

Address:	Cartmel, Hampstead Road London NW1 3SH Coniston, Harrington Street London NW1 3SG Langdale, Stanhope Street London NW1 3RS		1
Application Number(s):	2023/2963/P	Officer: Kate Henry	
Ward:	Regents Park		
Date Received:	19/07/2023		
Proposal: Change of use of all flats (Class C3) to workspace use (Class E), as a meanwhile use for 2 years			
Background Papers, Supporting Documents and Drawing Numbers: Site Location Plan at 1:1250; S1031-L-36; S1031-L-37; S1031-L-38; S1031-L-39; S1031-L-40; S1031-L-48; 2204-S51 (Ground floor); 2204-S51 (1st floor); 2204-S51 (2nd floor); 2204-S51 (3rd floor); 2204-S51 (4th floor); 2204-S51 (5th floor); 2204-S51 (6th floor); 1387-2; 1387-3; Planning Statement (undated); Bow Arts statement (undated).			
RECOMMENDATION SUMMARY: Grant conditional planning permission			
Applicant:		Agent:	
John Nicholls Project Manager (Consents) Regeneration and Planning Supporting Communities London Borough of Camden 5 Pancras Square London N1C 4AG		n/a	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA sqm)
Existing	<i>Class C3 - Dwelling House</i>		11,103
Proposed	<i>Class E - Commercial, business & service uses</i>		11,103

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)

Existing	n/a	n/a
Proposed	n/a	n/a

EXECUTIVE SUMMARY

This is a Council-own application to enable a meanwhile use of the vacant residential units for small businesses and artist studios while the longer term future of these buildings is determined in the light of the emerging HS2 scheme.

The application site comprises 3 Council-owned housing blocks, namely Cartmel, Coniston and Langdale, which all form part of the Regent's Park Estate on the western side of Hampstead Road. The three buildings have largely been vacated of tenants and leaseholders due to the proximity of the HS2 construction works although a few residents have continued to remain in situ.

Planning permission is sought to change the use of all the individual flats (153 in total) within the 3 buildings from residential use (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years. The flats would be used as low cost workspace for creatives and makers. Bow Arts, an arts and education charity and social enterprise, would manage the units.

Whilst the change of use is sought for all of the flats, this does not necessarily mean that all would change use. The change of use would only occur at flats which have been vacated, and then only if they are suitable. If tenants choose to remain in their flats, these flats will not change use. The application has been submitted to cover all the flats as it is not known at this stage which will become vacant in the future. There is no requirement to implement a planning permission in its entirety, it could be part implemented and would then remain extant.

Planning permission has already been granted for the change of use of 19 flats at Langdale from residential use (Class C3) to commercial / business / service use (Class E), as a meanwhile use for up to 2 years. Bow Arts manages these flats and the permission expires in January 2024. Planning permission has also recently been granted for the change of use of 8 individual flats within Cartmel from residential (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years. The application relating to 8 flats was submitted separately to allow the change of use of these flats to occur ahead of this particular application being determined.

The proposed change of use of all the flats within the 3 housing blocks from residential use (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years, is considered to be acceptable on the basis that the flats are either currently vacant or will be soon (unless the tenant of the flat chooses to remain, in which case no change of use would occur) and they won't be re-let for residential purposes in the short-term due to the buildings' proximity to HS2 construction works. As such, there would be no permanent net loss of residential floorspace as a result of the proposals.

Furthermore, the proposal to use the flats as affordable workspace for creative industries accords with the aims of Policies G1 and E2 of the Local Plan insofar as it makes efficient use of the buildings and supports creative industries by increasing the supply of affordable accommodation (albeit on a temporary basis).

There would be no impact on the character and appearance of the wider area as a result of the proposed change of use. Similarly, it is not considered that the proposed change of use would have a harmful impact on neighbouring properties.

Allowing the temporary change of use for a period of 2 years means the flats would revert to their lawful use as residential (Class C3) in the future, unless a new application is made to extend the time limit for the temporary change of use in the meantime. If such an application was submitted, officers would be able to re-assess the proposals and take into consideration any issues arising from the approved change of use thus far.

OFFICERS' REPORT

Reason for Referral to Committee: Major development involving a change of use resulting in the provision of more than 1000 sqm of non-residential floorspace [clause 3(ii)]

1. SITE

- 1.1. The application site comprises 3 Council-owned housing blocks, namely Cartmel, Coniston and Langdale, which all form part of the Regent's Park Estate on the western side of Hampstead Road.
- 1.2. Cartmel is the southernmost of the three blocks. The L-shaped block is 7 storeys tall and the main entrance is on the eastern elevation, facing Hampstead Road (there is HS2 hoarding along Hampstead Road currently). The block can also be accessed from Harrington Street, to the west. There is a car-park at the rear (west) of the building.
- 1.3. Coniston is located to the north-west of Cartmel (the other side of the car-park). The block is rectangular in shape, with a small kink at the northern end, and 4 storeys tall. The main entrance is on the western elevation, facing Harrington Street. There is a communal garden at the rear (east) of the building, adjacent to the car-park.
- 1.4. Langdale is the northernmost of the three blocks and is located to the north-west of Coniston. The T-shaped block is 9 storeys tall. The main entrance is on the western elevation, facing Stanhope Street. The building can also be accessed from Harrington Street, to the east. There is hardstanding to the north of the building and a grassed area to the south (between the building and Mackworth Street).
- 1.5. The buildings have largely been vacated of residents due to the proximity of the HS2 construction works however, some tenants and leaseholders have chosen to remain in their homes rather than accept re-accommodation.
- 1.6. The surrounding area is predominantly residential in character, characterised by other housing blocks. Regent's Park Children's Centre and a self-storage depot

are situated to the west of Langdale on the other side of Stanhope Street. To the north, site clearance has been undertaken in relation to HS2 works.

2. THE PROPOSAL

- 2.1. This application is to enable the Council to accommodate suitable non-residential use in the vacant flats on a temporary basis while the longer term future for these buildings is determined. To manage the properties and help facilitate a change to other uses the Council contracted Bow Arts, a charity in property management and community and creative facilitation, to deliver a pilot creative workspace scheme on 17 flats in Langdale House. Subsequently a further 9 flats were granted change of use in Cartmel (see relevant history below).
- 2.2. Planning permission is now sought to change the use of all the individual flats (153 in total) within the 3 buildings (Cartmel, Coniston and Langdale) from residential use (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years. The flats would be used as workspace for creatives and makers. Bow Arts, an arts and education charity and social enterprise, would manage the units on behalf of the Council as landlord covering its costs through a capped rent system. Each flat would also contribute a monthly service charge to Camden Council for the upkeep of the overall buildings and services, the intention being to make the accommodation as affordable as possible.
- 2.3. Each main room, bedroom or living room would become a workspace with shared amenities (kitchen, bathroom, hallway, heating). Therefore a 3-bed flat could potentially offer 4-5 workspaces.
- 2.4. Whilst the change of use is sought for all of the flats, this does not necessarily mean that all would change use. The change of use would only occur at flats which have been vacated, and then only if they are suitable (i.e. fit for use). If tenants choose to remain in their flats, these flats will not change use. The application has been submitted to cover all flats as it is not known at this stage which will become vacant in the future.
- 2.5. No revisions have been made during the course of the application.

3. RELEVANT HISTORY

Cartmel (Flats 3, 10, 14, 35, 38, 41, 44, 53)

- 3.1. **2023/2962/P**: Change of use of 8x flats (Class C3) to workspace use (Class E), as a meanwhile use for 2 years. **Granted 23/08/2023.**

Cartmel (Flat 30b)

- 3.2. **2023/1263/P**: Change of use of residential flat (Class C3) to office use (Class E), as a meanwhile use for 2 years. **Granted 23/05/2023.**

Langdale

3.3. **2021/5446/P**: Change of use of 17 flats (Class C3) to commercial / business / service use (Class E), as a meanwhile use for up to 2 years. **Granted 21/01/2022.**

4. CONSULTATION

Statutory consultees

4.1. None.

Local groups and councillors

4.2. None.

Adjoining occupiers

4.3. Site notices were displayed on 26/07/2023 (consultation expiry date 19/08/2023).

4.4. An objection has been received from the occupier of Flat 15, Cartmel, summarised as follows:

- Ludicrous application which covers leaseholder properties without their permission. Why the blanket approach?
- Could activities not be confined to individual floors that are already empty?
- Why can't empty properties elsewhere on the estate be used?
- Lack of security due to unknown persons having access to the building.
- Impact of non-residential uses adjacent to retained residential flats.
- Impact on building's lift which is prone to breaking down.
- Building and surroundings is already being neglected, this will make it worse.
- Impact of vehicles using the car park.

Officer comment:

4.5. Whilst the change of use is sought for all of the flats, this does not necessarily mean that all would change use. The change of use would only occur at flats which have been vacated and which are suitable. If leaseholders and/or tenants choose to remain in their flats, these flats will not change use and will remain in residential use. The application has been submitted to cover all flats as it is not known at this stage which will become available in the future. Notice has been served on all of the leaseholders as part of the application process.

4.6. The applicant has confirmed that, with regards to restricting activity to floors which are already empty, this won't necessarily be possible because the handover of flats will be based on when they become available, which will not be on a floor by floor basis. Additionally having activity on different floors will help with passive surveillance / security etc. In Langdale the meanwhile uses are on different floors and it has worked well with good feedback from residents. Nevertheless, the applicant has advised that this suggestion will be taken into consideration going forwards.

- 4.7. Bow Arts, who will manage the workspaces in the buildings, have confirmed that they have a rigorous selection policy that includes a face to face interview as well as a photo ID held on record of any licenced occupant. There will also be on-site managers and a strong partnership with the relevant Council teams. They note that they have a 28 year history of managing successfully integrated meanwhile projects and place the safety of existing residents at the heart of decision making. They have advised that any concerns about their tenants should be shared with their team who will take necessary action. The applicant has also confirmed that caretaking staff will undertake daily health and safety checks and will report repairs, anti-social behaviour etc.
- 4.8. Bow Arts have confirmed that they could impose restrictions on the use of lifts, if required; however, they don't envisage bulky items being installed. The applicant has also confirmed that the lifts are monitored remotely for breakdowns and when they breakdown, lift engineers are dispatched to the site. They are also monitored by the building's caretaking staff on an ongoing basis. The Council's Mechanical and Electrical Operations Manager has confirmed that they recognise recent issues lifts and they are actively seeking to address the situation by implementing measures that will help prevent breakdowns in the future and ensure a smoother and more reliable lift operation. Additionally, they have advised that they will also explore ways to communicate with occupiers about the importance of using the lifts responsibly and avoiding actions that contribute to these disruptions.
- 4.9. Bow Arts will not offer parking to their tenants. Many are local residents and will be able to use public transport.
- 4.10. Whilst the proposal would see non-residential uses occupying units adjacent to retained residential flats, the nature of the proposed use (i.e. workspace for artists) is not considered to be incompatible with residential uses or to cause undue harm to neighbouring residential uses. The level of comings and goings likely to occur is not considered to be harmful.
- 4.11. The issue relating to the state of the building and the surrounding environment is not relevant to the consideration of this application. The proposed change of use is not considered to exacerbate issues relating to outside the building. Nevertheless, the applicant has confirmed that caretaking staff will undertake daily health and safety checks and will report repairs, anti-social behaviour etc.
- 4.12. The Council must assess the application before them. Reasons as to why the Council (as applicant) has not chosen a different building for the proposed change of use is not relevant to the determination of this application.

5. POLICIES AND GUIDANCE

5.1. National Planning Policy Framework (2021)

5.2. The London Plan (2021)

5.3. Camden Local Plan (2017)

G1 Delivery and location of growth
H1 Maximising housing supply
H3 Protecting existing homes
C2 Community facilities
C3 Cultural and leisure facilities
C5 Safety and security
E1 Economic development
E2 Employment premises and sites
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
CC5 Waste
T1 Prioritising walking, cycling and public transport
T4 Sustainable movement of goods and materials

5.4. Supplementary Planning Guidance

CPG Access for all (2019)
CPG Amenity (2021)
CPG Community uses, leisure facilities and pubs (2021)
CPG Design (2021)
CPG Transport (2021)

6. ASSESSMENT

6.1. The principal considerations material to the determination of this application are summarised as follows:

- Background / the principle of development
- Impact on the character and appearance of the area
- Impact on neighbours
- Temporary permission considerations

Background / the principle of development

6.2. Planning permission is sought to change the use of all the individual flats (153 in total) within the 3 housing blocks (Cartmel, Coniston and Langdale) from residential use (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years (however, as noted, the change of use would not occur at flats where the tenant chooses to remain rather than moving out). The flats which do change use would be used as low cost workspace for creatives and makers.

6.3. As noted, Bow Arts would manage the units. Bow Arts is an arts and education charity and a social enterprise, which seeks to provide artists and creative practitioners with low cost workspace, connecting them with local communities and supporting their professional development. They also give communities throughout London greater access to and interaction with the arts, through their schools programme, workshops, exhibitions and events.

- 6.4. A similar change of use has previously been allowed at Langdale. In 2022 planning permission was granted for the change of use of 17 flats from residential use (Class C3) to commercial / business / service use (Class E), as a meanwhile use for up to 2 years, and Bow Arts is managing those units. Planning permission has also recently been granted (on 23/08/2023) for the change of use of 8 individual flats within Cartmel from residential (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years. The application relating to 8 flats was submitted separately to allow the change of use of these flats to occur ahead of this particular application being determined.
- 6.5. Policy G1 of the Local Plan promotes the most efficient use of land and buildings in the borough; Policy H1 seeks to maximise housing supply by regarding self-contained housing as the priority land use of the Local Plan; and Policy H3 seeks to protect existing homes by resisting development that would involve a net loss of residential floorspace.
- 6.6. Policy E2 seeks to secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. The policy aims to support businesses of all sizes and to 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 notes that the Council recognises the importance of creative industries, especially the contribution they make to the unique character and vitality of the borough. It is noted that the variety and richness of Camden's cultural and creative offer relies on the availability of small affordable accommodation, such as studios and workshops for artists.
- 6.7. The flats in the 3 buildings are either currently vacant, or will be soon (unless the tenant of the flat chooses to remain) and they won't be re-let for residential purposes in the short-term due to the buildings' proximity to HS2 construction works and the impact this is having on these flats. Whilst Policy H3 generally seeks to resist the net loss of residential floorspace, in this case the flats will not be used as residential flats in the short-term and therefore the proposal to put them to an alternative use which is in demand (i.e. low cost workspace for creative industries), for a fixed period of time (which can be controlled by condition), is considered to comply with the aims of Policies G1 and E2 of the Local Plan insofar as it makes efficient use of the buildings and supports creative industries by increasing the supply of low cost or affordable accommodation (albeit on a temporary basis).
- 6.8. The principle of development is therefore considered to be acceptable, subject to the detailed considerations below.

Impact on the character and appearance of the area

- 6.9. Policy D1 of the Local Plan seeks to secure high quality design in development. No external changes are proposed to the buildings (other than some fresh

paintwork) and therefore there should be no impact on the character and appearance of the wider area as a result of the proposed change of use.

6.10. Concerns have been raised about the fact the buildings and surroundings are already being neglected, and that the problem may be exacerbated by the proposed change of use. However, it is not considered that the change of use would directly contribute to the buildings being neglected and falling into further disrepair. In fact, it is considered likely that putting the buildings back into use, rather than them being largely vacant, would aid in their being looked after and maintained.

Impact on neighbours

6.11. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. Policy A4 also seeks to ensure that noise and vibration is properly controlled and managed.

6.12. Due to the nature of the proposals, whereby artists and creatives would occupy vacant flats and use them as their workspace, it is not considered that there would be a significant impact on neighbouring properties (i.e. those residents that choose to remain in the buildings). This is because the use of the vacant flats as workspace is considered to be compatible with residential uses.

6.13. Concerns have been raised about resident safety and the impact of unknown people having access to the building. Bow Arts, who will manage the workspaces in the buildings, have confirmed that they have a rigorous selection policy that includes a face to face interview as well as a photo ID held on record of any licenced occupant. There would also be on-site managers and a strong partnership with the relevant Council teams. Bow Arts note that they have a 28 year history of managing successfully integrated meanwhile projects and place the safety of existing residents at the heart of decision making. Any concerns about their tenants should be shared with the team who will take necessary actions. Caretaking staff will also undertake daily health and safety checks and will report repairs, anti-social behaviour etc.

6.14. The level of comings and goings associated with the change of use is not likely to be significantly higher than that associated with the residential use of the buildings. If an issue did arise with lots of visitors to any particular building or individual flat, this could be raised with the management team and appropriate action taken.

6.15. The proposed use is unlikely to generate unacceptable levels of noise. A planning condition can ensure that no sounds shall be played that are audible at neighbouring premises.

6.16. A further planning condition is suggested to ensure that the use only occurs between the hours of 8am and 8pm at night, in order to reduce the impact on neighbouring residential properties.

Temporary permission considerations

- 6.17. Planning permission has already been granted for a temporary change of use at 17 flats within Langdale and the permission expires on 21/01/2024 (i.e. approximately 3 months from now). Similarly, planning permission has recently been granted for a change of use at 8 flats within Cartmel and the permission expires on 23/08/2025.
- 6.18. The Planning Statement accompanying this application notes that the change of use is sought for 2 years initially, but that this may be extended depending on the outcome of negotiations with HS2 and the ongoing work at their site adjacent to the blocks. An extension to the time limit beyond 2 years would require the submission of a new planning application, at which point officers would be able to re-assess the proposals and take into consideration any issues arising from the approved change of use thus far.
- 6.19. Insofar as the aim of the temporary permissions is to ensure that the flats revert to their former lawful use as residential in the future (in line with the aims of Policies H1 and H3 of the Local Plan, which seek to protect residential floorspace), and taking into consideration the fact that the change of use at Langdale has been successful in terms of the impact on neighbouring properties and the fact there is no prospect of the flats being re-let to tenants in the short-term (due to HS2 impact), the proposed change of use of all of the flats for a temporary period of 2 years (which would also have the effect of extending the above-mentioned permissions beyond the original 2 years allowed) is considered to be acceptable.

7. CONCLUSION

- 7.1. The proposed change of use of all the flats within the 3 housing blocks (Cartmel, Coniston and Langdale) from residential use (Class C3) to workspace use (Class E), as a meanwhile use for up to 2 years, is considered to be acceptable on the basis that the flats are either currently vacant or will be soon (unless the tenant of the flat chooses to remain, in which case no change of use would occur) and they won't be re-let for residential purposes in the short-term due to the buildings' proximity to HS2 construction works. As such, there would be no net loss of residential floorspace as a result of the proposals.
- 7.2. Furthermore, the proposal to use the flats as low cost workspace for creative industries accords with the aims of Policies G1 and E2 of the Local Plan insofar as it makes efficient use of the buildings and supports creative industries.
- 7.3. There would be no impact on the character and appearance of the wider area as a result of the proposed change of use. Similarly, it is not considered that the proposed change of use would have a harmful impact on neighbouring properties.
- 7.4. Allowing the temporary change of use for a period of 2 years means the flats would revert to their lawful use as residential (Class C3) in the future, unless a further application is made to extend the time limit in the meantime.

8. RECOMMENDATION

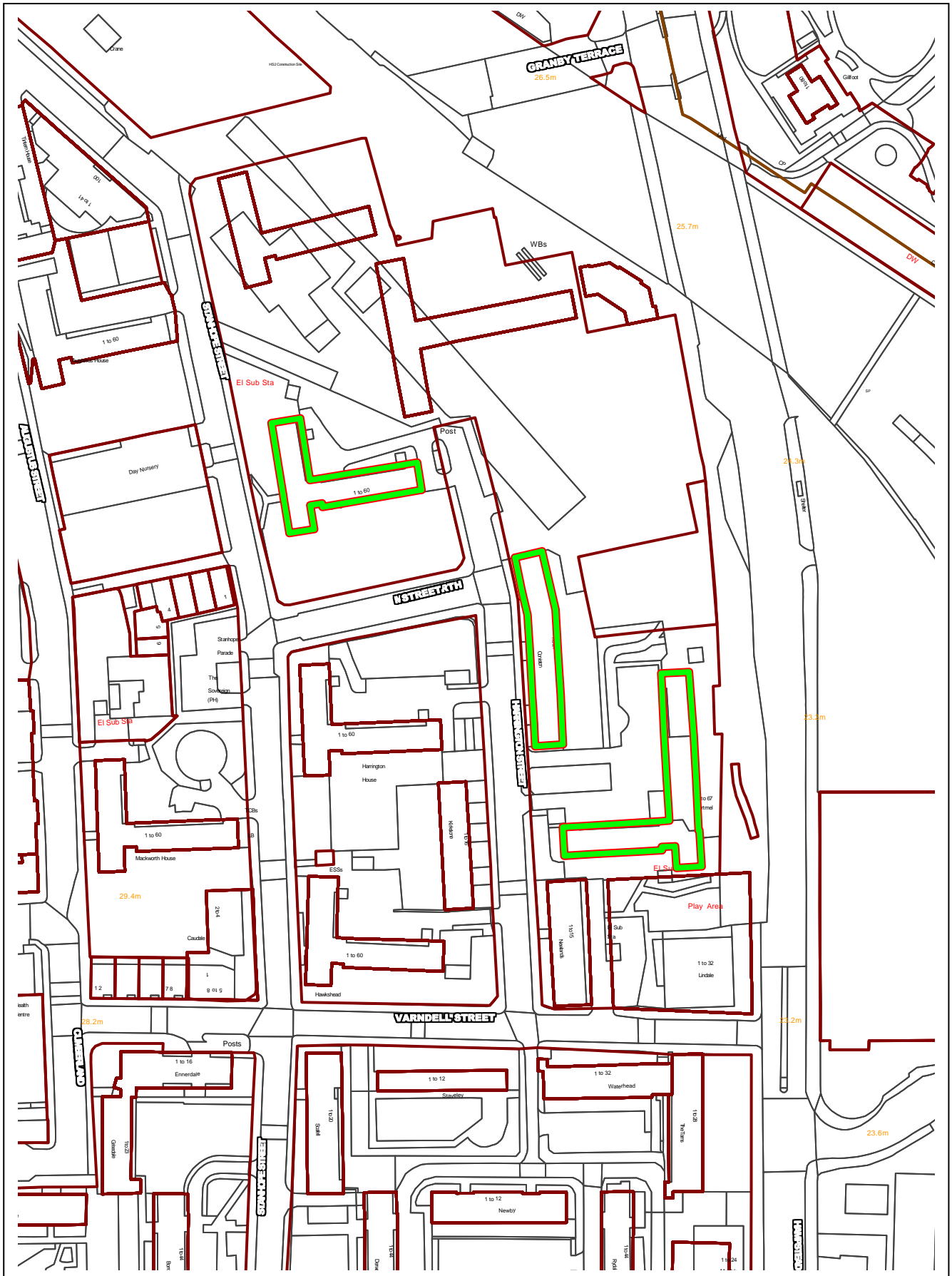
8.1. It is recommended to grant conditional planning permission.

9. LEGAL COMMENTS

9.1. Members are referred to the note from the Legal Division at the start of the Agenda.

10. PLANNING CONDITIONS

1	<p>The use hereby permitted is for a temporary period only and shall cease on or before 2 years from the date of this permission at which time the flats shall revert to their former lawful use of Class C3.</p> <p>Reason: In order that the long term use of the flats as self-contained residential units is retained, in accordance with Policies G1 and H3 of the Camden Local Plan 2017.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250; S1031-L-36; S1031-L-37; S1031-L-38; S1031-L-39; S1031-L-40; S1031-L-48; 2204-S51 (Ground floor); 2204-S51 (1st floor); 2204-S51 (2nd floor); 2204-S51 (3rd floor); 2204-S51 (4th floor); 2204-S51 (5th floor); 2204-S51 (6th floor); 1387-2; 1387-3; Planning Statement (undated); Bow Arts statement (undated).</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>The use hereby permitted shall not be carried out outside the following times: 0800 to 2000 hours.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.</p>
4	<p>No sounds from the use hereby permitted shall be emitted from the premises in such a way as to be audible at or within any residential/ noise sensitive premises.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.</p>

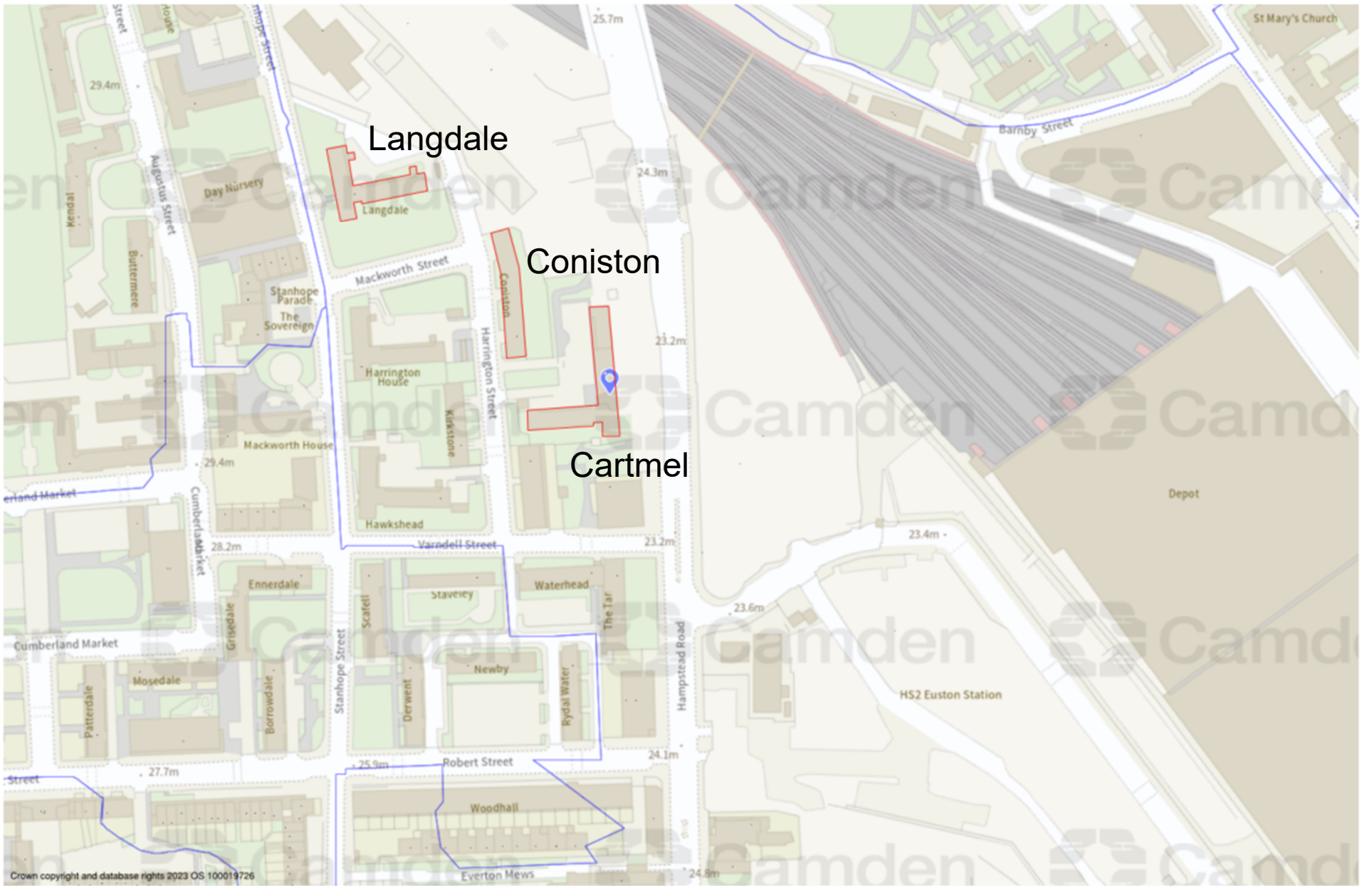


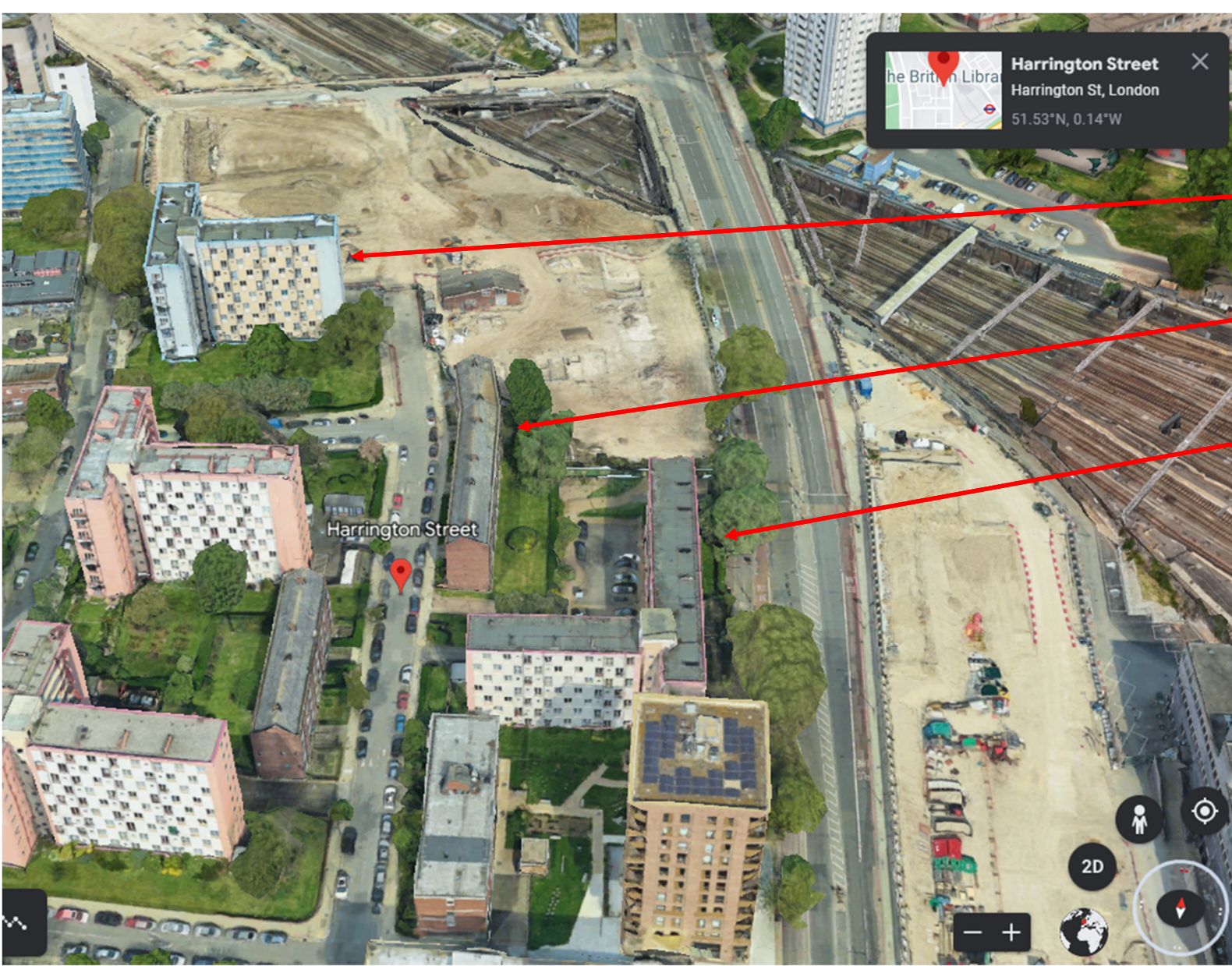
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Cartmel, Hampstead Road London NW1 3SH
Coniston, Harrington Street London NW1 3SG
Langdale, Stanhope Street London NW1 3RS

Scale:
1:1527
Date:
4-Sep-23



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Harrington Street
Harrington St, London
51.53°N, 0.14°W

Langdale

Coniston

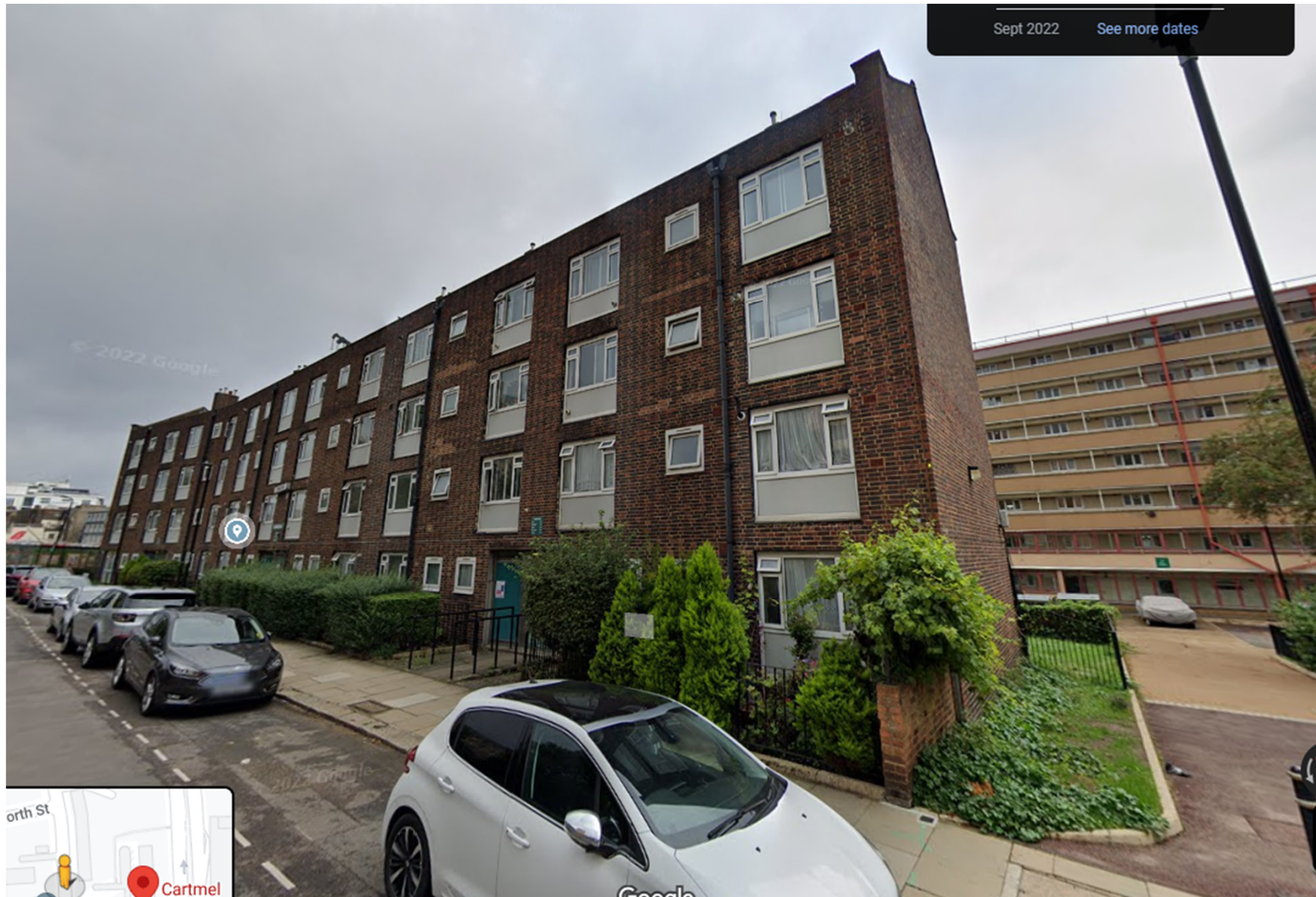
Cartmel

Harrington Street











Sept 2022

See more dates

