

Address:	23 Pond Street London NW3 2PN		
Application Number:	2012/5147/P	Officer: Gideon Whittingham	
Ward:	Hampstead Town		
Date Received:	27/09/2012		
Proposal: Change of use from offices (Class B1a) to 8 residential units (Class C3) comprising 6 x 1 bed and 2 x 2 bed units, including erection of a four storey extension with associated terrace at main roof level, replacement of all windows and replacement of dormers at roof level and internal refuse and cycle space.			
Drawing Numbers: 001 REV P1; 009 REV P2; 010 REV P2; 011 REV P2; 012 REV P2; 013 REV P2; 014 REV P1; 020 REV P2; Historic Building Statement dated September 2012; Design Amendments to Planning Application 2012/5147/P and 2012/5174/L, dated 3rd December 2012; Planning Statement dated October 2012.			
RECOMMENDATION SUMMARY: Grant Planning Permission subject to a s106 legal agreement			
<u>Related Application</u> Date of Application:	27/09/2012		
Application Number:	2012/5174/L		
Proposal: Internal and external alterations in association with a change of use from offices (Class B1a) to 8 residential units (Class C3) comprising 6 x 1 bed and 2 x 2 bed units, including erection of a four storey extension with associated terrace at main roof level, replacement of all windows and replacement of dormers at roof level and internal refuse and cycle space.			
Drawing Numbers: 001 REV P1; 009 REV P2; 010 REV P2; 011 REV P2; 012 REV P2; 013 REV P2; 014 REV P1; 020 REV P2; Historic Building Statement dated September 2012; Design Amendments to Planning Application 2012/5147/P and 2012/5174/L, dated 3rd December 2012; Planning Statement dated October 2012.			
RECOMMENDATION SUMMARY: Grant Listed Building Consent			
Applicant:		Agent:	
Fairstreet Ltd c/o Agent		Planning & Development Associates 123 Pall Mall London SW1Y 5EA	

ANALYSIS INFORMATION

Land Use Details:										
	Use Class	Use Description	Floorspace							
Existing	B1a Business - Office		390m ²							
Proposed	C3 Residential Dwellings		460m ²							
Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette									
Proposed	Flat/Maisonette	6	2							

OFFICERS' REPORT

Reason for Referral to Committee: **The Director of Culture and Environment has referred the application for consideration as it involves the creation of five residential flats [Clause 3 (iii)] and requires a S106 legal agreement (Clause 3vi).**

1. SITE

- 1.1 The site was formerly 2 houses, but since then it has been converted into offices. The site lies to the north of Pond Street, opposite the Royal Free Hospital. The property was built by Richard Norris. It comprises of a Stucco building with a tiled mansard roof with brick chimney-stacks and dormers. The building is 3 storeys high with an attic level and basement which is accessed from external and internal stairs. The rear of the property looks to have been rebuilt in a modern brick. The property is a Grade II listed building and is located within the Hampstead Conservation Area.
- 1.2 Disappointingly this building has been considerably rebuilt and virtually nothing of the historic interior remains. The staircase, panelled room to the ground floor and plaster cornice are likely to be later replicas of the original. The historic floor plan is considered to have been considerably altered. The heritage significance now essentially relates to the front elevation and building's contribution to the streetscape.
- 1.3 The building is bounded to the east by No.25 Pond Street, known as the 'Armoury', used as a gym and leisure facility and to the west by No.21 Pond Street, in use as a number of residential flats.

2. THE PROPOSAL

Original

- 2.1 Planning permission is sought for the change of use from offices (Class B1a) to 8 residential units (Class C3), accommodation 6 x 1 bed, 1 x 2 bed flat and 1 x 3 bed, including the erection of a four storey extension with associated terraces and balustrade to each level at rear. Listed building consent is sought for both internal and external alterations including the replacement of all windows and replacement of dormers at roof level.

Revision

- 2.2 The application has, since the initial submission, been revised upon officer advice including:
- Replacement of 3 bed unit located at basement/lower ground floor level with 2 bed unit and enlarged cycle/refuse store
 - Removed rear terraces and associated balustrade at ground, first and second floor levels in accordance with CPG 6.

- Amended detailed design of all windows and to rear facade in accordance with CPG 1.
- Amended detailed design to all dormer windows to rear and balustrade associated with main roof terrace in accordance with CPG 1.

3. **RELEVANT HISTORY**

- 3.1 Ref: 2010/6151/P and 2010/6154/L – PP and LB Granted (21/07/2011) for the change of use from offices (Class B1a) to 8 residential units (Class C3) and alterations to include blocking up a door way to front and rear elevation at basement level. The proposed residential units would comprise 6 x 1 bed, 1 x 2 bed and 1 x 3 bed units totalling 390m². Other than blocking up two doors at basement level, no further external alterations were permitted. This permission remains extant and expires on 21/07/2014.
- 3.2 This decision is addressed in this report. The conclusions reached are material to assessment of the current application, specifically matters relating to the loss of office floorspace and the historic value of the listed building.

4. **CONSULTATIONS**

Conservation Area Advisory Committee

- 4.1 The Hampstead CAAC – No objection was raised to the proposal

Ward Councillor

- 4.2 Councillor Chung objects to the detrimental impact upon:
- Neighbours amenity – loss of light/loss of outlook
 - Architectural interest of No.25 Pond Street
 - Scale in relation to adjoining buildings

Adjoining Occupiers

- 4.3 The site notice was displayed on 24/10/2012. A notice of the application was also published in the Ham and High on 01/11/2012.
- 4.4 A summary of the notification of the application and comments received is as follows:

Original	
<i>Number of letters sent</i>	11
<i>Total number of responses received</i>	8
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	8

- 4.5 The concerns raised by the Ward Councillor and occupiers of flat 1, 2 (2 responses), 3 (2 responses) and 4, 21 Pond Street; No.25 Pond Street (The Jubilee Hall Trust) and No.2 Connaught Mews are summarised in detail below:

Design / impact on the listed building/conservation area

- Proposed height, bulk, massing of the proposed extension would be detrimental to the character and appearance of the listed building (refer to para.6.13-6.16);
- Harm architectural interest of No.25 Pond Street (refer to para.6.16)

Amenity of neighbouring occupiers

- Overlooking from terraces to residential units and associated terrace at No.21 Pond Street. (refer to para.6.20-6.24);
- Loss of daylight/sunlight to residential units and associated terrace at No.21 Pond Street and No.25 Pond Street. (refer to para.6.25);
- Sense of enclosure from rear extension to residential units and associated terrace at No.21 Pond Street. (refer to para.6.25);
- Use of terraces and proximity to No.21 Pond Street is a security risk (refer to para.2.2);
- implication of works (noise, disruption) on occupants of adjoining buildings building and local residents (refer to para.6.30)

Transport

- Increase in parking congestion (refer to para 6.27)
- Increase in refuse to highway (refer to para.6.9);

5. POLICIES

5.1 National and Regional Policy

National Planning Policy Framework 2012
London Plan 2011

5.2 LDF Core Strategy and Development Policies

CS1 Distribution of growth
CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS8 Providing a successful and inclusive Camden Economy
CS11 Promoting sustainable and efficient travel
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage
CS15 Protecting & improving parks & open spaces and encouraging biodiversity
CS16 Improving Camden's health and well-being
CS19 Delivering and monitoring the Core Strategy
DP2 Making full use of Camden's capacity for housing
DP5 Housing size mix
DP6 Lifetime homes and wheelchair homes
DP17 Walking, cycling and public transport
DP18 Parking standards and the availability of car parking
DP19 Managing the impact of parking
DP22 Promoting sustainable design and construction
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours
DP29 Improving access

5.3 **Supplementary Planning Policies**

Hampstead Conservation Area Statement 2001

Camden Planning Guidance 2011:

CPG 1 Design

CPG 2 Housing

CPG 3 Sustainability

CPG 6 Amenity

CPG 7 Transport

CPG 8 Planning Obligations

6. **ASSESSMENT**

6.1 The proposal essentially seeks an amendment to the previous applications (ref: 2010/6151/P and 2010/6154/L), to include an enlarged four storey rear extension and detailed design alterations to the rear dormers, in association to the permitted change of use of from offices (Class B1a) to 8 residential units (Class C3) of a differing mix.

6.2 The Officer's report from the previous applications (ref: 2010/6151/P and 2010/6154/L) shall therefore provide an overview of the consideration of issues which have not changed in the intervening period. A site visit has also been undertaken to confirm no significant material changes on or adjacent to the site have taken place since the approval of the previous permission. The predominant focus of this particular assessment will be on matters which have changed significantly since the previous permission.

6.3 The principal consideration material to the determination of this application and summarised as follows:

- Loss of office accommodation / provision of residential accommodation
- Quality of accommodation
- Design
- Amenity
- Transport
- Other matters

Loss of office accommodation

6.4 The comments of the Council on this issue in the 2011 (ref: 2010/6151/P and 2010/6154/L) were:

"Policy CS8 seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, through safeguarding existing employment sites that meet the needs of modern industry and employers. Due to the site constraints and as the building is a Grade II listed building, it is not considered that the building would be able to meet current office standards, nor is it sufficiently feasible for a variety of employment bases uses. The loss of employment space and replacement with residential accommodation is therefore considered acceptable.

Provision of residential accommodation

As already indicated, the scheme incorporates the provision of 8 residential units. Whilst it is stated that there is an existing residential unit on the top floor this unit is currently in office use and therefore, for the purpose of this application is taken as an additional unit as no evidence has been provided to support the claim that it is in residential use. Within the Local Development Framework housing is specified as the priority land use. Hence the proposed change of use would assist the Council to meet and exceed the strategic housing target for the Borough. This is on the proviso of the residential accommodation proposed being of an acceptable standard (see quality of accommodation section below). In overall terms the principle of providing residential accommodation at this location is considered to be appropriate."

- 6.5 On balance, the loss of office accommodation for the provision of additional accommodation in this location, subject to complying with, inter alia, CPG 1, would be welcomed given the constraints of the site.

Quality of accommodation

- 6.6 The extant (ref: 2010/6151/P and 2010/6154/L) comprises: 6 x 1 bed (2 flats at ground floor level, 2 flats at first floor level and 2 flats at second floor level), 1 x 2 bed (1 flat at third floor level) and 1 x 3 bed (1 flat at basement/lower ground level) self-contained residential units.
- 6.7 The current proposal comprises: 6 x 1 bed (2 flats at ground floor level, 2 flats at first floor level and 2 flats at second floor level) and 2 x 2 bed (1 flat at third floor level) self-contained residential units. Therefore this scheme differs in that a 3 bed unit would no longer be provided but replaced by a 2 bed unit and enlarged refuse/cycle store area.
- 6.8 All units will be accessed from an existing entrance at ground floor level on the Pond Street elevation. In addition, all rooms within the proposed residential units are considered to be regular in size and shape, with appropriate ventilation, circulation and storage spaces. Thus the units are considered to provide a good standard of residential accommodation for future occupiers.
- 6.9 With regard to the proposed housing mix, policy DP5 seeks to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. Whilst a mix of 1, 2 and a 3 bed unit within a scheme of 8 units could be accommodated, on balance, it is considered the provision of an enlarged refuse and cycle area is appropriate in this instance. Therefore the omission of a 3 bed unit located at basement/lower ground floor level, replaced by a 2 bed unit, in this instance is acceptable.
- 6.10 In terms of lifetimes homes, the comments of the Council on this issue in the 2011 (ref: 2010/6151/P and 2010/6154/L) were:

"The applicant has submitted a lifetime homes assessment demonstrating areas where the proposed scheme can accord with the necessary standards, within the limits of the listed building. It is acknowledged that in some instances the proposed

scheme will not be able to achieve some standards, owing to the proposed scheme incorporating the conversion of an existing building. The applicant has despite this demonstrated the areas where such standards can be met."

- 6.11 In light of the constraints of the site, the proposal is considered in accordance with, inter alia, policy DP6

Design

- 6.12 As stated in paragraph 2.2 of this report, this building has been considerably rebuilt and virtually nothing of the historic interior remains. The staircase, panelled room to the ground floor and plaster cornice are likely to be later replicas of the original and the historic floor plan has been considerably altered. It is considered that in relation to this property, the heritage significance now essentially relates to the front elevation and building's contribution to the streetscape.
- 6.13 With particular regard to the rear elevation, as a result of being significantly rebuilt and extended in the past, it retains no historic value and only contributes by way of its traditional design and fenestration pattern which adds to the setting, character and appearance of the historic building as a whole.
- 6.14 The proposal concerns the enlargement of an existing 4 storey extension, increasing its depth rearward by 2m. The extension would be brick faced, matching the existing rear elevation and comprise new stone sub sills and brickwork soldier coursing, to line through with the existing and retained window openings.
- 6.15 The proposed extension, by virtue of its limited increase in depth rearward and matching detailed design, would ensure it appears visually subordinate and respects the hierarchy of the floor levels. The proposed fenestration detailing, pattern and brick facing proposed would represent a consistent and sympathetic approach which would maintain the contribution of the rear elevation made to the setting, character and appearance of the historic building as a whole. When assessed against the adjoining property of No.25 Pond Street, particularly the increased depth of the rear extension, it is considered the proposal would neither harm nor obscure the character and appearance of this building.
- 6.16 The proposed alteration to the dormers at main roof level, by virtue of their regular position and spacing are considered appropriate and sympathetic to the roofscape. The increase in height of the parapet and installation of black metal railings at main roof level, rather than lowering the parapet with glass balustrading as initially submitted (see paragraph 2.2), is considered an appropriate approach which would result in a sympathetic alteration.
- 6.17 With particular regard to the associated internal alterations for the change of use from offices to residential, the proposal includes the removal of the later office partitions. A new layout is proposed which ensures that what remains of the historic character internally is retained, allowing natural light into the units whilst not breaking up any historic lines within the existing buildings footprint. It is hoped that some original fabric may remain, including floor joists etc and such features may be

uncovered during the course of the works and therefore a condition is recommended to ensure that such historic fabric is retained on site and protected.

- 6.18 Within this context, given the limited extent of the rear extension, sympathetic design of façade and roof level alterations and the lack of historical fabric within the building, it is considered that the proposal would not cause significant harm to the host property, nor the wider conservation area. It is therefore considered acceptable in this location.

Amenity

- 6.19 Core Strategy policy CS5 and Development Policy DP26 seek to ensure that the residential amenity of neighbouring properties is protected, particularly with regard to daylight and sunlight, outlook and privacy.
- 6.20 The rear and flank elevation (west facing) of Nos.23 Pond street would be served by habitable windows, facing the flank windows (east facing) of No.21 Pond Street and flank windows (west facing) of No.25 Pond Street.
- 6.21 In accordance with CPG6 (Amenity), the most sensitive areas to overlooking are living rooms, bedrooms, kitchens and the part of a garden nearest to the house. Therefore windows which service non-habitable rooms such as bathrooms and non-residential floorspace such as gyms would be of limited weight to substantiate a reason for refusal on this issue alone.
- 6.22 The building to the west, namely No.21 Pond Street features habitable windows facing east at ground floor level. Non-habitable windows servicing a hallway are located at first floor level, whilst windows servicing bathrooms are located at second and third floor level. The building to the east, namely No.25 Pond Street features a number of windows at ground floor level serving the 'Armoury' gym.
- 6.23 To ensure privacy to the No.21 Pond Street is maintained, as stated in paragraph 2.2 of this report, the previously sought terraces at ground, first and second floor levels have been removed from the proposal. Only an existing terrace at main roof level would be enlarged, however given its proximity and position, the use of this terrace would not result in the loss of privacy to No.21 Pond Street and is therefore considered acceptable.
- 6.24 Although the extension would be increased in depth rearward by 2m, the distance between No.21 and No.23 would be maintained. Given the nature of windows which this extension would project beyond on flank elevations, namely 2 non-habitable windows servicing bathrooms at No.21 Pond Street and half a non-habitable window servicing the main gym area of No.25 Pond Street, the proposal would not result in an increased sense of enclosure nor a loss of sunlight/daylight which would substantiate a refusal on this issue alone.
- 6.25 Within this context, the proposal is considered to comply with guidance forming part of CPG6 (Amenity) and DP26 (Managing the impact of development on occupiers and neighbours).

Transport

- 6.26 The comments of the Council on this issue in the 2011 (ref: 2010/6151/P and 2010/6154/L) were:

"The site is located on Pond Street within the Belsize area. The site has a Public Transport Accessibility Level (PTAL) of 4 (good). The site is identified as being located in the Gospel Oak/ Hampstead Boundary, which suffers from parking stress. Within this context, it is sought for the development to be made car-free via a S106 Legal Agreement."

- 6.27 Council cycle parking standards require 1 space per residential unit, therefore 8 cycle spaces are required as part of this development. A store capable of accommodating a cycle and refuse area has been provided on each half landing and at basement/lower ground floor level and are deemed acceptable.
- 6.28 It is considered that a Service Management Plan (including refuse collection) and Construction Management Plan are required in this instance.

Other Matters

- 6.29 The comments of the Council in the 2011 (ref: 2010/6151/P and 2010/6154/L):

"The overall approach to energy should be in line with the Mayor's Energy Hierarchy (i) using less energy; ii) supplying energy efficiently; ii) using renewable energy. With regard to the third element of the hierarchy there is a requirement for a 20% reduction in CO2 through the use of on-site renewable technologies. The applicant has indicated that they are unlikely to be able to provide renewable technologies in line with policy, because the proposal is for the conversion of an existing Listed Building.

In line with Camden's Planning Policy, the applicants have submitted an EcoHomes Criteria Compliance Check List stating what elements the scheme should achieve in what areas and stating that the project should achieve a 'good' rating. It is considered that due to the restrictions of the listed status of the building, the criteria are considered acceptable in this instance. It is recommended that a post construction energy review is secured through the section 106 agreement."

- 6.30 In light of the officers comments in 2011 and given the similar thrust of development sought in this instance, it is maintained that a post construction energy review be secured through the section 106 agreement.
- 6.31 The proposed development, which includes the provision of 8 new residential units, is likely to place an increased burden on educational facilities in the area. It is therefore recommended that a contribution be made towards the provision of educational infrastructure in accordance with Camden's Planning Policy and Section 21 of Camden Planning Guidance. The contribution has been calculated in accordance with formula contained in the CPG 8. The formula requires the provision of £2,213 per 2-bedroom unit. Therefore a contribution of £4,426 is required towards educational infrastructure.

6.32 Camden's planning policy requires the provision of 9 sq m of open space per person for residential developments providing 5 or more additional dwellings and this will initially be expected to be provided on site. Where it is not possible to provide this open space provision on site the preferred option would be to provide suitable open space off-site. If either of the above is not practical a financial contribution to open space will be acceptable. The financial contribution is based on a proportion of the capital cost of providing new open space, which amounts to £55 per square metre.

6.33 In this case the proposed development would provide 6 x 1 bed units, 1 x 2 bed unit and 1 x 3 bed unit. This equates to a requirement of 104.2sqm (6 x 11.7sqm + 2 x 17sqm) open space provision. In accordance with Camden Planning Guidance, a financial contribution of £7,510 is required towards the provision of or improvements to public open space in the area, which includes maintenance costs over a five-year period.

7. **CONCLUSION**

7.1 The design of the rear and roof extensions are appropriate and would be constructed with quality materials which would ensure that the special architectural and historic interest of this listed building is both preserved and enhanced. The existing office floorspace is not flexible for other employment uses due to the constraints of the existing listed building. The change of use to residential is therefore considered acceptable and the creation of eight additional residential units on the site is welcomed. The proposed extension and conversion of the existing buildings would not have a negative effect on the residential amenity of existing neighbours. Subject to the recommended planning obligations the proposal is considered to be compliant with policy.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Eight residential units to be car free
- Financial contribution of £4,426 towards education infrastructure;
- Financial contribution of £7,510 towards open space provision;
- Full Ecohomes assessment and post construction review;
- Construction Management Plan
- Service Management Plan

8. **LEGAL COMMENTS**

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