

31 October 2013

Planning and Built Environment
London Borough of Camden
Argyle Street
London
WC1H 8NJ

Dear Sir/ Madam

25-26 HAMPSTEAD HIGH STREET, LONDON, NW3 1QA
APPLICATION FOR DETERMINATION AS TO WHETHER PRIOR APPROVAL IS
REQUIRED - USE OF EXISTING OFFICE BUILDING FOR RESIDENTIAL USE WITHIN
CLASS C3

On behalf of our client, Sau Yip Investments Ltd, we are seeking confirmation from London Borough of Camden that the prior approval of the authority is not required in order to implement Class J of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Our submission comprises the following documents:

- This Covering letter, incorporating Planning Statement and Site Photographs;
- Site Location Plan at Scale 1:1250;
- Indicative Existing and Proposed floorplans and site plan;
- Processing fee of £80 (by cheque under separate cover)

Introduction

This cover letter / planning statement sets out the background to the proposed change of use of the property, including a description of the site, an assessment of permitted development rights and in turn analysis of the site and proposed scheme against the conditions set out by Schedule 2, Class J of the GPDO, in terms of transport and highways impact, and contamination and flood risk.

Site Description and Context

The site is located on the northern side of Hampstead High Street, near its junction with Gayton Road, and is arranged over basement, ground and five upper office floors. The ground floor of the property is occupied by Natwest Bank.

The site's location plays host to a mix of uses with predominantly retail and residential uses along the High Street itself with purely residential properties beyond. The site is easily accessible by public transport and has a Public Transport Accessibility Level (PTAL) of 4.

The office element of the building benefits from 9 delineated car parking spaces, which are provided in a rear forecourt area accessed from Gayton Road to the south east.

The lawful use of the upper floors of the building is for B1(a) office and it is currently occupied on this basis.



Site viewed from West



Aerial of the site from South



Aerial of the site from West

Planning History

A search of Camden's planning applications register has revealed the following decisions relating to the site. None of these applications are considered to be of relevance to the proposed change of use of the building however these are included within this letter for completeness.

Ref	Date	Description	Decision
10198	25/03/1971	Alterations and additions to No 25/26 Hampstead High Street N.W.3. and the change of use of the existing showrooms to retail shopping area.	Granted
11421	25/06/1971	The use of the ground floor and basement of Nos. 25/26 Hampstead High Street for office purposes (banking).	Refused
12138	12/10/1971	The use of the ground floor and basement of Nos 25/26 Hampstead High Street, N.W.3. for office purpose.	Granted
E7/9/C/12769	14/01/1972	Alterations and additions to No. 25/26 Hampstead High Street and change of use of existing showrooms to retail area.	Granted
13501	27/04/1972	The erection of two, two storey houses with integral garages on land at the rear of Nos 25-26 Hampstead High Street N.W.3.	Refused
19230	01/08/1974	Installation of a new shopfront.	Granted
19270	02/08/1974	The change of use of rear workshops and garages to architects offices.	Refused
8401441	17/08/1984	Insertion of a new window at fifth floor level on the front elevation as shown on drawing No.B/658/10.	Granted
8470234	17/08/1984	Formation of an opening on the fifth floor front elevation for a window.	Withdrawn
8401946	14/11/1984	Alterations to the shopfront as shown on drawing No.DP.ASH1.	Undetermined
8480249	14/11/1984	Internally illuminated entrance sign with logo and company name as shown on drawing No.DP.ASH1.	Refused
8500585	03/04/1985	Installation of service tills on the front elevation of the bank as shown on drawing No.1491/sk1.	Granted

8680212	07/08/1986	Display of an internally illuminated projecting box sign measuring 720 mm x 540 mm as shown on drawing no. 27892.	Refused
9380033	18/03/1993	The display of a double-sided part internally illuminated projecting sign measuring approximately 600 x 840mm and 750mm projection on the pallaster at a height of 3 metres above ground level. as shown on drawing number 1.	Granted
A9601904	14/06/1996	Installation of illuminated fascia and non-illuminated wall signs. (Plans submitted).	Withdrawn
A9601904R1	09/10/1996	Installation of externally illuminated signage at fascia level, as shown on drawing nos. 60191 Issue 2 and HBP001 Issue B.	Granted
AWX0202754	10/09/2002	Display of externally illuminated fascia sign, one internally illuminated projecting sign and 2 ATM light boxes. As shown on drawing numbers: 9424/1.1, 1.2, & 2.1	Granted
2003/0837/P	25/07/2003	Construction of glazed canopies over external emergency stairs and terrace with spiral staircase, both at 5th floor level.	Granted
2004/5124/P	21/12/2004	Alterations to main entrance door and stepped threshold, in connection with the construction of new internal access ramp.	Granted
2005/0192/A	03/05/2005	Replacement of existing externally illuminated fascia and internally illuminated projecting sign with internally illuminated fascia and projecting signs.	Granted
2012/0848/A	21/02/2012	Display of an internally illuminated fascia sign and an internally illuminated projecting sign.	Granted
2012/2080/A	25/04/2012	Display of 1x internally illuminated fascia sign, 2x internally illuminated projecting signs and 3x nameplates to front elevation of bank.	Withdrawn

Proposals

The owner's intention is to convert the existing building from B1(a) office use to residential use, creating in total of 5 flats.

A series of proposed floor plans have been submitted with this request which show how the accommodation will be laid out within the existing building.

Both pedestrian and vehicular access to the site remains unchanged. The existing parking accommodation at ground floor level (9 spaces) will be re-used for the residential units above, which provides almost 2 spaces per unit.

No external alterations to the building are required to facilitate the conversion of the premises to residential use and therefore it is intended to carry out the works under Class J of Schedule 2 of the General Permitted Development Order, which allows a change of use such as this to occur without planning permission.

Permitted Development Rights

Class J of Schedule 2 of the GDPO came into force on the 30th May 2013 and states the following:

Permitted development

J. Development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule.

Development not permitted

J.1 Development is not permitted by Class J where—

- (a) the building is on article 1(6A) land;
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use;
- (c) the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;
- (d) the site is or forms part of a safety hazard area;
- (e) the site is or forms part of a military explosives storage area;
- (f) the building is a listed building or a scheduled monument.

Conditions

J.2 Class J development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development;
- (b) contamination risks on the site; and
- (c) flooding risks on the site,

and the provisions of paragraph N shall apply in relation to any such application.

Assessment Against Class J Criteria

Set out below are the applicant's comments relating to each condition of Schedule 2, Class J:

J.1 Development is not permitted by Class J where—

(a) the building is on article 1(6A) land;

The building is not on article 1(6A) land

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use;

The building has a lawful use as B1a office accommodation

(c) the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;

This deadline for change of use has not yet passed and thus this point does not apply;

(d) the site is or forms part of a safety hazard area;

The site is not nor forms part of a safety hazard area

(e) the site is or forms part of a military explosives storage area;

The site is not nor forms part of a military explosives storage area

(f) the building is a listed building or a scheduled monument.

The existing building is not listed nor is it a scheduled monument

Assessment Against Class J Conditions

In accordance with the GPDO the applicant seeks confirmation that prior approval is not required in relation to the transport and highways impacts, contamination risks and flooding risks of the site. Each of these elements is addressed below:

Transport and Highways

Hampstead High Street benefits from excellent communication links, both to and from Central London and throughout the entire Greater London conurbation. Hampstead Underground Station is approximately 150m from the site, and provides regular Northern Line services to Central London and Edgware. Kings Cross is approximately 10 mins journey time. As well as providing mainline rail links throughout the country, Kings Cross and Moorgate offer direct connections to the London Underground network (Piccadilly, Victoria, Northern, Circle and Hammersmith & City lines).

Two bus routes also run directly in front of site, namely the 46 and 268, serving Central London, Paddington, Golders Green and South Hampstead. the N5 night bus also serves the site. Hence the site represents an excellent location for accessing a wide area of London.

The site's accessibility to public transport modes is reflected its public transport accessibility level (PTAL) of 4.

Given the excellent rail and underground links to surrounding areas and other stations it is likely that residential occupants of the building will have a higher tendency to utilise public transport than private car.

Notwithstanding the site's public accessibility level, sufficient parking already exists on site to provide ample off-street parking for all residents of the building and visitor spaces. As the attached site plan demonstrates, A total of 9 spaces exist for use by the proposed 5 residential units, which is considered more than sufficient for on site parking.

It is not considered that the change of use will have any significant impact upon traffic flows around the site. If there is any change at all in patterns of use, is likely that the residential use will in fact have a benefit compared to the existing office use where cars will arrive and leave at certain times, when a residential use will be more spread out over time.

The main car parking area is located to the rear of the site. These spaces are accessed via Gayton Road. Given the rear location of this car park, the minimal associated vehicle movements will not cause traffic build up at peak times on Hampstead High Street itself.



Vehicular Entrance to site from Gayton Road

To summarise, it is considered that the proposed conversion will have no additional impact upon traffic and transport at the site or on the surrounding road network. On this basis it is considered that prior approval of the local authority in relation to transport and highways impact is not required.

Contaminated Land

There is no evidence whatsoever to suggest that the site is subject to any land quality issue. The existing use of the premises has been intact for a considerable length of time. The risk of contamination at the site is negligible.

It is therefore considered that prior approval of the local authority in relation to the possibility of contamination is not required.

Flood Risk

The site does not lie within a flood zone and therefore has no risk of flooding.

It is therefore considered that prior approval of the local authority in relation to the possibility of flooding is not required.

Paragraph N Requirements

The following information is provided in accordance with the requirements of paragraph N of the GPDO 1995 (as amended):

a) Written Description of the Proposed Development

Change of use of existing building from class B1(a) office to C3 Residential (5 units)

b) Plans of the Proposed Development

A series of illustrative plans are attached to this letter

c) Developer's Contact address

Sau Yip Investments Ltd
c/o Matt
Greenway Architects
Branch Hill Mews
London
NW3 7LT

d) Developer's Email Address

Please direct all correspondence to the following email address:

mathieu@greenwayarchitects.co.uk

Conclusion

It is proposed to carry out a change of use of the existing premises at 25-26 Hampstead High Street, Hampstead from B1(a) office to residential use.

It has been demonstrated within this statement that the transport and highways impacts, contamination and flood risks have been considered and do not give rise to any material or demonstrable reasons why the residential use of the building would not be considered acceptable in this location.

We do not therefore consider that prior approval of the local planning authority is required in relation to these impacts and therefore our client can carry out the conversion accordingly under schedule 2, Class J of the GPDO 1995 (as amended).

I trust that the information submitted is clear – should you require any further information or drawings please do not hesitate to contact us.

We look forward to receiving confirmation that prior approval is not required within 56 days in accordance with the provisions of the GPDO.

Kind regards

Yours faithfully

Mathieu Lacroux

For and on behalf of

greenway architects