore, marketing attempts to market the unit to both A1 and A2 users has occurred for 12 months with no success (refer to Marketing Note submitted with this application). This lack of interest in the unit by A1 users has followed previous marketing attempts between 2011 and 2014 for the previous change of use application (LPA ref. 2014/4458/P) where no interest was received. Therefore, there has been a long history of this particular unit being unable to be let to A1 users, which has resulted in the long-term vacancy of the unit.
- 5.12 The scheme would therefore result in a direct benefit to the Kentish Town Centre by contributing positively to the vitality, vibrancy, character, function and amenity and this secondary frontage.
- 5.13 It is also noted that the proposal for the dual use of the premises would ensure that, should the office occupation of the unit be unsuccessful, the unit would not be left in B1 usage, which is a protected use under the Council's policy. The unit could convert back into A2 usage without the need for planning permission for a period of ten years. The principle of this dual use is considered below.

#### **Principle of dual use**

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- 5.14 The proposal seeks planning permission for the dual use of the premises as offices (Class B1) and financial and professional services (Class A2). This flexible planning permission would allow Chrome Productions to occupy the premises for office purposes and, should they decided to leave within 10 years, the use of the premises could revert back to Class A2 usage.
- 5.15 This flexible dual use can be achieved via Schedule 2, Part 3, Class V of the General Permitted Development Order (2015) which refers to changes of use that are permitted by a specific planning permission.

- 5.16 Under these provisions, the ground floor unit would be able to change between B1 and A2 uses without further planning permission for a period of 10 years. Whatever the actual use of the premises would be 10 years after the grant of planning permission, would then become the lawful use.
- 5.17 This is considered reasonable in this instance as the change between both uses would be easy and practical to undertake. Both a functioning office and, for example, an estate agents, require minimal internal fitouts to meet their needs, with the broad size and layout of the ground floor unit meaning both uses can be easily accommodated.
- 5.18 The benefit of this dual use means that the unit can be occupied by Chrome Productions, using the site as its offices. It would see a unit that has sat vacant for various prolonged periods of time to be used once more. It would also ensure that the permanent loss of an A2 unit would not occur, with the use of the unit being able to revert back into A2 use should the office usage of the premises be unsuccessful.
- 5.19 This planning application also meets the tests listed by Schedule 2, Part 3, Class V, which includes:

(a) The application for planning permission referred to was made before 5th December 1988;

***This application for planning permission would be made after 5th December 1988.***

(b) It would be carried out more than 10 years after the grant of planning permission;

***Should this application be successful, the ground floor unit would be able to change between both uses without further planning permission. However, the use 10 years after the date of the planning permission will become the lawful use, in accordance with these provisions.***

(c) The development would consist of a change of use of a building to use as betting office or pay day loan shop;

***The proposed development would not result in a change of use to a betting office or pay day loan shop.***

(d) It would result in the breach of any condition, limitation or specification contained in that planning permission in relation to the use in question.

***There are no foreseeable conditions, limitations or specification which could be breached as a result of this planning permission.***

- 5.20 Mindful of the above, this planning application fully meets the tests for Schedule 2, Part 3, Class V of the General Permitted Development Order (2015). As such, this planning application benefits from the permitted development rights afforded to it by Class V.

### **Active frontage**

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- 5.21 One of the main objectives behind the proposed office use is to re-open a vacant unit, which has suffered from prolonged vacancy rates for significant periods of time since it was first completed in 2008. With the unit sitting vacant, it has resulted in a non-active frontage to the detriment of this northern part of the Kentish Town Centre.
- 5.22 Chrome Productions would ensure that their use of the unit would seek to activate the frontage of the site as much as possible. The unit would not be fitted out like a traditional office, with rows of desks hidden behind blinds or similar. Instead, the unit would be fitted out in a manner that meets the creative culture of Chrome Productions. A generous entrance/reception space would be fitted out with lounges and to give the corner entrance of the unit an active feel. Similarly, the Highgate Road elevation would contain a series of screens placed internally that would be used to play the company's latest show reels and other content.
- 5.23 This would result in a significant improvement to the current site condition, as demonstrated by **Figure 5.1** and **Figure 5.2**.



Figure 5.1 Existing frontage of the site



Source: Chrome Productions, 2017

**Figure 5.2** Proposed frontage of the site



*Source: Chrome Productions, 2017*

- 5.24 It is therefore considered that these measures would ensure the site would have an active frontage and, coupled with the unit's occupation, would ensure the site would contribute positively to the character, function, vitality and amenity of the Kentish Town Centre.

### **Impact on residential amenity**

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- 5.25 The ground floor unit is located beneath residential units on the upper level. The proposed use of the unit would not result in any amenity impacts as there would be no external changes that would impact current daylight, sunlight, privacy or outlook felt by residents. Despite the premises being vacant for a significant period of time, the footfall of the proposed unit would not result in any increase above that of an A2 use which would cause disturbance to residential amenity.
- 5.26 Additionally, internally there would be no film or sound recording or any other potential noisy activity that would cause amenity impacts to residential units.
- 5.27 As such, the proposed use of the premises would ensure there would be no detrimental impact on residential amenity, as required by Policy A1 and TC4 part g. of the Local Plan and CPG 6.

## **Heritage**

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- 5.28 The site is situated opposite the Grade II listed Forum building, falling within its visual catchment. There would be no external changes to the ground floor unit that would cause any detrimental harm to this heritage asset.
- 5.29 Furthermore, the use of the premises as an office would be compatible with the site's town centre location and is therefore not considered to be harmful to the listed building.
- 5.30 As such, the scheme is considered to comply with Policy D2 of the Local Plan.

## **Transport and Parking**

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- 5.31 The site is located in an area with an excellent public transport accessibility level (PTAL) rating of 6a, with a various bus routes, railway and London underground connections available within close proximity of the site. As such, it is not anticipated that there would be any significant demand for car parking as a result of the proposals.
- 5.32 Servicing and deliveries of the unit would be minimal and would not be dissimilar to the servicing and deliveries associated with the former estate agent's usage of the unit.
- 5.33 Cycle parking provision would be made internally for staff, encouraging them to cycle to work, in addition to using public transport.
- 5.34 For these reasons, the proposals are considered to comply with the Council's transport objectives at Policy T1 and T2 as it would be car free and would encourage walking, cycling and public transport.

## **Waste**

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- 5.35 Minimal amounts of general office waste would be produced as part of the proposed use of the unit, with this separated between refuse and recycling through dedicated bins internally. This would then be transported to the kerb for collection during specified periods.
- 5.36 This level of waste generation is not considered to be above and beyond what was produced by the former estate agent company and, as such, the proposals are considered to comply with Policy CC5 of the Local Plan.

## **6. CONCLUSIONS**

- 6.1 This Planning Statement has been prepared on behalf Chrome Productions in support of a planning application for the dual use of the ground floor unit at 12 Highgate Road for office (Class B1) and financial and professional service use (Class A2) purposes.
- 6.2 The proposals would result in a unit that has sat vacant for a significant period of time to be brought back into use. It would seek to activate this secondary frontage through a unique internal layout that reflects the character and culture of the local creative small business, Chrome Productions.
- 6.3 The scheme would not result in any further loss of A1 retail units nor would it cause any negative impact to the functioning of the Kentish Town Centre. Conversely, the scheme is considered to result in a number of planning benefits, including:
- The strengthening of the character, function and vitality of the northern end of the Kentish Town Centre by bringing a vacant unit back into use;
  - The strengthening of an established local business, given them a platform to continue to grow and consolidate their existing relationships with other local businesses;
  - The activation of the street through specific internal design measures to the benefit of the streetscape; and
  - Delivering flexibility through the proposed dual uses, ensuring the unit could return to A2 usage should the applicant depart the premises within 10 years.
- 6.4 Overall, the proposed scheme is considered to be acceptable as it would contribute positively to the character, function, vitality, viability and amenity of this secondary frontage within the Kentish Town Centre.