

Address:	75 Hampstead Road, London, NW1 2PL		5
Application Number(s):	2023/5311/P	Officer: Elaine Quigley	
Ward:	Regents Park		
Date Received:	12/12/2023		
Proposal:	Change of use of ground floor unit on Drummond Street from Class E (a) and (b) to a flexible Class E, restricted to (Ea - retail), (Eb food and drink), (Ec financial and professional services) and (Eg)(i - office); and Class F1(a - education) use and change of use of northern ground floorspace from office (B1) floorspace (now within Class E) to a flexible Class E, restricted to (Ea - retail), (Eb - food and drink), (Ec - financial and professional services) and (Eg)(i - office)); and Class F1(a - education) use.		
Background Papers, Supporting Documents and Drawing Numbers:			
Existing Drawings: 601-MBA-SK-2004-Existing GF demises _Rev B; 601-MBA-SK-2006-Existing Section AA; 601-MBA-SK-2007-Existing Section BB.			
Proposed Drawings: 601-MBA-SK-2003 rev B; 601-MBA-SK-2005-Proposed GF demises_Rev B; 601-MBA-SK-2008-Proposed Section AA; 601-MBA-SK-2009-Proposed Section BB.			
Documents: Covering letter prepared by Gerald Eve dated 08/12/2023; Planning Statement prepared by Gerald Eve dated 08/12/2023; Floorspace Schedule prepared by Lazari Investments Limited dated 04/12/2023; Marketing and Leasing Letter prepared by Lazari Investments Limited dated 04/12/2023; Change of Use Supporting Statement prepared by First Intuition Limited dated 05/12/2023; The Lantern Marketing Brochure; Transport Technical Note prepared by RGP dated December 2023.			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to s106 legal agreement			
Applicant:	Agent:		
c/o Agent	Gerald Eve LLP One Fitzroy 6 Mortimer Street London W1T 3JJ		

ANALYSIS INFORMATION

Land use floorspaces			
Use Class	Use Class	Use Description	GIA (sqm)
Existing	E(g)(i)	Offices	1,384
	E(a) and E(b)	Retail, café / restaurant	191
TOTAL			1,575
Proposed	F1	Education OR	1,575
	E(a); E(b); E(c); E(g)(i)	Retail, café/restaurant, financial services, offices	1,575
TOTAL			1,575

Parking details			
Type	Existing spaces	Proposed spaces	Difference
Cycle	243	243	0

EXECUTIVE SUMMARY

- i) The application follows on from a planning permission granted in 2018 for a 7 storey mixed use scheme on the site comprising offices, flexible office (B1a) / healthcare (D1), retail (A1), café (A3) and 17 new residential units (2017/3518/P).
- ii) In relation to part of the ground floor a further planning permission was granted in 2022 for change of use of the Class A1 (retail) ground and lower ground floor units on Hampstead Road to the new Class E (restricted to (a – retail and e – medical / health services) and change of use of the flexible Class B1/ D1 (office / community) ground floor unit on Drummond Street to Class E (restricted to a – retail and (b – food and drink). This permission has been partially implemented with the retail and medical / health services tenants occupying the lower ground and ground floor units on Hampstead Road. The ground floor unit on Drummond Street has remained vacant since the building's completion.

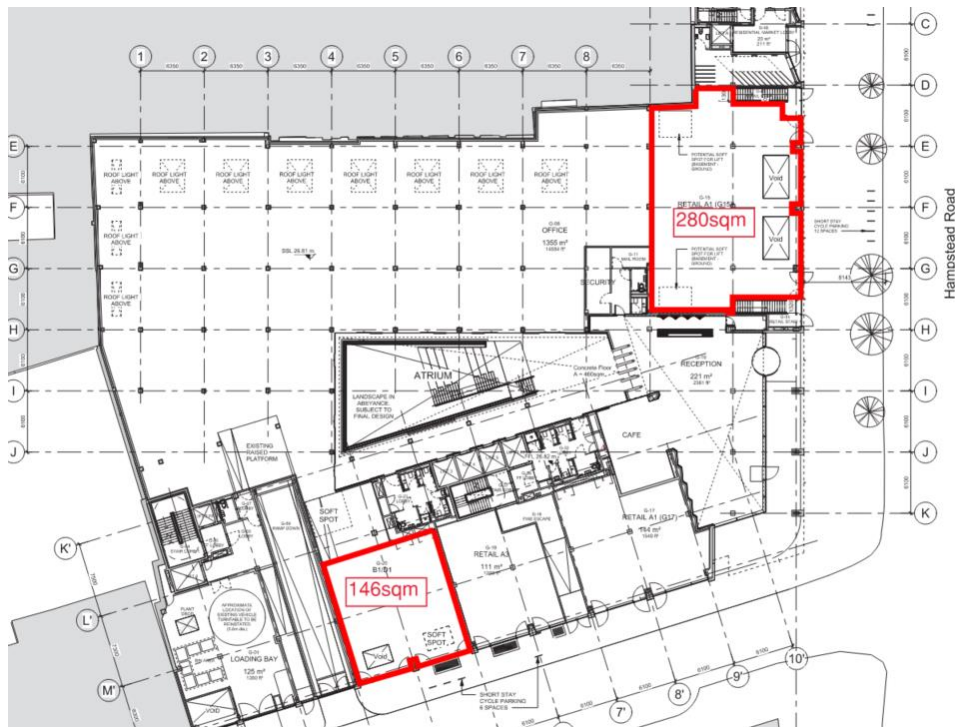


Figure 1 (above): Ground floor plan approved as part of 2022 permission showing the locations of the ground floor unit fronting Drummond Street and the ground floor unit on Hampstead Road. The area outlined in red as measuring 146 sq. m forms part of the current planning application.

- iii) In order to assist in letting the remaining vacant space on the ground floor of the development to an identified occupier, the applicant is seeking a change of use from retail, and food and drink (unit fronting Drummond Street) and office use (northern floorspace). Figure 2 below identifies the location of this floorspace within the wider ground floor. The current application proposes a flexible use of these ground floor spaces within the building (1,575 sq. m (GIA)). This would entail a change from the currently approved Class E(a) and (b) uses to either Class E (restricted to a - retail, b – food and drink, c – financial and professional services and g(i) - office); OR Class F1(a) education use. For the northern floorspace of the ground floor unit a change of use from office (Class Eg(i) to a flexible Class E (restricted to a – retail, b – food and drink, c – financial and professional services and g(i) - office); OR Class F1(a) - education use.

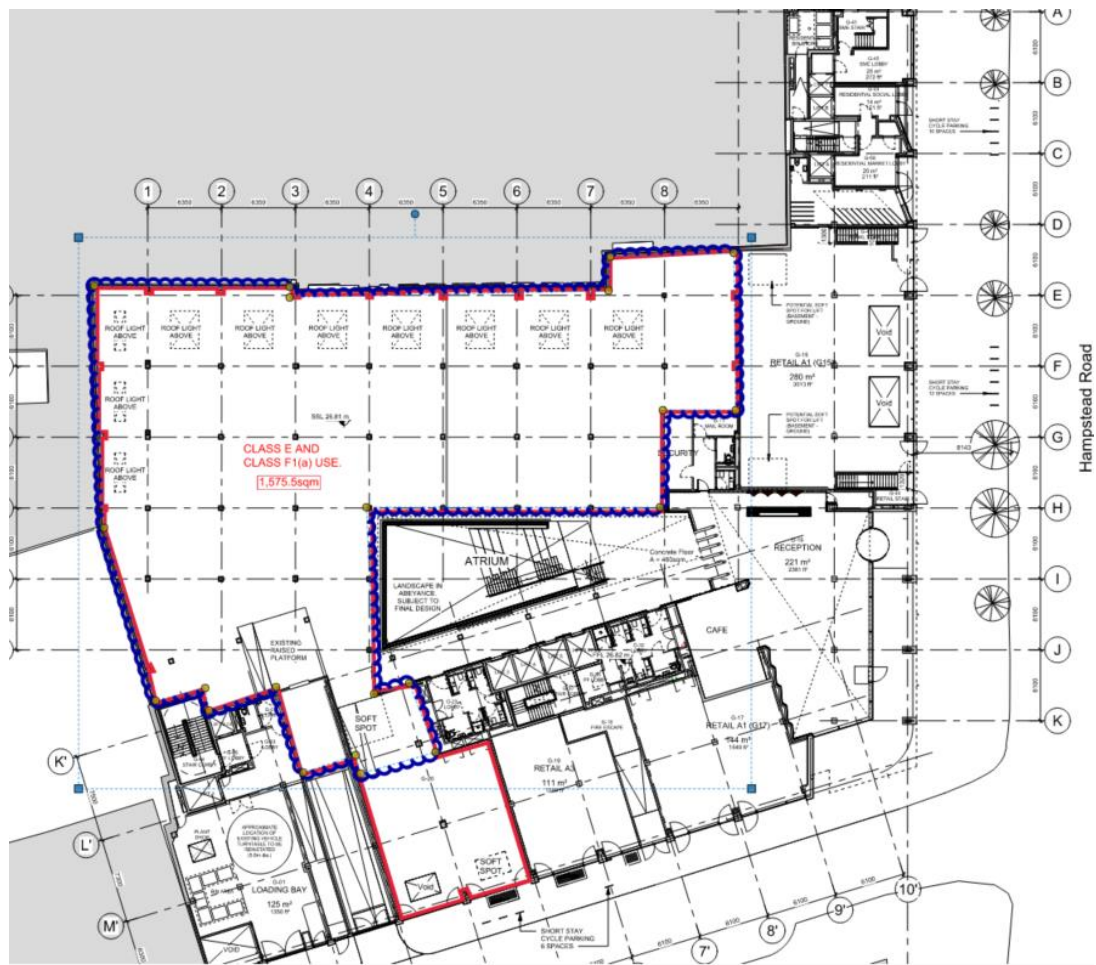


Figure 2 (above): Ground floor plan illustrating the area of office floorspace (denoted in blue) which is located in the northwest part of the building that forms part of the proposal.

- iv) In summary, the applicant wants the flexibility to use the remaining ground floor office space and the separate retail unit facing onto Drummond Street as a single unit either as educational floorspace, which is the use of the identified occupier, or a wider range of commercial uses than currently permitted, all of which fall under the same use Class, but not the full range of uses permitted by Class E.
- v) It is considered that the proposed flexible use for commercial or educational use would not affect the economic vitality or viability of the area given that the proposals would retain potential employment opportunities. Camden's Local Plan gives both office uses and educational uses a level of protection. In respect to education, Local Plan policies E1 and C2 recognise the contribution that educational uses make in helping sustain a balanced economy and providing employment opportunities. In respect of employment use Local Plan policy E1 confirms the Council will maintain a stock of premises that are suitable for a variety of business activities. Similarly, Local Plan policy E2 confirms the Council will protect premises or sites that are suitable for continued business use.
- vi) Although over 1000 sq. m of office floorspace could potentially be lost as a result of the proposed change of use, the quantum of floorspace is relatively modest

given the overall supply of additional office floorspace within the building as a whole (over 5000 sq. m) as part of the wider development. The ground floor space within this part of the building has proved less desirable as offices so providing flexibility and ensuring an active ground floor would be encouraged. Given that this site has delivered vastly improved office space on the upper floors compared with what existed before, it is considered that the scheme overall would still be delivering benefits in terms of office provision. Two years post completion marketing and 12 months of post completion marketing has been undertaken for the proposed units and there has been no serious interest shown from office occupiers for the office units.

- vii) Normally an employment and training package would be secured in the event of a change of use where there may be a loss of office floorspace; however, a package of employment and training benefits were secured as part of the original planning permission granted for the new building in 2018 including pre-construction and post construction apprenticeships and construction and non-construction placements as well as a financial contribution towards employment and skills opportunities for residents of the original development. Consequently it would not be considered reasonable to seek further employment and training benefits as a result of this application.
- viii) No physical changes are proposed to the building under this application and the proposal seeks to use the relevant part of the ground floor as educational use whilst retaining the option to convert the building to uses within the authorised Class E use. As such there are considered to be minimal impacts from the proposal in terms of amenity, transport and sustainability.
- ix) Officers recommend conditional planning permission is granted.

OFFICER REPORT

Reason for Referral to Committee: Non-residential development including a change of use resulting in provision of more than 1,000sqm of non-residential floorspace [clause 3(ii)]

1. SITE AND BACKGROUND

Location

- 1.1 The site is located on the west side of Hampstead Road, the north of Drummond Street and the south of William Road. The application site contains a ground plus 7 storey building which predominantly fronts Hampstead Road. The application site relates to part of the ground floor only and covers a site area of approximately 1,575.5 sq. m shown outlined in red below. The blue line denotes the remainder of the site owned by the applicant but which is not involved in this application.

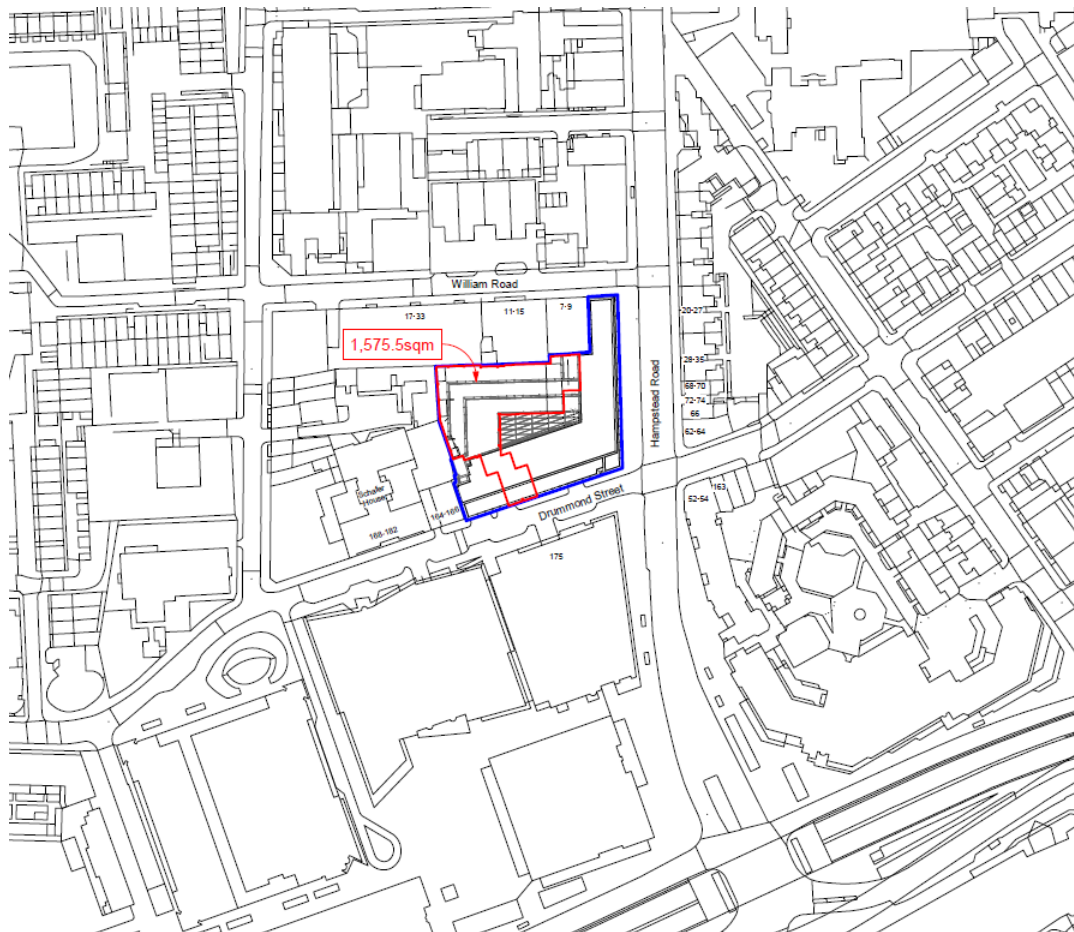


Figure 3 (above): The existing site (area in red denotes the demise of the ground floor premises and the area in blue denotes the entire building)

- 1.2 The newly completed building, that was originally known as Stephenson House now the Lantern, contains 16,709m² of office (Class E(g)(i)) floorspace, 904m² of flexible office / healthcare (Class E(g)(i) / Class Ee) floorspace, 857m² of retail (Class E(a)) floorspace, 118m² of cafe (Class E(b)) floorspace and 17 residential (C3) units (total 2,296.8m²) (all figures in GIA). See Figure 2 below showing the ground floor layout of the building.



Figure 3 (above): Ground floor plan from the marketing brochure illustrating the authorised uses.

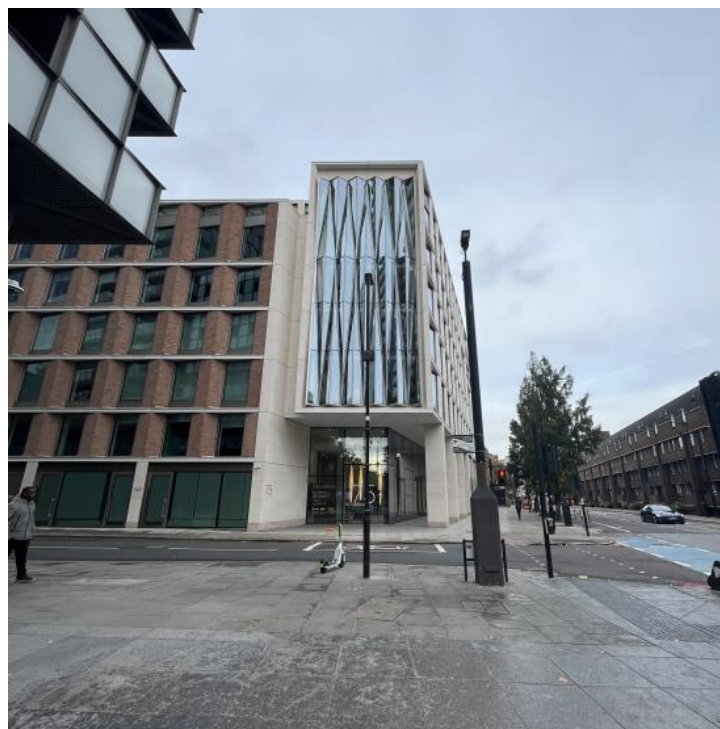


Figure 4 (above): View of the building from Hampstead Road looking north

- 1.3 The site is important for a number of reasons, including: its proximity/connection to an expanding Central London, as a key junction and route between Euston and Regent's Park/Westminster (especially once HS2 is completed), and as a site at the heart of an area of imminent significant change (being located just outside the Euston growth area). The site is within the Euston Area Plan (EAP) in the Regent's Park Estate Character Area. The site itself is not in a Town Centre location; however, the EAP mentions Drummond Street as a key east-west link (also as potential for a new/improved crossing at the junction with Hampstead Road) and active ground floor uses and shop front improvements are encouraged.
- 1.4 The local area is highly accessible via public transport, Warren Street London Underground Station is located approximately 200 metres to the south, with the site benefitting from a PTAL of 6b (highest possible).

2. THE PROPOSAL

- 2.1 Planning permission is sought for change of use of one of the ground floor units that fronts onto Drummond Street from Class E(a) and (b) to a flexible Class E, restricted to (E(a) - retail), (E(b) food and drink), (E(c) financial and professional services) and (E(g))(i - office); and Class F1(a) use and change of use of northern floorspace of the ground floor unit from office (B1) floorspace (now within Class E) to a flexible Class E, restricted to (E(a) - retail), (E(b) - food and drink), (E(c) - financial and professional services) and (E(g))(i - office)); and Class F1(a - education) use. Figure 5 below illustrates the proposed floorspace.



Figure 5 (above): Existing ground floor plan of the whole development showing the proposed floor area that forms part of the proposal.

- 2.2 This part of the ground floor of the building has been vacant since the development was completed with practical completion taking place on 23rd June 2022 and their permitted uses have not yet been instituted.
- 2.3 It is proposed to amalgamate the unit fronting Drummond Street and the northern floorspace of the ground floor unit to form one larger unit. No internal physical subdivision of the units has so far been constructed and it is currently laid out as one large open plan space.
- 2.4 From the planning statement and supporting statement submitted with the application it is clear that an educational provider, First Intuition Limited, is intended to be the future tenant of the space. First Intuition are a professional education provider, specialising in accountancy. It offers a full range of accountancy training including studies to gain professional accountancy qualifications and diplomas. First Intuition is a locally-based company in Camden who operates from County House within Conway Mews off Fitzroy Square. Due to the continued growth of the business over the last 5 years First Intuition have been looking for an additional building in close proximity to Conway Mews to meet their growth requirements.

- 2.5 It is proposed to create classroom and office space to accommodate up to 150-250 learners with 20-30 staff members. The maximum number of learners on site at any one time would be approximately 280 people, although this is dependent on the number of courses running and therefore there are periods throughout the year when this number would be lower. On average approximately 143 people would be on site on any given day. Of the 20-30 staff members approximately 75% will be newly created jobs.
- 2.6 In addition to the education training which is delivered to students online and in the classrooms, there is also office and break out space proposed to be provided. Therefore office use would be ancillary to the education use. Courses typically run Monday to Friday with some weekend and evening courses offered when required. The hours of opening are from 08:00am to 6:00pm with courses themselves running from 09:30am to 4:30pm.
- 2.7 The new educational user would have access to the existing basement cycle parking area which is used by all the staff within the building. There are 243 cycle parking spaces within the basement.

3. RELEVANT HISTORY

The site

- 3.1 Planning permission was **granted** on 09/03/2018 (ref 2017/3518/P) for extensive internal and external refurbishment of Stephenson House to provide a ground plus 7 storey building containing 16,709sqm (GIA) of office (B1) floorspace, 904sqm (GIA) of flexible office/healthcare (B1/D1) floorspace, 857sqm (GIA) of retail (A1) floorspace, 118sqm (GIA) of cafe (A3) floorspace and 17 residential (C3) units (total 2,296.8sqm GIA), comprising 11 market units (1x1 bed, 6x2 bed, 4x3 bed) and 6 affordable units (3x2 bed and 3x3 bed). The works include the removal of existing colonnade to Hampstead Road elevation, creation of double height entrance on Hampstead Road, multiple storey extensions and infills to the building, creation of three terraces to the rear, three integral pocket gardens to the Hampstead Road elevation and balconies facing Hampstead Road to all residential units. Addition of PV panels to the roof, 249 commercial cycle parking spaces, 33 residential cycle parking spaces, 4 disabled car parking spaces and associated landscaping and works.
- 3.2 Planning permission was **granted** on 02/07/2018 (ref 2018/0663/P) for variation of condition 2 (approved plans) of 2017/3518/P dated 08/03/2018 (for extensive refurbishment of building and extensions to create 16,709 sq. m office, 904 sq. m flexible office / healthcare, 857 sq. m retail, 118 sq. m café and 17 residential units (including 6 affordable) and associated works (summary): NAMELY to demolish 60% of the existing primary structure (as opposed to 30%) and to increase the overall height of the building by 450mm.

- 3.3 Non-material amendment was **granted** on 12/09/20219 (ref 2019/3232/P) to planning permission 2017/3518/P dated 08/03/2018 (as amended by 2018/0663/P dated 02/07/2018) for extensive refurbishment of building and extension to create 16,709 sq. m office, 904 sq. m flexible office / healthcare, 857 sq. m retail, 118 sq. m café and 17 residential units (including 6 affordable) and associated works (summary): NAMELY for the retention of western boundary wall of Stephens House, setback at upper levels and omission of rear windows.
- 3.4 Non-material amendment was **granted** on 22/07/2022 (ref 2022/2693/P) to planning permission ref 2017/3518/P dated 08/03/2018 (as amended by 2018/0663/P dated 02/07/2018 and 2019/3232/P dated 12/09/2019) for extensive refurbishment of building and extensions to create 16,709 sq. m office, 904 sq. m flexible office / healthcare, 857 sq. m retail, 118 sq. m café and 17 residential units (including 6 affordable) and associated works (summary); NAMELY to vary condition 16 (accessibility) to remove the requirement for at least 10% of units to be designed and constructed in accordance with Part M4(3) and M2(2) adaptable of the Building Regulations.
- 3.5 Planning permission was **granted** on 04/08/2022 (ref 2022/2805/P) for change of use of the Class A1 (retail) ground and lower ground floor units on Hampstead Road to Class E (restricted to (a – retail) and (e – medical / health services)) and change of use of the flexible Class B1/ D1 (office / community) ground floor unit on Drummond Street to Class E (restricted to (a – retail) and (b – food and drink)). This permission has been partially implemented.

Relevant approval of details applications

- 3.6 Permission was **granted** on 24/06/2022 (ref 2022/0825/P) for discharge of Condition 14 (details of cycle storage) of 2018/0663/P dated 02/07/2018 (Variation of condition 2 (approved plans) of 2017/3518/P dated 08/03/2018 (for extensive refurbishment of building and extensions to create 16,709sqm office, 904sqm flexible office/healthcare, 857sqm retail, 118sqm café and 17 residential units (including 6 affordable) and associated works). The number and details of the 243 cycle parking spaces and store area (mainly in the basement) for the commercial uses was considered satisfactory.
- 3.7 Permission was **granted** on 28/12/2022 (ref 2022/1182/P) for details required by condition 31 (mechanical ventilation system and NO2 filters) dated 02/07/2018 (for Variation of condition 2 of 2017/3518/P dated 08/03/2018 (for extensive refurbishment of building and extensions to create 16,709sqm office, 904sqm flexible office/healthcare, 857sqm retail, 118sqm café and 17 residential units (including 6 affordable) and associated works).

- 3.8 Permission was **granted** on 20/01/2023 (ref 2022/4996/P) for details of conditions 4 (waste storage), 5 (cycle storage) and 6 (water usage) of planning permission 2020/5851/P dated 02/03/2022 (for change of use of 11 market residential units (C3), as substantially implemented under 2018/0663/P dated 02/07/2018, to flexible temporary sleeping accommodation (Sui Generis)/residential units (C3) to be used as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's Proton Beam Therapy Centre). The number and details of the required 33 residential cycle parking spaces and store area was considered satisfactory.

4. CONSULTATION

Statutory consultees

Transport for London (TfL)

- 4.1 No reply to date.

Adjoining occupiers

- 4.2 Three sites notice were displayed, 1 outside 75 Hampstead Road, 1 outside 164-166 Drummond Street and 1 outside 11-15 William Road. The notices were displayed on 17/01/2024 until 10/02/2024 and the application was advertised in the local paper on 18/01/2024 expiring 11/02/2024.
- 4.3 No responses were received in response to the application.

5. POLICY

National and regional policy and guidance

[National Planning Policy Framework 2023 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[Written Ministerial Statement on First Homes \(May 2021\)](#)

[London Plan 2021 \(LP\)](#)

[London Plan Guidance](#)

Local policy and guidance

[Camden Local Plan \(2017\) \(CLP\)](#)

[Policy G1 Delivery and location of growth](#)

[Policy C2 Community facilities](#)

[Policy C5 Safety and security](#)

[Policy C6 Access for all](#)

[Policy E1 Economic development](#)

[Policy E2 Employment premises and sites](#)

[Policy A1 Managing the impact of development](#)

[Policy A3 Biodiversity](#)

[Policy A4 Noise and vibration](#)

[Policy D1 Design](#)

[Policy CC1 Climate change mitigation](#)
[Policy CC2 Adapting to climate change](#)
[Policy CC3 Water and flooding](#)
[Policy CC4 Air quality](#)
[Policy CC5 Waste](#)
[Policy TC1 Quantity and location of retail development](#)
[Policy TC2 Camden's centres and other shopping areas](#)
[Policy TC4 Town centre uses](#)
[Policy T1 Prioritising walking, cycling and public transport](#)
[Policy T2 Parking and car-free development](#)
[Policy T3 Transport infrastructure](#)
[Policy T4 Sustainable movement of goods and materials](#)
[Policy DM1 Delivery and monitoring](#)

Supplementary Planning Documents and Guidance

Most relevant Camden Planning Guidance (CPGs):

[Access for All CPG - March 2019](#)
[Air Quality - January 2021](#)
[Amenity - January 2021](#)
[Biodiversity CPG – March 2018](#)
[Design - January 2021](#)
[Employment sites and business premises – January 2021](#)
[Energy efficiency and adaptation - January 2021](#)
[Town centres and retail - January 2021](#)
[Transport - January 2021](#)

Other documents

Euston Area Plan (EAP) 2015
 Camden Local List January 2015

Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are considered in the following sections of this report:

9	<p>Land use</p> <ul style="list-style-type: none"> • Loss of office floorspace • New educational floorspace • Other proposed flexible uses
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10	Design
11	Impact on Neighbouring Amenity
12	Energy and Sustainability
13	Air Quality
14	Safety and security
15	Access
16	Transport
17	Refuse and servicing
18	Employment and training opportunities
19	Community Infrastructure Levy
20	Conclusion
21	Recommendation
22	Conditions
23	Informatives

7. LAND USE

- 7.1 The ground floor unit fronting Drummond Street that forms part of this application measures 191 sq. m. The original planning permission authorised use of this unit for flexible Class B1 / D1 (office / community) uses. Planning permission was granted on 04/08/2022 (ref 2022/2805/P) for it to be used as Class E (a – retail) and (b – food and drink) with the lower ground and ground floor unit on Hampstead Road being used as a flexible retail / healthcare use (Class E(a/e)). A condition was attached to this permission (condition 4) restricting the uses within the E class to Class E(a) and Class E(b) in order to prevent the loss of approved retail uses on the site which are deemed the most appropriate uses in this location and to create an active frontage on Drummond Street. This 2022 permission has partially been implemented with the retail /healthcare tenants occupying the lower ground and ground floor units on Hampstead Road. There are 3 ground floor retail units on Drummond Street. All 3 units have remained vacant since the building's completion. This application relates to 1 of the retail units which is furthest from Hampstead Road. Should any of the vacant ground floor units become occupied for a period of time under the original permission (which granted Class B1 and Class D1), the authorised uses would then subsequently fall within the new Class E and Class F1 use class without any restriction.

- 7.2 The northern floorspace of the ground floor unit has an authorised use as office (ClassB1) floorspace and comprises approximately 1,384 sq. m (as part of the 2017 permission that has been built out). The existing office floorspace is Class B1 however if occupied for a period of time can be used by any uses that falls within the Class E use class.
- 7.3 A flexible use is now sought to enable the two spaces to be used either as Class E (restricted to a - retail, b – food and drink), c – financial and professional services and g(i) - office), OR Class F1(a - education) use.
- 7.4 A flexible permission allows the applicant the right to change between the uses granted for a 10 year period from the date of permission after which the lawful use would revert to whichever use is taking place at the time. This is based on the legislation set out in the Town and Country Planning (General Permitted Development) Order (2015) (GPDO), Schedule 2, Part 3, Class V.

Loss of office floorspace

- 7.5 Policy E2 states the Council will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction that the site or building is no longer suitable for its existing business use and 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.
- 7.6 Paragraph 44 of CPG Employment Sites and Business Premises (January 2021) sets out how the Council will assess applications for the loss of employment space. The guidance states that when assessing proposals that involve the loss of a business use the Council will take into account various factors including:
1. Whether the premises are in a reasonable condition to allow the use to continue;
 2. The suitability for small businesses;
 3. The suitability of the location for any business use; how the business use is related to other neighbouring/nearby land uses; and
 4. Whether a lower quantum of replacement employment space is proposed as part of the development, and if so whether the nature of this space is considered to have the potential to offer equal or greater benefits to local people or businesses than the existing space.
- 7.7 The guidance states under paragraph 44 that the Council will require evidence of a marketing exercise to support an application involving the loss of employment uses, in line with Local Plan policy E2. As a minimum, we will expect marketing exercises to include the following:

- Use of a reputable local or national agent with a track record of letting employment space in the borough;
- A visible letting board on the property (constant throughout the marketing period);
- Marketing material should be published on the internet, including popular online property databases such as Focus;
- Continuous marketing over at least 2 years from when the letting board is erected and the property is advertised online (i.e. not simply from when agents were appointed) to the date of the submission of the planning application;
- Advertised rents should be reasonable, reflecting market rents in the local area and the condition of the property;
- Lease terms should be attractive to the market:
- Be for at least three years, with longer terms, up to five years or longer, if the occupier needs to undertake some works and/or include short term flexible leases for smaller premises which are appropriate for SMEs;
- Appropriate rent free periods should be offered to cover necessary fit out or refurbishment costs;
- A commentary on the number and details of enquiries received, such as the number of viewings and the advertised rent at the time, including any details of why the interest was not pursued; and
- Where there is an existing employment use then we will require evidence that the tenant intends to move out.

7.8 Marketing information has been submitted confirming that 2 years of pre-completion marketing and over 12 months of marketing has been carried out post completion. The marketing information advises that the managing agent has been marketing the ground floor space at a rent £57.50 per square foot based on a 10 year term throughout the marketing for the building with a break at year 5. This is below what is being achieved on the mid-upper floors of the building at £75 per square foot due to the limitations of the ground floor space (detailed in paragraph 7.10 below). The upper floors which have outside terraces and natural light from large window openings have had more interest and are fully occupied. Despite a 25-30% discount to rent with an equivalent specification, it has been advised that enquiry levels have been limited with the exception of medical and educational businesses which have seen value in the self-contained entrance and the ground floor experience.

7.9 As the ground floor space is mainly lit by roof lights and spotlights the main issues associated with the letting of the ground floor appear to relate primarily to lack of natural light and lack of access to outdoor amenity space. It has been confirmed that two enquiries were received from potential occupants in 2022 however these were not progressed with the offer from

First Intuition remaining the only serious commitment from a tenant for the space. Office enquiries have been very limited with no negotiations during the period of marketing.

- 7.10 It is considered that the 2 years pre-completion and 12 months post-completion marketing information, together with the reduction in rent demonstrates that genuine attempts have been made to market the ground floor space in line with advice provided in CPG Employment sites and business premises. Given that the accommodation suffers limitations in terms of what modern office occupiers are demanding, including access to natural daylight and ability to access outdoor amenity space, it is considered that it has been clearly demonstrated that there is limited demand for the ground floor office space in the current economic environment. Therefore, on balance, it is considered that the potential loss of office space is appropriate in land use terms. Moreover, the flexible permission sought includes E(g)(i) use, which means that the ground floor space may not permanently lose its originally intended office use, should the demand for this arise in the future.

New education floorspace

- 7.11 With the potential loss of office accommodation established, the other main land use consideration is the appropriateness of an educational provider (Class F1(a)) institution on the ground floor. Policy C2 sets out how the Council will ensure that there is provision of community facilities to meet the needs of a growing population. Community facilities include childcare, education, adult learning and training, healthcare, police stations, libraries and public houses which form a vital part of local neighbourhoods.
- 7.12 The new educational use will continue to employ 20-30 staff which brings similar benefits to Camden as those provided by an office use therefore helping to meet the economic objectives and growth strategies outlined in the Local Plan.
- 7.13 Camden's Local Plan gives both office uses and educational uses a level of protection. In respect to education, Local Plan policies E1 and C2 recognise the contribution that educational uses make in helping sustain a balanced economy and providing employment opportunities. In respect of employment use Local Plan policy E1 confirms the Council will maintain a stock of premises that are suitable for a variety of business activities. Similarly, Local Plan policy E2 confirms the Council will protect premises or sites that are suitable for continued business use.
- 7.14 The proposed tenants would provide a reception and café style entrance within the unit fronting Drummond Street. This would help to ensure an active frontage along Drummond Street. The applicant has agreed to ensure that the active frontage would be maintained with no obscuring of

the glazing of the windows fronting Drummond Street. This would form part of the tenants lease but would also be secured by condition.

Other proposed flexible uses: Retail, food and drink and financial and professional uses (Use Class E(a), (b) and (c) uses

- 7.15 Under the change to the Use Classes order in 2020 the new Class E also encompasses other uses that were previously in a different use class to offices. These include retail, restaurants, health and beauty treatment clinics and gymnasiums (this is not intended to be an exhaustive list).
- 7.16 The ground floor unit on Drummond Street has an authorised use of retail (Class E(a)) and food and drink (Class E(b)). These use classes are included within the flexible uses proposed as part of this application and would help to ensure that there would be no perceived loss of retail use along this frontage.
- 7.17 Should the northern floorspace of the ground floor unit be converted into E(a) retail, E(b) food and drink or E(c) financial and professional services there would be a potential loss of office floorspace; however the space could be converted to alternative uses within Class E without the need for planning permission. It must be noted that the loss of 1,384 sq. m of office floorspace would be mitigated by the wider development which had an uplift in office floorspace of over 5,000 sq. m. Due to the nature of the host premises the most practical use suited to the site is considered to be offices. However the mixed commercial nature of this location generally would mean that other uses within Class E could be accommodated without undesirable impacts on the area subject to other controls such as licensing.
- 7.18 Use of the ground floor units as restaurant / café use(s) would complement the existing retail facilities within the area. It is considered that it would not have a detrimental impact on the vitality of the area or lead to an over concentration of food and drink uses. There are already various restaurant / café uses surrounding the site such as within the nearby Regents Place development and notably the concentration of Southern Asian food outlets in Drummond Street to the east of Hampstead Road. Overall, the provision of the use would contribute to the Euston Area Plan's vision of rejuvenating the area '*as both a local hub of activity and a gateway to London*'.
- 7.19 The proposed E class uses would include a similar range of uses as the recently approved 2022 permission but would also include Class E(c) – financial and professional services, which would have a similar character and activity as office uses, which is the extant use on the ground floor rear part of the site. The proposed flexible uses would safeguard future options for the ground floor should needs in the local area fundamentally change. The adopted Euston Area Plan (EAP) states:

“Parts of the Drummond Street and Hampstead Road area are weakened by the poor street scene and require improvements, for example the blank building frontages facing onto Hampstead Road which should be replaced by active frontage as part of any redevelopment”.

- 7.20 As such, the commitment to maintain an active frontage onto Drummond Street is welcomed. Should the uses change within E class uses it would result in active surveillance of the street and the activation of the ground floor would still achieve a better relationship between the site and street (than that which existed when the original building occupied the site).

8. DESIGN

- 8.1 Policy D1 seeks to secure high quality design in all development by requiring development to respond to local character and context, be highly sustainable in design and construction, integrate well into the surrounding streets and townscape, comprise high quality architecture and be accessible for all. Camden’s Local Plan is supported by CPG Design.
- 8.2 The proposal would not involve external alterations that would affect the character or appearance of the building or the surrounding streetscene.

9. IMPACT ON NEIGHBOURING AMENITY

- 9.1 CLP policies A1 and A4 and the Amenity CPG are all relevant with regards to the impact on the amenity of residential properties in the area, requiring careful consideration of the impacts of development on light, outlook, privacy and noise. Impact from construction works are also relevant but dealt with in the ‘Transport’ section. The thrust of the policies is that the quality of life of current and proposed occupiers should be protected and development which causes an unacceptable level of harm to amenity should be refused.
- 9.2 The application is not proposing any external works or extensions to the current building so there will be no impact in terms of light, privacy, outlook, or overshadowing.
- 9.3 Due to the nature of the uses proposed it is considered that the proposed uses would not have an adverse impact on the amenity of local neighbouring residents providing certain mitigation measures are in place.

Higher Education use

- 9.4 Due to the similar nature of the uses, a change of use to a professional educational use would be unlikely to significantly increase the number of people entering and leaving the site compared to an office use. As the site is within busy Central London surroundings, any educational occupier(s) within Class F1 higher education use would be unlikely to result in any

significant change in levels of noise resulting from this activity. First Intuition has confirmed that the hours of use would be typically be Monday to Friday with opening times from 08:00am to 6:00pm with courses themselves running from 09:30am to 4:30pm. These hours would be similar to typical office working hours and would be considered acceptable in this location.

- 9.5 The proposal would be considered acceptable in line with policies A1 and A4.

Café / restaurant use

- 9.6 Should the unit be converted into a large café or restaurant use (Use Class E(b)) any associated plant /extract ducting required for mechanical ventilation purposes would require planning permission. Proposals would need to be assessed against relevant planning policies for acceptability in terms of their impact on amenity. It would be expected that any plant is located away from any neighbouring residential windows and inaudible to their occupants.

- 9.7 If the unit were to be occupied as cafes and or restaurants, there could be a significant increase in the number of people entering and leaving the site compared to the existing retail and office due to its size (over 1000 sq. m) and nature of the use. It would also be necessary to control the hours of use due to the size of the unit(s) (over 1,000 sq. m) to ensure that any noise from comings and goings is appropriately managed. The 2017 scheme restricted the hours of use of the retail / restaurant uses within the development to the following times: 07:00hrs to 23:30hrs Monday to Thursday and 07:00hrs to 00:00hrs Friday and Saturday and 08:00hrs to 23:00hrs on Sundays and Bank Holidays. These hours of use are considered reasonable for any future café or restaurant uses.

- 9.8 In recognition of the fact that other Class F1 uses could potentially cause disturbance to residents, such as art galleries and places of worship a condition would be attached to any permission to restrict the proposed F1 use to education use only in order to protect the amenity of adjoining occupiers and the transport network

10. ENERGY AND SUSTAINABILITY

- 10.1 In November 2019, Camden Council formally declared a Climate and Ecological Emergency. The council adopted the Camden Climate Action Plan 2020-2025 which aims to achieve a net zero carbon Camden by 2030.
- 10.2 In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation

to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

Energy and carbon reductions

- 10.3 Non-residential changes of use of more than 500sqm of floorspace are expected to provide an energy statement setting out how a development has been designed to follow the steps in the energy hierarchy set out in the London Plan. Policy CC1 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies wherever feasible. Applicants are also expected to submit a sustainability statement, the details of which are to be commensurate with the scale of the development, showing how the development will implement the sustainable design principles.
- 10.4 The original permission for the redevelopment of the site sought to maximise the application of a low carbon design for the mixed use building. Improvements have been achieved at the post construction stage compared to the planning stage with an overall carbon saving improvement of 20% for the building as a whole. The proposal would not include any external or internal changes to this recently constructed building and the existing overall functions within the building would not significantly change. As no alterations would be proposed that would affect the sustainability of the building a BREEAM assessment was not required to support this application.
- 10.5 No physical changes are proposed to the building and the sustainability measures previously detailed in the BREEAM Pre-Assessment securing BREEAM Excellent, which accompanied the 2017 permission, continue to be in place. A BREEAM assessment would not be required if the ground floor of the building should be converted in the future.

11. AIR QUALITY

- 11.1 CLP policy CC4 is relevant with regards to air quality.
- 11.2 The proposed change of use is for a flexible commercial and / or educational use. A Class F1 education use includes primary and secondary schools. The site is located on Hampstead Road where annual mean concentrations of NO2 are consistently above 40ug.m-3 AQO. It is considered to be very unlikely that the existing ground floor space within this commercially-led development would attract educational users under 18. This is due to 2 factors: (i) the site is located on Hampstead Road which is a very busy road where air quality levels are poor and (ii) there are limitations of the ground floor of the building including lack of outside amenity space at ground floor level and lack of openable windows within the northern rear part of the ground floor of the building. Notwithstanding this, a condition would be

attached to restrict the Class F1 education use to higher education uses, and not to permit its use as a primary or secondary school.

12. SAFETY AND SECURITY

- 12.1 The applicant has not submitted any information on the safety and security measures to demonstrate how the proposal would meet the requirements of Policy C5 (Safety and security) and the CPG Design. However, there is a security strategy controlling access to the building at ground floor level to ensure controlled access at the ground floor entrances on Hampstead Road and Drummond Street with electronic passes which are linked to the identities of individual users. The existing building also includes lighting, CCTV and alarms. The approach is in accordance with the development plan and is considered acceptable.

13. ACCESS

- 13.1 There are no proposed changes to the methods of access into the building. Existing access arrangements would be retained with level access into the ground floor of the building from Drummond Street with use of the existing stairs and lifts that provide access to all floors within the building.
- 13.2 The site is currently wheelchair accessible; with access to upper floors gained by the lifts near the main stairs.
- 13.3 Given the above, it is therefore considered the development would be in accordance with Policy C5 of the Local Plan.

14. TRANSPORT

Car parking

- 14.1 Policy T2 of the Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The existing building does not benefit from any car parking spaces (apart from 4 disabled parking spaces) and this application does not seek to provide any new car parking spaces. As this is a new development the proposal would be required to be secured as a car free development by s106 legal agreement.

Cycle parking

- 14.2 Local Plan Policy T1 (Prioritising walking, cycling and public transport) seeks to promote sustainable transport modes in the borough. In particular, in relation to cycling the policy seeks to ensure that development provides for accessible, secure cycle parking facilities. As a minimum the Council will expect developments to provide the number of spaces set out in the London Plan.

- 14.3 Policy T1 of the adopted Camden Plan requires the provision of cycle parking in line with the standards set out in the London Plan. For universities and colleges, the requirement is for 1 space per 4 staff and 1 space per 20 students for long stay use and 1 space per 7 students for short stay use. The Transport Statement submitted in support of the application has assumed that the numbers of staff and students who would be present on site at any one time on a typical day as approximately 143 students and 14 staff. This would give a requirement for 10 long stay spaces and 18 short stay spaces.
- 14.4 It has been confirmed that long stay cycle parking for the staff and students would be provided in the basement of the building and shared with the office users above. This is considered a reasonable solution to the provision of long stay cycle parking. The provision of the 243 basement office cycle parking spaces was secured as part of an approval of details to the main planning permission for the site. The proposal would not add to the pressures on available cycle parking within the development.
- 14.5 The provision of off-site (on-street) short stay/visitor cycle parking in the form of 30 spaces (15 Sheffield stands) was secured as part of the main planning permission for the site, as amended by the approval of details application.
- 14.6 Given that provision of long stay and short stay cycle parking for the site has already been secured, the provision of further cycle parking for this particular development would be considered unnecessary.
- 14.7 In summary, the proposed change of use is considered acceptable in terms of transport issues and no further conditions or planning obligations.

15. REFUSE AND RECYCLING

- 15.1 Camden Local Plan policy CC5 (Waste) and Camden Planning Guidance (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.
- 15.2 Servicing and waste arrangements including deliveries and waste/recycling collections would be as per the existing situation where vehicles load and unload goods from Drummond Street which makes use of off-street servicing bays. The change of use of part of the ground floor of the building to a flexible use of either education or commercial use would not involve any extension to the building and therefore would not increase the number of deliveries or servicing arrangements. However a Servicing Management plan would be secured by s106 legal agreement if planning permission would be granted. This would help to ensure that any operational impacts

associated with delivery and servicing movements could be mitigated, and it can be updated in future if circumstances change.

16. EMPLOYMENT AND TRAINING OPPORTUNITIES

16.1 The Local Plan policies E1 and E2 and the CPG states that in the case of such developments, the Council will seek to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services. The nature of the proposed educational use as part of this flexible use is welcomed as it will help ensure the building continues to contribute to the local economy either for educational use or commercial uses. The proposed flexible uses are likely to foster networks and promotion of SME's stemming from the students and those in the local area, or from renewed business activity on the site.

16.2 As part of the original 2017 scheme for the redevelopment of the site a range of training and employment benefits were secured by s106 legal agreement both during and after the construction phase. This included a number of construction and non-construction work placements, construction and non-construction apprenticeships and a payment towards employment and skills opportunities for residents of the scheme of £158,547. No further employment and training benefits would be sought as part of this application.

17. PLANNING OBLIGATIONS

17.1 The following S106 planning obligation are required to mitigate the impact of the development and ensure compliance with the development plan:

- Car free development
- Servicing management plan (SMP)

18. COMMUNITY INFRASTRUCTURE LEVY (CIL)

18.1 The proposal would not be liable for the Mayor of London's CIL2 (MCIL2) or Camden's CIL as there would be no uplift in floorspace.

19. CONCLUSION

19.1 The proposed change of use to higher education use or uses within Class E is accepted. The application site is unique in the fact that the spaces have not been occupied since the completion of the building. Although the proposed development could technically result in the loss of commercial floorspace, there would be no loss of physical businesses or occupiers. The proposed flexible uses are considered appropriate in this location and would introduce footfall and activation to the site. .

- 19.2 It is considered that the proposed flexible use for commercial or higher education use would not affect the economic vitality or viability of the area given that the proposals would retain potential employment opportunities. Although over 1000 sq. m of office floorspace could potentially be lost as a result of the proposed change of use, the quantum of floorspace is relatively modest given the overall supply of additional office floorspace within the building (over 5000 sq. m) as part of the wider development. Given that this site/scheme has delivered vastly improved office space on the upper floors compared with what existed before, it is considered that the scheme overall would still be delivering benefits in terms of office provision. Two years pre-completion marketing and 12 months of post completion marketing has been undertaken for the space and there has been no interest from office occupiers for the office units shown in the floorplan.
- 19.3 The change of use to a range of uses within Class E would be considered acceptable. The proposed E class uses would include a similar range of uses as the recently approved 2022 permission (ref 2022/2805/P) but would also include Class E(c) – financial and professional services, which would have a similar character and activity as office uses, which is the extant use on the ground floor rear part of the site. The impacts and policy requirements of a change to uses identified within the Class E uses proposed are considered to have been addressed by conditions. The proposed flexible use as provided for the legislation set out in the GPDO would have a limited period of 10 years from the date of the permission after which the lawful use(s) would default to that existing at the time. An informative to this effect would be attached to any permission granted. The proposed flexible use at this location would be considered suitable and would comply with the objectives of the development plan.
- 19.4 There are no external alterations proposal, and as such, the proposal would not impact the character or appearance of the building or the surrounding streetscene.
- 19.5 The proposal would not harm the amenity of nearby neighbouring residents or harm the highway network subject to the development being car-free and a servicing management plan being secured by s106 legal agreement.

20. RECOMMENDATION

- 20.1 It is recommended to **grant condition planning permission subject to a Section 106 legal agreement** covering the following Heads of Terms:
- Car free development
 - Servicing management plan (SMP)

21. LEGAL COMMENTS

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

22. CONDITIONS [PLANNING]

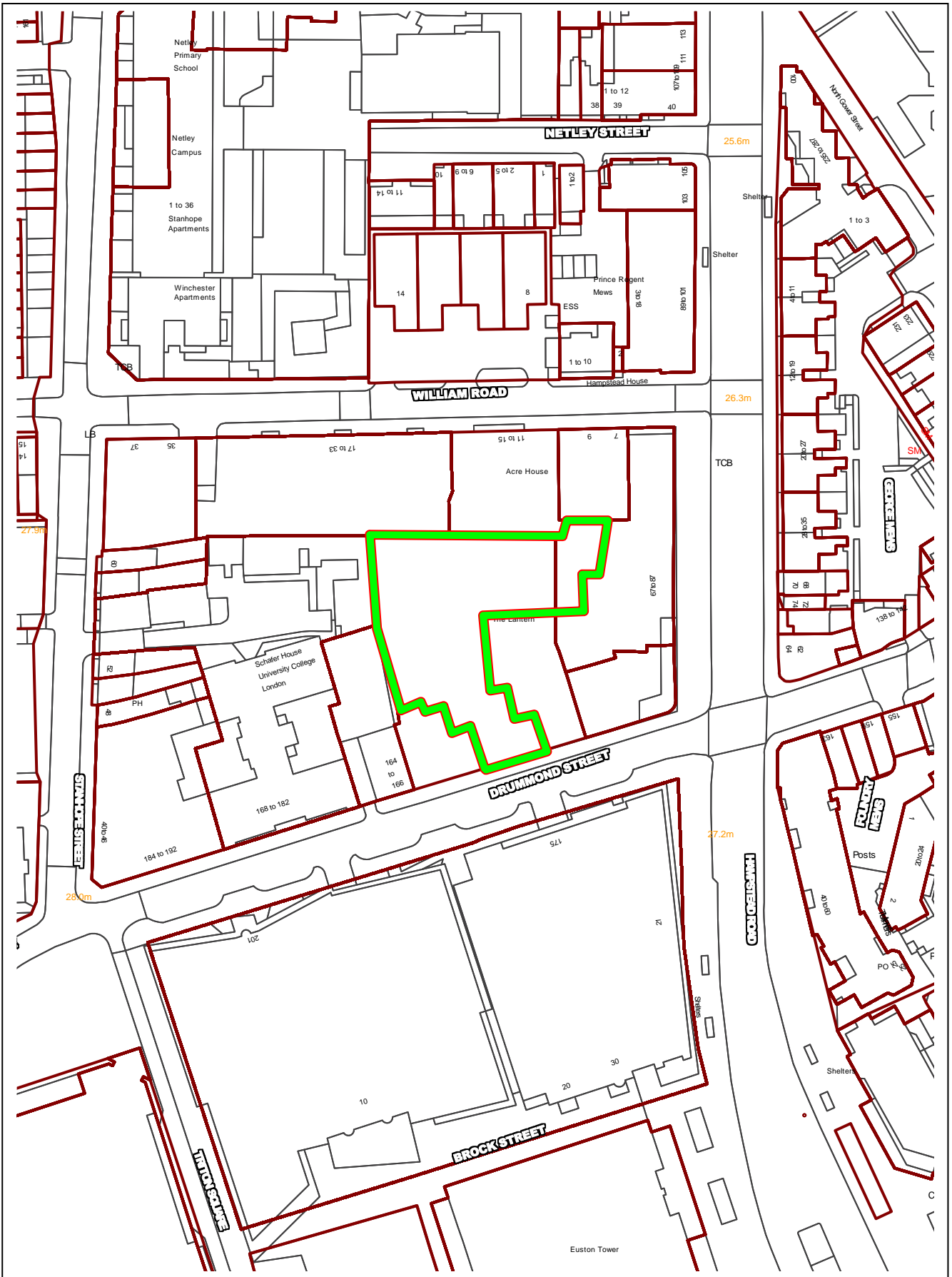
1	<p>Three years from the date of this permission This development must be begun not later than three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved drawings The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Existing Drawings: 601-MBA-SK-2004-Existing GF demises _Rev B; 601-MBA-SK-2006-Existing Section AA; 601-MBA-SK-2007-Existing Section BB.</p> <p>Proposed Drawings: 601-MBA-SK-2003 rev B; 601-MBA-SK-2005-Proposed GF demises_Rev B; 601-MBA-SK-2008-Proposed Section AA; 601-MBA-SK-2009-Proposed Section BB.</p> <p>Documents: Covering letter prepared by Gerald Eve dated 08/12/2023; Planning Statement prepared by Gerald Eve dated 08/12/2023; Floorspace Schedule prepared by Lazari Investments Limited dated 04/12/2023; Marketing and Leasing Letter prepared by Lazari Investments Limited dated 04/12/2023; Change of Use Supporting Statement prepared by First Intuition Limited dated 05/12/2023; The Lantern Marketing Brochure; Transport Technical Note prepared by RGP dated December 2023.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Use for F1 higher education purposes only Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the flexible F1 use shall only be used for higher education purposes and for no other Class F1 use whatsoever.</p> <p>Reason: To ensure that the development hereby approved does not adversely affect the adjoining premises/immediate area by reason of noise in accordance with policies A1 and A4 of the Camden Local Plan 2017.</p>
	<p>Use of the F1 higher education purposes (limiting type of use) The Class F1 higher education use hereby approved shall not be used as a primary or secondary school.</p>

	Reason: To minimise the introduction of sensitive receptors in a location of poor air quality in accordance with policies A1 and CC4 of the Camden Local Plan 2017.
4	<p>Hours of use (Commercial uses)</p> <p>The use hereby permitted shall not be carried out outside the following times 07:00hrs to 23:30hrs Monday to Thursday and 07:00hrs to 00:00hrs Friday and Saturday and 08:00hrs to 23:00hrs on Sundays and Bank Holidays.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, DM1 and TC3 of the London Borough of Camden Local Plan 2017.</p>
5.	<p>Shopfront glazing fronting onto Drummond Street</p> <p>The shopfront windows of the ground floor unit fronting Drummond Street shall maintain an active frontage/shop front and not include any obscure glazing or visually block the frontage.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the Camden Local Plan June 2017.</p>

23. INFORMATIVES

1	This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
2	Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
3	All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the

	<p>Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.</p>
4	<p>You are advised that the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use will revert to whichever of the uses is taking place at the time.</p>



	<p>Application No: 2023/5311/P</p> <p>75 Hampstead Road London NW1 2PL</p>	<p>Scale: 1:1250</p> <p>Date: 11-Mar-24</p>	<p>N ↑</p>
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