

Our Ref VW Finchley Road
Your Ref 2022/0528/P

50 George Street
London
W1U 7GA



VOLKSWAGEN
GROUP UNITED KINGDOM LTD

18 March 2022

David Fowler
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Dear Mr Fowler

Planning Application 2022/0528/P - Detailed planning permission for Development Plots N3-E, N4, and N5 including demolition of existing above ground structures and associated works, and for residential development (Class C3) and commercial, business and service (Class E) uses in Development Plot N3-E, residential development (Class C3) and local community (Class F2) and commercial, business and service (Class E) uses in Development Plot N4, and residential development (Use Class C3) and commercial, business and service uses (Class E) uses in Development Plot N5 together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots. Outline planning permission for Development Plots N1, N2, N3, N6, N7 ,S1 and S8 including the demolition of all existing structures and redevelopment to include residential development (Class C3) commercial, business and service uses (Class E), sui generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway works and infrastructure within and associated with those Development Plots.

I refer to the above planning application which includes the redevelopment of a site currently occupied and operated as a successful business by Volkswagen and Audi at 277 and 279 Finchley Road. Volkswagen and Audi would like to object to the proposals for the redevelopment of the site.

Background to objectors

The Volkswagen car dealership at 277 Finchley Road has been operating successfully since 1999 with several members of the team working at this location from day one. The car showroom currently employs 70 people on site, the majority of which are local. The company is invested in the training of local young people and currently employ 4 apprentices at the site and have 2 more apprentices starting this year. There is strong customer support for the retention of the dealership in the area and there is a desire for the dealership to remain at this site. Volkswagen have expressed a strong interest to continue trading and invest in this site in the future.

Similarly, Audi employs 50 local people at the dealership at 279 Finchley Road and the showroom has been operating successfully from this location for over 25 years. Currently the unit employs 3 apprentices with more to join the dealership later in the year.

As well as typical car dealership operations, the businesses also play an important role in providing a servicing function for vehicles within the local area including private hire, blue light, car sharing and subscription clubs. This includes a contract with Zip Car and Addison Lee, who are both running electric vehicles. Repairs are

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carried out at the site to Police and Ambulance vehicles on a regular basis. This local service requires a physical location and space to continue, the closure would have a knock-on detrimental impact on these other local businesses and services who rely on this facility.

Overall, across the two dealerships at this location, the proposed development poses a risk to 120 local jobs and at least 10 apprentices.

Proposals

The red line boundary of the submitted planning application (reference: 2022/0528/P includes the unit currently occupied by Volkswagen (Alan Day Volkswagen) and Audi (Finchley Road Audi). The application proposes the demolition of these units and the redevelopment of the site for a mix of uses (the car dealerships sit within the N6 and N7 plots which sit in phase 2 of the planned masterplan). Car showroom use is not listed within the proposed description of development, so the proposals do not allow for the continued operation of this successful businesses as it stands, or as part of, this proposed development.

The submitted planning statement provides the following justification for the removal of the car showroom use from the site:

“Located in the west of the Site are car showrooms and a Builders Merchant. As set out in the land use assessment within this Statement, these uses represent an inefficient use land. They are not compatible with a high-quality residential development and also constrain the ability of the Site to deliver the range of public benefits sought by the Local Planning Authority.”

No justification or evidence is provided to back up this statement.

Site and Planning Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

Volkswagen and Audi believe that the proposals as they stand are contrary to local planning policy (Camden Local Plan 2017) for the following reasons:

1. Policy A1- Managing the impact of development states the following: *the council will seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities.* The proposed development proposes to demolish and remove all traces of the existing characteristics of the local area and community, including the demolition of two successful car dealerships which employ and train over 120 local people. The proposed development does not therefore seek to balance the needs of the development with the needs of the existing local area, it seeks to replace the existing uses, and therefore the proposed development is contrary to this policy.
2. If phase 1 (the detailed element of the proposed plan for the redevelopment of the car park) is permitted and goes ahead while plans are being finalised for the remaining phases, Volkswagen and Audi have concerns regarding noise, vibration, odour, fumes and dust during the construction phase and the impact this could have on the employees, customers and business operation of the car dealerships. Volkswagen and Audi have concerns about the impact on the sunlight and daylight received by the employees of the car dealerships due to the height of the blocks proposed (protected in England and Wales under common law, adverse possession or by the Prescription Act 1832) and

have concerns regarding the transport impacts of the development including potential intensification of Blackburn Road for servicing and delivery access to the western blocks of housing. This could interrupt and disrupt the successful business operation of the car dealerships which require clear access from Blackburn Road. For these reasons, the proposed development is contrary to Policy A1.

3. Policy E1- Economic Development states that the council will support businesses of all sizes, maintain a stock of premises that are suitable for a variety of business, support local enterprise development, employment and training schemes for Camden residents, will safeguard the existing employment premises in the borough that meet the needs of industry and other employers and will recognise the importance of employment generating uses including retail. As outlined in the above section, the existing car dealerships at this location are successful, meet the needs of the industry and employs and trains local residents of Camden. The removal of this use from this site is therefore contrary to Policy E1 as the jobs, investment and training opportunities provided as part of this existing use will be lost. The aim of this policy is to retain, not remove or redevelop active and successful businesses.
4. Policy E2- Employment Sites and Premises states that the council will protect premises or sites that provide employment for Camden residents and those that support the functioning of the local economy. The council will resist development of sites unless it can be demonstrated that the site or building is no longer suitable for its existing business use and that the possibility of retaining, re-using 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. The policy states that the council will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that the redevelopment retains existing businesses on the site as far as possible. The current car dealership buildings are suitable for this existing employment use and the applicant has not taken any steps to retain the use as part of the redevelopment scheme (or has even included car dealerships as part of the mix of uses proposed in the description within the outline proposals). The proposed scheme is therefore contrary to this policy and the council should not support the loss of the car dealerships as part of this redevelopment.
5. Volkswagen and Audi appreciate that the car dealerships are located within the West Hampstead Interchange area where improving the public transport provision and movement around the area is a key objective. The council expects developments in the area to contribute towards a mix of uses, new housing and improved accessibility and street environment. The policy does not state that this should be to the detriment of existing successful employers in the area.
6. The adopted Camden Site Allocations Document (2013) allocates only the O2 Centre car park area (1.35ha) for mixed use housing development. Consultation on the draft site allocations local plan took place in March 2020. This document included a wider area (4.5ha) including the O2 Centre, the car park, the Homebase store and the car showrooms for mixed use redevelopment. This is not adopted policy and therefore currently only the car park area of the site benefits from a mixed-use allocation. Any further development, including the compulsory purchase, demolition and replacement of existing successful businesses in this area is therefore contrary to adopted allocation policy.
7. The site is located within the Finchley Road/ Swiss Cottage Town Centre. Policy TC1 states that the council will promote retail and other town centre uses within these areas. Policy TC2 states that the council will provide for and maintain a range of shops and other suitable uses to provide variety, vibrancy and choice within Town Centres. A housing dominated scheme is therefore unsuitable in an allocated Town Centre and not in compliance with this policy.
8. Primary and Secondary Retail Frontages are located within the O2 Centre Building and along Finchley Road. Policy TC2 states that primary frontages will be protected for retail use in order to maintain the

retail function of the centre and secondary frontages will be protected as locations for shops together with a broader range of other town centre uses to support the viability and vitality of the centre. The policy states that residential uses may be supported above retained ground floor retail frontages. Although the proposals include an element of commercial space at ground floor levels of the building, this is limited, and residential units are still included at ground floor level throughout the development. These proposals are therefore contrary to Policy TC2.

9. The proposals are contrary to Policy CC1- Climate change mitigation as the submitted Energy Statement fails to fully rationalise the proposed demolition of the car dealerships. The applicant fails to justify why it is not possible to retain and improve the existing buildings. The proposals include a substantial demolition of well-functioning buildings across the site, and Volkswagen and Audi believe this has not been fully justified. This is contrary to Policy CC1 which states that *"all proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use"*.

Desired Outcome

Volkswagen and Audi would like to continue operating from this successful location. This will ensure the retention of the current employment and training opportunities at the successful dealerships. Volkswagen and Audi do not have alternative locations within the vicinity to relocate the branches to so if the current use does not remain, then local jobs, training opportunities and successful businesses which contribute towards the local economy and meet an established local need will be lost.

Volkswagen and Audi have concerns about the impact of the proposed development on the success of their businesses so would encourage Camden Council to refuse this application, and the entire site is left as it is.

Volkswagen and Audi however understand that the car park site has already been allocated for mixed use development and is therefore likely to come forward for development soon. Volkswagen and Audi would like to ensure that appropriate mitigation is put in place to limit any disruption to their business during any construction work associated with this and appropriate transport assessment is carried out to ensure that this will not result in any impact or conflict on the access road to the car dealerships. Volkswagen and Audi believe that if this neighbouring site does come forward, there is the potential for this to complement and work alongside existing uses such as the car dealerships. Volkswagen and Audi would be keen to understand why the applicant believes the car dealership use is not considered compatible with residential development, numerous other examples are provided across London where these uses operate successfully as neighbours. Volkswagen and Audi have the strong view that the development of the site allocated within the adopted Local Plan can come forward successfully (as indicated in Phase 1 of the proposed masterplan (which is proposed to come forward independently) covered by the detailed element of the planning application) without the requirement for the compulsory purchase or use of the land currently occupied by Volkswagen and Audi car dealerships.

The outline planning permission element of the proposals for the remainder of the site within the red line boundary include a range of uses for the site, but this does not include car dealerships as part of the list of potential sui generis uses. Planning policy seeks to retain existing successful businesses and employment as part of the intensification of sites. Justification has not been provided within the submitted documentation for the absence of the existing car dealerships within the description of proposed commercial uses. If this planning application is viewed favourably, Volkswagen and Audi strongly encourage the applicant and council to amend the list of uses proposed to include the retention of the existing car dealerships as part of the emerging plans for the wider site.

The car showroom units are not included within the detailed plans submitted, nor within the demolition plan, so it is clear from the planning documents that development is not intended immediately, and these plots will be subject to further detailed planning applications for demolition and redevelopment. Currently no justification has been provided for the exclusion of this use within the outline proposals. Volkswagen and Audi would welcome the opportunity to engage with the applicant and council to discuss how the existing car dealerships can be incorporated either at their existing location or at an alternative ground floor location as part of the wider redevelopment. An example of where this has worked well elsewhere is at Lookers Volkswagen Battersea, 98 York Road. Images shown below demonstrate how an existing car dealership was incorporated as a ground and first floor use within a larger residential development. If the redevelopment proposals are supported by the council, Volkswagen and Audi would like to engage in discussions regarding how a similar scheme may be achieved for both dealerships at Finchley Road as part of proposed ground floor commercial uses.

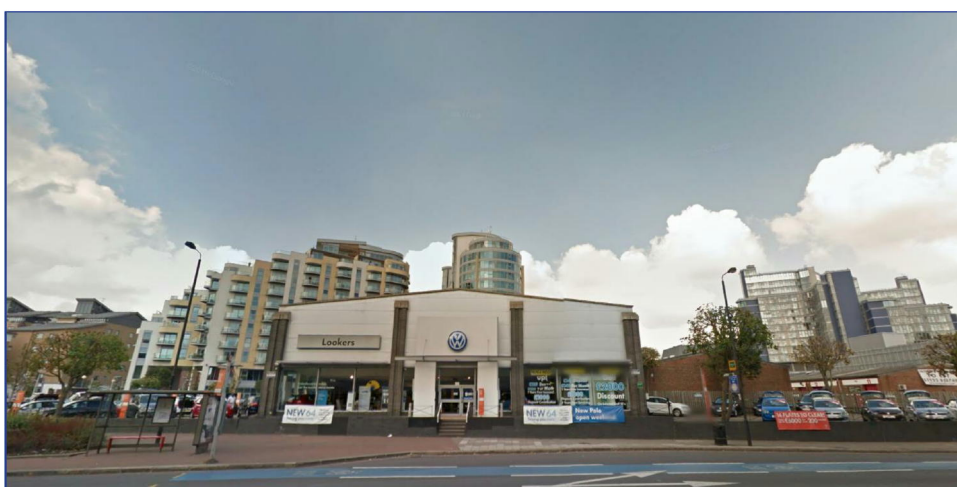


Figure 1: Lookers Volkswagen Battersea before being incorporated into residential development

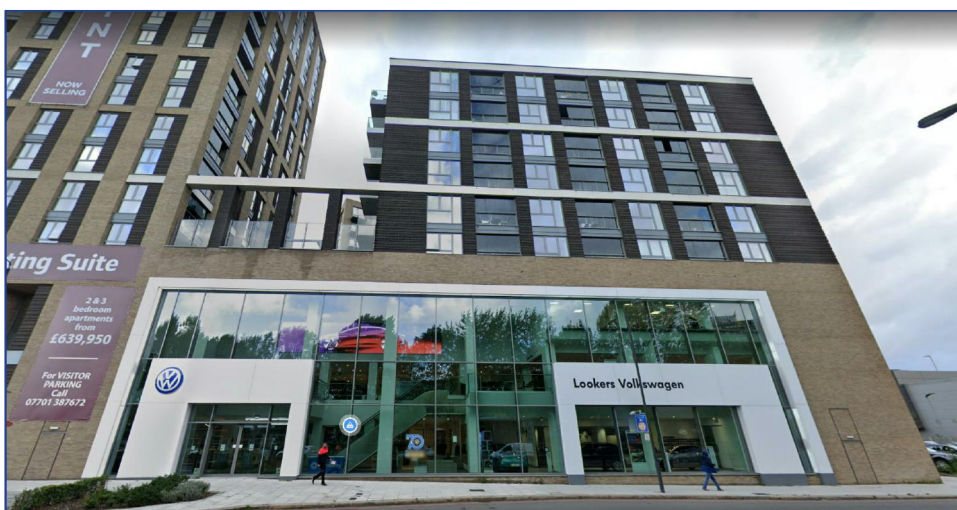


Figure 2: Lookers Volkswagen Battersea now operating successfully as part of a new residential led mixed-use development

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Volkswagen and Audi welcome further discussion regarding the issues raised in this objection so please do not hesitate to contact me if you have any queries in relation to the above.

Yours sincerely



Holly Gillingham MRTPI
Senior Planner