

Our ref. : AB2193/LPA221021

Planning - Development Control
Camden Council
Camden Town Hall
London
WC1H 8ND

22nd October 2021

Dear Sir/Madam,

FULL PLANNING APPLICATION – 21A BROWNLOW MEWS, LONDON, WC1N 2LA

On behalf of our client, G. Thompson Limited, please find enclosed a planning application relating to the commercial premises at 21a Brownlow Mews, London, WC1N 2LA.

This planning application, which is being submitted to the London Borough of Camden (the LPA) electronically via the Planning Portal website, comprises the following documentation ;

- Completed application forms and ownership certificates.
- Completed Community Infrastructure Levy (CIL) form.
- This covering letter prepared by Beamish Planning Consultancy, incorporating a supporting planning statement.
- 1:1250 scale OS plan of application site and surrounding area.
- Unnumbered drawing dated 11th October 2021 – existing and proposed ground floor plan.
- Unnumbered drawing dated 11th October 2021 – existing and proposed first floor plan.
- Unnumbered drawing dated 11th October 2021 – existing and proposed front elevations.

Payment of the statutory planning application fee of £462, plus the Planning Portal ‘service charge’ fee of £28, has all been made electronically when submitting this application via the Planning Portal website on 22nd October 2021.

Description of application property and surroundings

The application property comprises a mid-terrace property totalling approximately 370 square metres of floorspace split roughly evenly between ground floor and first floor level, fronting Brownlow Mews to the east.

The lawful use of the application premises is as a head office and control centre of both a courier company and a private hire vehicles business (a sui generis use), following the granting of planning permission in August 2003. The adjoining building to the north, no. 20, is in use as offices (Use Class E(g)(i), whilst the adjoining premises to the south, nos. 22-23, is also in Class E use, comprising elements of both business and non-residential institution use (formerly Use Classes B1 and D1).

Brownlow Mews is mixed-use in nature, comprising a variety of commercial properties, including the Blue Lion Public House (which fronts Grays Inn Road) but backs into Brownlow Mews, and also several residential properties.

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Some years ago (prior to 2012) it was possibly for any vehicles to travel southwards down Brownlow Mews from Guildford Street to the north, but such movement is only now possible by bicycle due to a bollard and associated signage preventing access to motorised vehicles.

Vehicles can however travel northwards along Brownlow Mews from its junction with Roger Street, although Brownlow Mews itself is a restricted parking zone with no parking or waiting allowed between 08.30 to 18.30 on weekdays, and between 08.30 and 13.30 on Saturdays, other than in marked bays.

The application property is located within an area benefitting from a Public Transport Accessibility Level of 6b, i.e. the highest possible, indicating the highly sustainable location of the property. The property is within 750 metres walk of both Russell Square and Chancery Lane underground stations, and 925 metres walk of Farringdon railway and underground station, as well as being within 1 and 5 minutes walk of nearby bus stops served by numerous bus routes including the 17, 19, 38, 45, 46, 55, 63, 243 and 341 services.

The application property and its surroundings are located within Bloomsbury Conservation Area, whilst neither the application building itself nor its immediate surroundings are statutorily or locally listed.

Relevant planning history of application property

The recent planning history of the application property is quite extensive, and follows on from the LPA's granting of planning application ref. 2003/0083/P, dated 18th August 2003, for the change of use of the property to enable it to be used as a head office and a control centre of both a courier company and a private hire vehicles business, i.e. a sui generis use. A copy of the decision notice granting planning permission can be found in Appendix 1 to this supporting planning statement.

In August 2007, planning permission (application ref. 2007/3106/P) was granted by the LPA for the following alterations and additions to the application property ;

'Erection of mezzanine floor, a new roof incorporating a roof terrace with screening (enclosure) to existing two storey building for additional office space in association with private hire company (sui generis).'

That permission was not subsequently implemented however and accordingly lapsed in August 2012 (as at the time of the granting of that permission the duration of any planning permission was five years rather than three).

In January 2011, the LPA refused a Section 73 application (ref. 2010/6406/P) which sought the variation of condition 2 imposed upon the granting of planning application ref. 2003/0083/P, to enable up to four deliveries to take place per week outside of the previously approved times, and also for up to three security staff to be permitted to remain on the premises outside of the previously approved times.

That application was refused for the following reasons ;

'The proposed variation of condition 2 of planning permission 2003/0083/P, by reason of the resultant increase in activities at the premises would result in a harmful intensification of the use outside of the previously approved hours, which would be detrimental to the residential amenity of local occupiers, contrary to policies CS5 (Managing the impact of growth and development) and CS9 (Achieving a successful Central London) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.'

An appeal against the refusal of Section 73 application ref. 2010/6406/P was subsequently lodged, although this appeal was then withdrawn in March 2011.

A further Section 73 application (ref. 2011/4872/P) was submitted to the LPA in September 2011, with that application proposing the variation of condition 2 imposed upon the granting of planning application ref. 2003/0083/P to enable up to three people to be permitted to remain on the premises outside of the previously approved times.

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That application was also refused by the LPA in November 2011 for a virtually identical reason as the previous application, namely ;

'The proposed variation of condition 2 of planning permission 2003/0083/P, by reason of the resultant increase in activities at the premises, would result in a harmful intensification of the use outside of the previously approved hours, which would be detrimental to the residential amenity of local occupiers, contrary to policies CS5 (Managing the impact of growth and development) and CS9 (Achieving a successful Central London) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.'

An appeal was subsequently made to the Planning Inspectorate (PINS) against that refusal, with that appeal proceeding by way of a hearing and ultimately being dismissed by PINS in July 2012, and a copy of that appeal decision can be found in Appendix 2 to this supporting planning statement.

Finally, in December 2014 an appeal against the failure of the LPA to determine a planning application (ref. 2014/1621/P) which proposed the change of use of the application property to a (then) B1 office use, and the change of use of the ground floor of neighbouring property no. 22-23 from a (then) B1 office use to a sui generis use (effectively a direct swap of uses), was dismissed on the basis of the harm the proposal would cause to the living conditions of nearby residents, with particular regard to the type and volume of vehicles that would be generated and the proximity of residential units. A copy of that appeal decision can be found in Appendix 3 to this supporting planning statement.

Proposals which are the subject of this planning application

Planning permission is sought for the change of use of the application property from its lawful sui generis use to a use falling within Class E(g)(i) (offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), with it being anticipated that the occupiers of the property will be an architectural practice.

The property is no longer required by its most recent tenants as they are no longer operating from the property and their lease agreement concludes on 31st December 2021, with the prospective new tenant looking to occupy the property from 1st January 2022.

We recognise that, given the broad nature of the recently introduced Class E, the LPA is unlikely to approve an unrestricted Class E use, particularly as some uses which now fall under Class E, such as a gym or a restaurant, might not be appropriate in this location, and the LPA would wish to retain control over the nature of the use.

Accordingly we can already confirm that, should the LPA deem it necessary, the applicant would be agreeable to the imposition of a condition upon the granting of planning permission restricting the use of the property, once the permission is implemented to Class E(g)(i) usage only, and for no other use without the express written approval of the LPA.

It is envisaged that up to 50 employees would work from the offices, and the office hours would be typical office hours of 08.00 to 18.00 on weekdays.

No operational development is required to facilitate the proposed change of use of the property, although the plans do incorporate internal refuse and recycling storage and also bicycle storage for employee use.

Relevant planning policies and associated guidance

At local level, the development plan for the application premises and the Borough as a whole currently comprises the Camden Local Plan, which was adopted in July 2017. Also of relevance is the Kentish Town Neighbourhood Plan, which was adopted in September 2016, and the Camden Planning Guidance (CPG) entitled 'Adverts' (adopted March 2018) and 'Design' (adopted January 2021).

At regional level, the Development Plan comprises the new London Plan, which has been published by the GLA in March 2021 following independent Examination in Public and subsequent review by the Secretary of State for Housing, Communities and Local Government.

At national level, the latest National Planning Policy Framework (NPPF) was published by the Government in July 2021 and streamlines previous national planning policy into a consolidated set of priorities, to ensure that planning decisions reflect genuine national objectives, with the principle of sustainable development permeating the framework.

The National Planning Policy Guidance (NPPG) was first published by the Government in March 2014 and is regularly updated, and also streamlines previously published national guidance, which had taken the form of planning policy guidance notes and planning policy statements, into a single document.

Planning appraisal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

Adopted Camden Local Plan policy E1 (Economic Development) confirms that the LPA will support business of all sizes, and will seek to maintain a stock of premises that are suitable for a variety of business activities, including by the safeguarding existing employment sites and premises in the Borough that meet the needs of industry and other employers.

Adopted Local Plan policy E2 (Employment Premises and Sites) goes on to advise that the LPA will resist the development of business premises and sites for non-business use until the ongoing use is no longer suitable, and the possibility of retaining, reusing or redeveloping the site for similar or alternative types and size of business use has been fully explored.

In this case, whilst it is acknowledged that the currently consented sui generis use of the application property does not fall within the definition of an 'industrial or employment generating use' (which prior to the September 2020 amendments to the Use Classes Order comprising uses falling within Use Classes B1, B2 and B8), the nature of the lawful use of the property is clearly an employment generating use, with approximately 40 employees previously working there.

Consequently the proposed change of use of the application property to offices, i.e. Class E(i)(g) will ensure the ongoing usage of the property for employment generating purposes, for which the property and its location is entirely appropriate.

Indeed, having regard to both the provisions of adopted Local Plan policy A1 (Managing the Impact of Development) and the lawful use of the application property as a control centre/head office associated with both a courier company and a private hire vehicles business, the proposed office use of the property is likely to reduce the potential for any adverse impact upon both existing and future occupiers of residential properties within Brownlow Mews, which, as the recent planning history illustrates, has often been a source of contention.

It is also recognised that the proposed office use is identified within the glossary to the NPPF as comprising a 'main town centre use' and planning policy at both local, regional and national level directs new main town centre uses to existing designated centres, and the application property is not located within a designated town centre.

However, we would again emphasise that the lawful use of the property is for business purposes, and the Local Plan encourages the retention of properties in business use as long as they are appropriately located. Brownlow Mews is mixed-use in character and comprises a significant number of existing commercial uses, including offices and even a public house, and furthermore is in a highly sustainable location benefitting from the highest possible PTAL.

Accordingly, having regard to the lawful use of the application property, its location within a mixed-use area and the highly sustainable nature of the location, coupled with the emphasis the adopted Local Plan places upon retaining existing properties in business usage for such purposes, we trust that a sequential assessment is not required as part of this application submission.

Finally, we would also reiterate that no external additions or alternations are required to facilitate the proposed change of use, and therefore the proposals will have no impact upon the character or appearance of the Bloomsbury Conservation Area within which the application property is located.

Conclusion

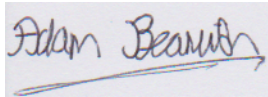
For the reasons set out within this supporting planning statement, the proposed conversion of the application premises from its lawful sui generis use to a use falling within Class E(g)(i) (offices) fully accords with the development plan at both local and regional level, and also reflects the thrust of national planning guidance as set out in the NPPF.

In particular the proposals would secure the continuation of business usage of long-established business premises within an area of mixed-use in a highly sustainable location.

Planning permission should therefore be granted for these proposals, subject to the imposition of any appropriate, necessary and reasonable conditions which the LPA considers necessary, the content of which we would welcome discussions within the Case Officer regarding.

We look forward to corresponding with the Case Officer to whom this application is allocated in the coming weeks, but in the meantime should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in blue ink that reads "Adam Beamish". The signature is written in a cursive style and is positioned above a horizontal line.

Adam Beamish
BA (Hons), DIP TRP, MRTPI