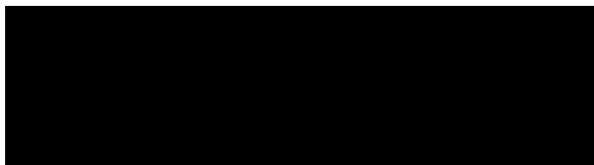


COLLEGE CRESCENT LIMITED



date 09 April 2019
our reference [REDACTED]
subject College Crescent Limited
[REDACTED]

Dear Sirs,

We are writing in objection to the above planning application as the owners of House [REDACTED] College Crescent. We have a number of concerns with the application and request that these are all fully considered in the Council's determination of the application.

Loss of Employment Floorspace

The site was redeveloped as part of planning application ref: 2008/5896/P. An integral part of this application was the re-use of No.39 for employment (Class B1) purposes so as to avoid a loss of employment on the site.

Fundamentally there has not been a material change in planning policy objectives with regards to this specific consideration since this time. Policies E1 and E2 of the Camden Local Plan (July 2017) seeking to ensure employment uses are not lost and in particular that there is a continuing supply of small and medium sized employment premises. This is evidenced specifically by Policy E1 that sets the Council's objectives for delivering a successful and inclusive economy in Camden stating that the Council will:

- a. support businesses of all sizes, in particular start-ups, small and medium-sized enterprises;
- b. maintain a stock of premises that are suitable for a variety of business activities, for firms of differing sizes, and available on a range of terms and conditions for firms with differing resources;"

The supporting text goes on to say that:

"Camden has a large proportion of small businesses, with 83% employing less than nine people and a further 14% employing between 10 and 49 employees. However, premises suitable for small businesses as well as medium sized enterprises are currently under pressure from rising land values, limited land availability and 'permitted development' rights which allow the change of use from offices (B1(a)) to housing (C3) without the need for planning permission and therefore without assessment against our planning policies."

I note the applicant's Planning Statement selectively made no reference of this important policy criteria and policy consideration.

Given the importance of ensuring such provision is always available Policy E2 advocates the approach that must be adhered to when proposing development that would result in the loss of business premises as is the case with this application. In particular it states:

"We will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction:

- a. the site or building is no longer suitable for its existing business use; and

b. that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time."

Once again this is expanded on further in the supporting text (paragraph 5.37) where the following is stated:

"When assessing proposals that involve the loss of a business use to a nonbusiness use we will consider whether there is potential for that use to continue. We will take into account various factors including:

- the suitability of the location for any business use;*
- whether the premises are in a reasonable condition to allow the use to continue;*
- the range of unit sizes it provides, particularly suitability for small businesses; and*
- whether the business use is well related to nearby land uses."*

Further reference is then made to how the Council will take these factors into account in the supplementary planning document Camden Planning Guidance (March 2018). Looking at this guidance the following is made clear:

"When a loss of employment floorspace is proposed, we will seek evidence that applicants have fully explored alternative ways to retain business use of the space (e.g. re-provision, refurbishment), and fully outline why the alternative schemes were deemed inappropriate." (Para 10)

The applicants have made no meaningful attempt to satisfy these important requirements. To the contrary they attempt to gloss this over and make their case for loss of office floorspace through justification for the proposed D1 space. Critically this is the wrong approach and this deficiency must be addressed. In the absence of this the application can only be refused. We also reserve our right to comment on any additional information the applicant may look to submit to address this fatal deficiency.

It is not sufficient to simply cite as justification for the loss of B1 accommodation that there is a supply of similar sized B1 premises. The aforementioned Local Plan policy makes it clear that this is a fundamental policy objective hence the clear hurdles that need to be properly considered in order to justify such a loss.

It is also noted that the applicants even go so far as to try and justify the proposed change of use by citing that:

"It is not unusual for small D1 uses such as this (and for example physiotherapists, chiropractors) to occupy B1 units without planning permission."

Such a blatant disregard for the planning system in order to justify the scheme is somewhat bizarre and is clear evidence that the correct application of policy cannot be satisfied.

In conclusion on the loss of employment consideration contrary to what the applicants conclude the proposed change of use is in conflict with the overriding strategic employment objectives of the Local Plan and that the loss of B1(a) floorspace must be resisted on these grounds alone.

Residential Amenity

Opening Hours and Visitor Numbers

Again contrary to the views expressed by the applicants at paragraph 6.4.1 we consider that the characteristics of the proposed use are materially different to the current lawful B1 use. Consequently we consider that the proposed use will give rise to harmful impacts to existing residents contrary to policy.

Small Class B1 business units such as this one are by definition commonly occupied by smaller/start up style businesses that generally only have a limited number of staff and limited visitor numbers.

Contrary to this the proposed therapy clinic relies on patients visiting the premises. Looking specifically at the Blue Clinic operation the application form notes there are 10 full time members of staff.

It is unclear what number of visitors there would be, however, it is clear that the numbers will be materially different to those to a small office. Furthermore, as a clinic there will be numerous visitors many of which will be outside of normal office opening hours yet the application is silent on this; indeed it notes on the application form that this is not a relevant consideration to the application. Self-evidently this is incorrect and clarification on opening hours and visitor numbers must be sought to allow the proper consideration of any potential impacts. As an existing therapy clinic operation there must be well established data that can be relied on and this should be requested so that the proper impacts of the proposals can be assessed. Again we reserve our right

to comment on any such further information that the applicants may choose to submit before determination of the application.

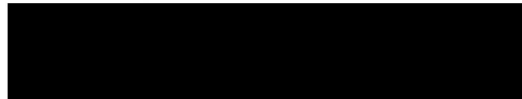
Factual Inaccuracies

For the record we note that the Planning Statement notes at paragraph 2.2 that the site has two access points, one directly from College Crescent, the other via a side gate which in turn leads to residential properties at No.39. This is incorrect.

The site is served by two entrances to the residential properties. One is a pedestrian entrance gate which leads to the communal courtyard that is used as an amenity area by the residents. The other is the garage door leading to the vehicular ramp serving the lower ground floor car parking area. From the car park there is indirect access to the court yard and direct access to the residential properties. There is no direct access to the Coach House building. Consequentially all visiting patients to the therapy clinic would have to pass through the private courtyard which raises safeguarding issues, particularly for children who use the space as a play area. This issue is not considered at all by the application material and clarification on this should be sought from the applicants.

In conclusion therefore the current application conflicts with a number of planning policies and should be refused. In the event the applicants are given opportunity to address the current deficiencies we wish to reserve our right to review any further material prior to determination of the application.

Yours faithfully,

A large black rectangular redaction box covering the signature of the Director of College Crescent Limited.

For Cosign Services Limited
Director of College Crescent Limited