

architecture : planning

Upp

Planning, Design & Access and Heritage Statement

Creation of a new shop front and alterations to the front fascia/signage

335 West End Lane, London, NW6 1RS



1. Introduction

- 1.1 UPP Architects & Town Planners have been instructed by the applicant to prepare a supporting statement in respect of a full planning application at the site known as 335 West End Lane, London, NW6 1RS. This planning statement should be read in conjunction with the accompanying architectural plans.

- 1.2 This application seeks planning permission for the installation of a replacement shopfront, including retractable awing and balustrading to the decked area forecourt of the existing restaurant and advertisement consent for the display of 1x internally illuminated fascia sign to the existing restaurant.

- 1.3 This document provides details of the proposed scheme and will demonstrate that the proposal is in accordance with planning policy and guidance at national, regional and local levels and addresses the concerns previously raised by both the Inspector and the Local Planning Authority.

2. The Site and Surroundings

- 2.1 The application site relates to a three storey mid terraced building located on the south side of West End Lane, which is of mixed character. The building comprises a restaurant at ground floor level (Use Class E) with residential accommodation above. The surrounding properties are of similar use with retail at ground floor level and a mix of commercial and residential uses on the upper floors.

- 2.2 The brick-built building is set back from West End Lane and similar to other properties on this parade, benefits from a wide frontage separating the shop frontage from the public highway. These frontages follow the natural shape of the road and narrows as the numbers increase; the majority of which are in use as additional outdoor seating areas. The appeal site contrasts with the surrounding properties on the street as it is the only building to be painted white. However, it does form a natural pair with No 337 West End Lane which is painted black and also benefits from a modern shop frontage.

- 2.3 The application site is located directly opposite West End Green, a triangular shaped area of open space located at the junction of West End Lane and Fortune Green Road. This provides a small area of public open space in an otherwise densely populated, urban area.

- 2.4 The application site itself is not listed although the site is located in close proximity to a couple of Grade II listed buildings and monuments. This includes the drinking fountain on West End Green and West Hampstead Fire Station located to the south of the site.
- 2.5 The application site is located in the West End Green Conservation Area. There are no other planning designations which are relevant to the appeal.
- 2.6 From a public transport point of view the site is located in a highly accessible location in close proximity to West Hampstead Station. It is from this location that direct routes into and out of Central London are provided courtesy of the Jubilee Line and Overground. There are also a large variety of bus services that provide local connections to key destinations. The site is well located for public transport and has a PTAL rating of 5. This 'excellent' PTAL rating should be read alongside public transportation which is available 'on the ground', allowing future residents the ability to use non-car modes of transport. It can be concluded that the application site is well connected to public means of transport'

3. Relevant Planning History

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2019/3692/A	335 West End Lane London NW6 1RS	Display of 1x internally illuminated fascia sign to existing restaurant (Class A3).	APPEAL DECIDED	07-10-2019	Refused and Warning of Enforcement Action to be Taken
2019/3436/P	335 West End Lane London NW6 1RS	Installation of replacement shopfront, including retractable awning and balustrading to decked area to forecourt of existing restaurant (Class A3).	APPEAL DECIDED	07-10-2019	Refused and Warning of Enforcement Action to be Taken
2003/2546/P	335 West End Lane London NW6 1RS	The replacement of rear air handling equipment and extract flue, in connection with the existing use of the ground floor for purposes within Class A3 of the Town and Country Planning (Use Classes) Order 1987.	FINAL DECISION	13-10-2003	Granted
PW9802423R2	335 West End lane NW6	The installation of a new shop front and the refurbishment of the air handling equipment at the rear, as shown on drawing numbers; 001; 002; 003 (drawing on photograph) and 004 Rev.3.	FINAL DECISION	18-08-1998	Grant Full Planning Permission (conds)
PW9802423R1	The Good Earth 335 West End lane NW6	Installation of a new shop front, also the refurbishment of the air handling equipment. (Revised Plans submitted)	FINAL DECISION	04-08-1998	Withdrawn Application-revision received
PW9802423	The Good Earth 335 West End lane NW6	Installation of a new shop front, also the refurbishment of the air handling equipment. Plans submitted	FINAL DECISION	10-06-1998	Withdrawn Application-revision received
9500263	335 West End Lane NW6	Modification of condition 04 of planning permission (Reg No PL 9100563) to allow the extension of hours of operation to 3am daily.	APPEAL DECIDED	21-02-1995	Refuse Full or Outline Permission
9100563	335 West End Lane NW6	Change of use of the ground floor and basement from shop to restaurant as shown on one un-numbered site plan.	FINAL DECISION	31-05-1991	Grant Full or Outline Perm. with Condit.

4. The Proposal

- 4.1 The application seeks full planning permission and advertisement consent for the for the installation of a replacement shopfront, including retractable awing and balustrading to the decked area forecourt of the existing restaurant and advertisement consent for the display of 1x internally illuminated fascia sign to the existing restaurant.
- 4.2 The proposal seeks to amend the plans which were submitted with the enforcement appeal and should have been part of pre-application discussions with the LPA. Nevertheless, the applicant is seeking to amend the shop front to create a more appropriate solution that will closely resemble other shopfronts in the locality, especially No 329. The timber framed shop front will include bifolding doors and a reduced signage to the front. The entrance door will also be readily identifiable.
- 4.3 The balustrading and outdoor decking area will remain the same as the scheme allowed by the Inspector as part of the appeal decision APP/X5210/C/22/3305184. In order to ensure consistency, these amendments have been shown on the plans.

5. Planning Policy

- 5.1 The Local Development Framework for the application is as follows:
- The National Planning Policy Framework (NPPF)
 - London Plan (2021)
 - Camden Local Plan (2017)

National Planning Policy Framework (NPPF)

- 5.2 The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.
- 5.3 The National Planning Policy Framework (NPPF) was published on 19th December 2023. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

- 5.4 The NPPF states that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities ... being clear about design expectations, and how these will be tested, is essential for achieving this”. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.
- 5.5 Paragraph 123 states that “planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”.

London Plan (2021)

- 5.6 The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and is part of the statutory development plan for London. The relevant planning policies are:
- 5.7 Policy GG2 – Making the Best Use of Land – “*To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:*
- A. enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites*
 - B. prioritise sites which are well-connected by existing or planned public transport*
 - C. proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling*
 - D. applying a design-led approach to determine the optimum development capacity of sites*
 - E. understand what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London’s distinct and varied character*
 - F. protect and enhance London’s open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening, including aiming to secure net biodiversity gains where possible*

- G. *plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient.*

Camden Local Plan (2017)

5.8 Policy E1 Economic Development, *“The Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. We will:*

- a. *support businesses of all sizes, in particular start-ups, small and medium-sized enterprises;*
- b. *maintain a stock of premises that are suitable for a variety of business activities, for firms of differing sizes, and available on a range of terms and conditions for firms with differing resources;*
- c. *support local enterprise development, employment and training schemes for Camden residents;*
- d. *encourage the concentrations of professional and technical services, creative and cultural businesses and science growth sectors in the borough;*
- e. *support the development of Camden’s health and education sectors and promote the development of the Knowledge Quarter around Euston and King’s Cross while ensuring that any new facilities meet the other strategic objectives of this Local Plan;*
- f. *direct new office development to the growth areas, Central London, and the town centres in order to meet the forecast demand of 695,000sqm of office floorspace between 2014 and 2031;*
- g. *support Camden’s industries by:*
 - i. *safeguarding existing employment sites and premises in the borough that meet the needs of industry and other employers;*
 - ii. *supporting proposals for the intensification of employment sites and premises where these provide additional employment and other benefits in line with Policy E2 Employment premises and sites;*
 - iii. *safeguarding the Kentish Town Industry Area;*
 - iv. *promoting and protecting the jewellery industry in Hatton Garden;*
- h. *expect the provision of high speed digital infrastructure in all employment developments;*
and
- i. *recognise the importance of other employment generating uses, including retail, education, health, markets, leisure and tourism.”*

5.9 Policy D1 Design – *“The Council will seek to secure high quality design in development. The Council will require that development:*

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g. is inclusive and accessible for all;*
- h. promotes health;*
- i. is secure and designed to minimise crime and antisocial behaviour;*
- j. responds to natural features and preserves gardens and other open space;*
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,*
- l. incorporates outdoor amenity space;*
- m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation; and*
- o. carefully integrates building services equipment.*

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

5.10 Policy D3 relates to shopfronts noting that a high standard is required for all new developments. It is acknowledged that paragraph 7.77 of the reasoned justifications states that *“Folding or opening shopfronts will not generally be acceptable, as they can create a void at ground level that can harm the appearance of a building and can also have a negative impact on local amenity, for example in terms of noise and disturbance.”*

Camden Planning Guidance – Design (January 2021)

Section 6 – Shopfronts

- 5.11 Camden's Planning Guidance on Design has a section dedicated to shopfronts, noting the importance they make to the character of a street scene. Paragraph 6.13 bullet point 2 notes that *"Shopfronts should always be considered as part of a unified design of the whole building and should respect the character of adjacent properties."*
- 5.12 Paragraph 6.16 points out that *"On traditional shopfronts, large expanses of undivided glass should be avoided. Vertical glazing bars (mullions) should be used to subdivide large windows to help visually relate the shopfront with the upper elevations of the building."*
- 5.13 It is noted that with respect to folding shopfronts the guidance states that *"Folding shopfronts are not generally considered acceptable, particularly on historic buildings such as listed buildings and those in Conservation Areas. When folding shopfronts are open, they erode the appearance of the shopfront, creating a visual void, and can increase noise and disturbance to the occupiers of neighbouring properties, particularly in the case of food and drink premises. When closed they appear as a row of doors rather than a shopfront, which creates a heavier appearance and reduces the area of glass in the shopfront."* However, as outlined below, it is considered that there are exceptional circumstances to justify the development in this location.

6. Policy Considerations

Principle of Development

- 6.1 The principle of development is mainly established through the fact that the use of the shop will remain as consented and existing – namely Use Class E – a restaurant. The subject property has always been used for such purposes and the use is therefore considered lawful.
- 6.2 The proposed development only relates to the external appearance of the property – namely the design of the shop front and the associated advertisement signage on the front fascia. The design and heritage sections will outline why these alterations are considered acceptable and address the concerns previously raised by the council and the Inspector.

Design

- 6.3 Careful consideration has been given to ensure the design of the shop front appears as historically sensitive and contextually appropriate within this locality and addresses the concerns raised both by the Local Planning Authority and the planning inspector.
- 6.4 It is appreciated that the previous submission (pre app) drawings did not provide sufficient detail to demonstrate that the proposal would be acceptable and together with the retained fascia would

create a top heavy shopfront. The applicant has sought to amend these concerns in the following manner.

- 6.5 In regard to the fenestration, the existing entirely glazed shop front will be replaced with timber framed bifolding doors. The door surrounds will be clearly identifiable and the main entrance door will be lower than the remaining doors, with a separate window above. This arrangement is identical to the existing shop front at No 329 West End Lane and is considered to be a successful shop front in the locality.
- 6.6 Although the council's Local Plan and planning guidance is generally opposed to bifolding doors as they are considered to erode the character of the area, in this instance they are considered justified for the following reasons. The issue with bifolding doors is that they can erode the character of an area but it is noted that both Nos 327 and 331 West End Lane benefit from shopfronts with identical designs. These two shopfronts provide design consistency in the immediate locality and the proposal would respect the character of the local area.
- 6.7 Furthermore, the issues relating to creating a void and appearing overly heavy will be negated in this instance. The property has planning permission in place (through the recent planning appeal decision) for balustrading to the front of the shop. The balustrades will wrap around the front of the shop and will stop short of the main entrance door. Therefore, aside from the main entrance the lowest third of the shopfront will be minimally visible from the public realm as it will be masked by the balustrading. As a result, it is not anticipated to cause harm to the character of the area. It is submitted that together with the balustrading, it is an identical arrangement to both Nos 327 and 331 West End Lane and given the consistency that will be maintained in this locality, it is not considered to cause harm, especially as sensitive materials will be used.
- 6.8 Additionally, the proposal is seeking to amend the signage on the front fascia to ensure that it does not appear top-heavy and sufficiently addresses the Inspector's concerns. The signage will be reduced by 0.35 metres in height and will in fact be 0.18m lower than the fascia signage for both immediate neighbouring properties. As a result, it is considered that the amended signage creates a more appropriate frontage for the site. It should be noted that the awning is proposed to be retained and there are other examples of awnings in the immediate locality so the proposal will not appear out of character.
- 6.9 It should be noted that the decking and balustrading have been designed to match the revised plans which were submitted as part of the planning appeal APP/X5210/C/22/3305184 and were

allowed by the Inspector. It is considered that there is no reason to amend this aspect of the scheme and officer's will be able to verify that this aspect of the plans, with the increased opening of the slats, accords with the Inspector's approval.

6.10 The shopfront will use materials which match the appearance of the existing property to ensure a development which enhances and compliments the existing character and appearance. As a result, it is considered that the design of the shop front is in keeping with the surrounding area and improves the appearance of the property and creates a more appropriate shop front from a design perspective in this location.

6.11 In terms of the signage, as mentioned above the fascia will be reduced in height so that it appears more contextually appropriate. As with the existing sign, it should be noted that only the individual letters and symbols will be lit as per the requirements in Article 1.18 of the advertisement planning guide. The main black signage will not be illuminated and as such is anticipated to be acceptable on amenity grounds.

Heritage

6.12 As noted in paragraph 2.3, the application site is situated within the West End Green Conservation Area. It is therefore essential that any new developments preserve or enhance the existing historic elements and the proposal is therefore seeking to create a shopfront which is more in keeping with the historic character of the area. The site is located in the centre of the conservation area.

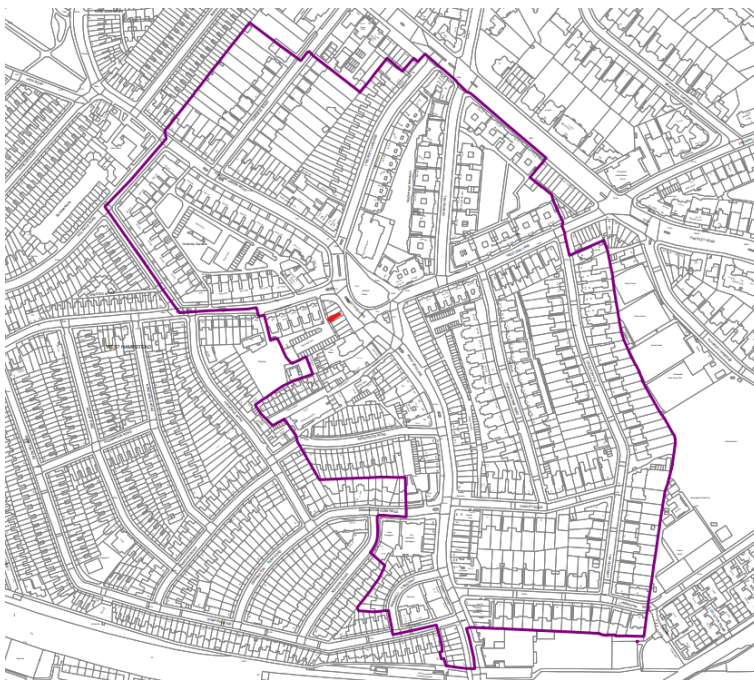


Figure 1 – West End Green Conservation Area with application site highlighted in red (taken from Camden website)

- 6.13 The application site forms part of a set of terraced properties fronting West End Lane. The application site is characterised with a white painted brick façade differing from buildings in the wider terrace characterised by multi red and black painted bricks. It is noted that there are 3 no. Grade II listed buildings in close proximity to the site – namely the former West Hampstead Fire Station, the public drinking fountain in West End Green and the public conveniences. However, the latter two are on the other side of the public highway and the former Fire Station aligns with the terrace of properties of which the application site forms a part. As such, it is not anticipated that the proposal would have a detrimental impact on the setting of these heritage assets and it is the impact on the wider conservation area which will be assessed in this appraisal.
- 6.14 The application site is located within the West End Green Conservation Area. This conservation area was established in 1993 and expanded in 2011 with the current management strategy adopted in 2011. This designated heritage asset is located in the west of the borough and covers the area around West End Green and Lane, incorporating the area up to West Hampstead mainline station and the Hampstead Cricket Club Sports Ground. The wider conservation area centres around the Green which not only marks the widening of the road, but remains as one of the last remaining emblems of the historic rural past.
- 6.15 The application site is identified as being located in ‘the Lane.’ The character appraisal states that in this area, *“The buildings from the start of the 20th century remain, and above shop level they are little changed. The pattern of shop window, canopy, scroll-shaped dividers between fronts is also legible; however, many shopfronts have changed, many scrolls are missing, signage is large and disorderly and the street and pavements are overlaid with clutter.”*
- 6.16 The proposed shopfront has been altered to improve its appearance and create a more historically accurate frontage which will enhance the character and appearance of the conservation area. Whilst for practical purposes, the proposal is not seeking to reinstate the existing shop front, it is replicating the style of the shop front of other properties in this part of the terrace, most notably 329 West End Lane to add consistency to the parade. Additionally, the new shop front will be timber framed to match which is considered a more appropriate material in the conservation area. Furthermore, it is proposed that the existing front fascia sign will be reduced to create a more proportionate frontage and avoids a top-heavy appearance to the building. Given the scope of alterations proposed, it is not considered that the proposal would cause undue harm to the character and appearance of the conservation area and the alterations to the shop front would be considered a heritage benefit.

Neighbouring Amenity

- 6.17 As part of any planning application, it is important to ensure development proposals will not have an adverse impact on neighbouring amenity with regards to light, outlook or increased sense of enclosure. Hours of use are not proposed to be changed as part of this proposal.
- 6.18 The application proposal has been carefully designed to safeguard existing neighbouring amenity. The alterations proposed are only at the front of the property at ground floor level and as a result are unlikely to impact on the amenities of any adjoining occupiers.
- 6.19 In regard to noise and disturbance, it is considered that the only potential impact is from the outdoor decked area. However, it is accepted that this aspect of the proposal has already been agreed by the Inspector as part of appeal decision APP/X5210/C/22/3305184 and was not raised as an issue by the Inspector.

Transport and Highways

- 6.20 The site has a Public Transport Accessibility Level (PTAL) of 5b, which is classified as 'very good'. The site sits in close proximity to several forms of public transport, local services, and amenities. West Hampstead Station is located a short distance from the site. This station provides underground services to several Central London locations via the underground, overground and Thameslink train services.
- 6.21 It is considered that any employees and patrons who will be travelling to the Class E space will be able to use the excellent public transport connections. As a result, it is considered the proposals will not result in unacceptable impacts on local traffic and highways as most visitors to the site will arrive via various forms of public transport, cycling and walking.

7. Conclusion

- 7.1 The alterations to the shop front have been carefully considered to consider officer's concerns as well as objections raised by the Planning Inspector in relation to this site. Whilst it is accepted that previous amendments to the plans did not go far enough to address their objections, it is hoped that the revisions will be seen more favourably as they seek to emulate existing shop fronts on this parade.



7.2 In terms of character, the proposal will introduce timber framed bifolding doors with a clearly distinguishable front entrance and identifiable individual panels. Additionally, it will seek to reduce the size of the front fascia panel so that the scale of the signage is more in keeping with the character and appearance of the street scene and, in fact, will be smaller than the neighbouring signage. The alterations to the front decking area remain as previously approved by the Planning Inspector. It is therefore considered that this proposal would preserve and enhance the character and appearance of the West End Green Conservation Area and would be compliant with national, regional and local planning policy.