

PLANNING APPLICATION AND LISTED BUILDING APPLICATION

DESIGN, ACCESS & HERITAGE STATEMENT – Ref: 1036-DandA

1. Summary

The ground floor and basement of this Grade II listed building is currently vacant, but formerly was used as a café/bar. The basement spreads under both properties (no.s 7 & 9), but the ground floor is limited to just no.7.

The building is within the Hampstead Conservation Area (Sub Area 3 - the Pond Street/South End Green area character zone at the south-east tip of the Conservation Area which centres on the 1880s and 1890s shopping centre of South End Green).

This Planning Application and associated Listed Building Application is for permission for change of use from café/bar to offices, some internal modifications and a rear extension.



7 (left) and 9 (right) Pond Street – South (front) Elevation

2. Brief History of the Properties/Site

The terraced row no.s 5-13 Pond Street, of which no.s 7-9 Pond Street are a part, was constructed when Hampstead Hill Gardens was laid out in 1873. The buildings were constructed as shop premises with residential over, and their ground floor has always been used for business purposes.

The first and second floors are currently used as flats but in the past it is possible they were used as offices associated with the shop premises below.

Originally buildings no.s 7 and 9 were two separate properties however in 1978 the lower ground floors (and rear gardens) of the two buildings were joined together while the ground, first and second floors of no. 9 were separated from the lower ground floor below, and maintained as a separate property. At this time the original stairs connecting no. 9's ground and lower ground floors in the north-west corner of that property were removed, and the current staircase installed in the south-west corner of no.7.

Brief History of the Properties/Site Continued....

In the basement, the dividing wall between the two properties contains two stepped openings to the slightly lower floor level of no.9; one is immediately east of the 1970s staircase, the other is south of the cellar storage alcoves.

The buildings were listed in 1991. The listing description is primarily concerned with the uniform character of the Pond Street façade and the property's group value as part of a mid- Victorian shopping terrace as well as its relationship to the Roebuck public house at 15 Pond Street. The interiors and presumably the rear of the property were not inspected when the buildings were listed.

Several other planning proposals were granted permission either fully or conditionally in the 1970s and 1980s, the majority of those regarding change of use or alterations to the rear of the property. Proposals for installing a new shop front at no.7 in 1972 and no.9 in 1973 were initially refused, with proposals then altered, resubmitted and accepted conditionally.

In 1985 changes to the rear of both properties were granted in full: at 7 Pond Street the 2nd floor rear window casement was altered to provide access to the flat roof and create a balcony; at no.9 a spiral staircase from the 1st floor flat was installed to provide access to the garden.

The fenestration at the rear of no.7 and no.9 Pond Street has been modified, the north facing 1st floor window in no. 7 has been blocked, while the roof of the no. 7 projection has been turned into a balcony with a 2nd floor window converted to access it



7 (right) and 9 (left) Pond Street – North (rear) Elevation showing the unification of the two properties and permitted changes to the rear fenestration etc

An application ref 2013/0953/P was granted permission 10-04-2013 for Change of Use of ground floor of No. 7 and lower ground floors of of Nos 7 and 9 from restaurant/bar (Class A3/A4) to office (Class B1a).

3. Character of the Site

The character of the development within the Site is essentially of 19th century date with a mixed domestic and commercial vernacular identified within the Hampstead Conservation Area, as forming a varied row of buildings along the northern side of Pond Street that reflect the historic urbanisation of the area. The Hampstead Conservation Area Statement identifies 5-13 Pond Street as a listed building and highlights 7 Pond Street as a shop front of merit (in 2002).

Character of the Site Continued.....

The premises have been vacant for approximately a year and a half. Their previous use was as a bar/café with live music in the basement and seating in the rear garden area. We understand that there were issues amongst nearby residents with several aspects of that use.

The series of 20th century internal developments noted previously have significantly altered the circulation and layout of the ground and lower floors of the property. This has impacted on the current contribution on these floors to the heritage significance of the listed building. These changes of course have no effect on the wider Conservation Area.

The same changes have also removed the majority of original features - it has been argued that the ceiling rose to the south end of the ground floor of no.7 is the only original decorative element that has survived internally (but has been refitted for electric lighting). The crisp edges of its detailing however point to it being a more recent addition – a plaster moulding exceeding 140 years of age would have heavy curved edges due to over-painting throughout its years.



Regardless of its authenticity, there are nonetheless no proposals to remove this feature.

7 Pond Street ground floor ceiling rose

4. Impact of the Proposals to a Listed Building in the Conservation Area

The Hampstead Conservation Area Statement guidelines offer advice on the types of development generally permissible. The following are of particular relevance to 7-9 Pond Street:

CHANGE OF USE: The Council recognises that there are commercial pressures for changes of use to restaurants/cafes and wine bars, and the associated problems that can occur with regard to residential amenity and the overall character of the area...Therefore, the Council will have regard to the above in determination of these applications and the effects on the overall retail function of the shopping streets, traffic conditions and the needs of the local community. The Council will also have consideration for the continued mixed use character of Heath Street/High Street and the close proximity of wholly residential areas.

The current 'use' (bar/café) has not been appreciated by local residents. Notwithstanding that this use was commercially unviable, the opening hours necessary to operate such use did not well meet the character of the area, backing closely onto residential properties as it does.

The proposed commercial use as offices much better suits the building's location and will contribute to the preservation of the heritage asset by keeping the property occupied and in active use.

FRONT GARDENS/ BACKLAND/REAR GARDENS: Front and rear gardens are an integral characteristic of the Conservation Area, many of which retain boundary walls/ railings and planting... Proposals should respect the original style of boundary and these should be retained and reinstated where they have been lost. Particular care should be taken to preserve the green character of the Conservation Area by keeping hedges...Rear gardens and backlands contribute to the townscape of the Conservation Area and provide a significant amenity to residents and a habitat for wildlife. Development within gardens is likely to be unacceptable.

Impact of the Proposals to a Listed Building in the Conservation Area Continued.....

The rear garden of no.7 and no.9 Pond Street is not visible from the street and so has less of an impact than the garden plot of 5 Pond Street adjacent to Hampstead Hill Gardens. The rear garden of no. 7-9 has a small number of trees in its north-east corner and along its north wall, however the majority of it is paved or laid with decking, limiting its effective use as a wildlife habitat.

These proposals double the areas of planting at ground floor level (15.2 sq.m to 30.8 sq.m). This creates a more viable habitat source for wildlife, with the added benefit of creating a softer, more domestic feel for overlooking residents. In addition, a 'green' roof is proposed of above the extension of approximately 33 sq.m. This will be of equal value as a wildlife resource as well as a visual improvement for residents.

The proposed extension is sited on the currently paved area north of no. 7 and has been designed to retain the trees. A small section (approx 600mm x 1200mm) of the proposed ground floor extension extends into a TPO root protection zone. The floor can easily be cantilevered over the zone so the tree roots in that zone will not be disturbed. An Arboricultural Method Statement has been prepared by Martin Dobson Associates Ltd dated 3rd July 2014 to demonstrate this principle, as well as to instruct the protection of the trees on site. This is included with application documents.

LISTED BUILDINGS: listed building consent is required for demolition of a listed building, and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest

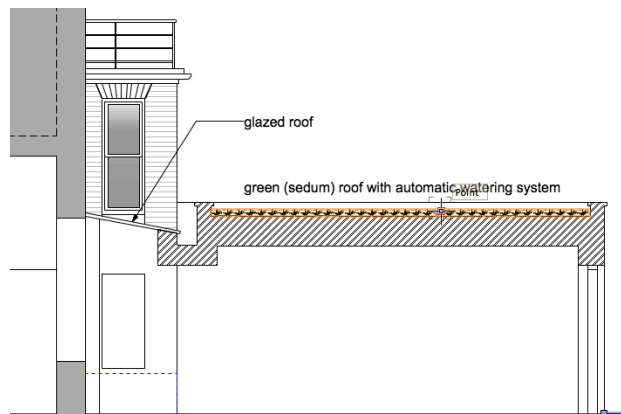
...and....

REAR EXTENSIONS/CONSERVATORIES: Planning permission is usually required for the erection of a rear extension or conservatory...Extensions and conservatories can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions, although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the Conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area. In most cases such extensions should be no more than one storey in height, but its general effect on neighbouring properties and Conservation Area will be the basis of its suitability.

The proposed extension is single storey and will be largely invisible from the street. It will have no negative impact on the amenities of the neighbours – arguably, with the inclusion of its green roof, these will be improved.

The historic pattern of extensions within the terrace has allowed for new access to be created to lower ground, ground and first floor level, as well as for the shed additions, outbuildings etc - and, in the case of no. 5, a large single storey extension. Extensions are therefore a natural part of the development of the terrace as a whole.

Notwithstanding its low visibility profile, the proposed extension has been designed not to interfere with the remaining architectural integrity of the building to which it is attached. It has been set away for the face of main brickwork rear elevation by way of a glazed 'minimal intervention' link. The extract from drawing 1036-AP1-05 right demonstrates this principle:



Impact of the Proposals to a Listed Building in the Conservation Area Continued.....

The material for the walls – white render – has been selected to match this and the adjoining buildings at ground floor level. It is not proposed that the extension in any way mimics the architectural style of the original Listed Building, but rather stands as a single storey that has been designed to appear separate from it. Such ‘good manners’ will enhance its subservience to the main building, which will lose none of its architectural integrity as a result.

Extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings. The acceptability of larger extensions depends on the particular site and circumstances.

Rear extensions will not be acceptable where they would spoil a uniform rear elevation of an unspoilt terrace or group of buildings.

Previous permissions have eroded much of the very original form and character of this historic building. Notwithstanding that, the proposals are very much in keeping with the historic pattern of extensions within the terrace or group of buildings, which as stated above, are a natural part of the development of the terrace as a whole.

The infilling of yards and rear spaces between buildings will generally be unacceptable

The proposed extension occupies only part of the rear garden of no.7 Pond Street. Viewed as a whole, the footprint of the proposed extension occupies approximately only 30% of the rear garden space (47 sq.m vs. 154.5 sq.m).

TREES AND LANDSCAPE DESIGN: All trees which contribute to the character or appearance of the Conservation Area should be retained and protected. Developers will be expected to incorporate any new trees sensitively into the design of any development and demonstrate that no trees will be lost or damaged before, during or after development. All new development should have a high standard of external space (landscape) design, which should respect the character and appearance of the Conservation Area. Applications for development should take into account the possible impact on trees and other vegetation, and state clearly whether any damage/removal is likely and what protective measures are to be taken to ensure against damage during and after work. All trees within 10 metres of a development proposal should be clearly identified. This also applies to underground development.

An Arboricultural Method Statement has been prepared by Martin Dobson Associates Ltd, 3rd July 2014, to demonstrate the safe incorporation of the existing trees on site into the proposals, as well as to instruct the protection of these. This is included with application documents.

The rear garden is currently predominately laid to paving with areas of strip planting to the edges. The proposals double the areas of planting (15.2 sq.m to 30.8 sq.m) while maintaining the historic stepped nature of the site. The existing inappropriate Concrete paving with brick insets and timber decking is to be replaced with reclaimed yorkstone laid in a traditional random pattern. This will provide a permeable and attractive surface more in keeping with the historic period setting.

5. Other Conservation/Listed Building Matters

The Hampstead Conservation Area statement is concerned about quality erosion through incremental changes. Previous planning permission has adversely impacted the uniformity of the terrace rear (north facing elevation), in particular, the garden plots have been modified to join 7 and 9 Pond Street together, the rear of 5 Pond Street is completely overbuilt and several of the projecting 2-storey brickwork additions have been converted to second floor balconies and had external access to/from the garden fitted. Therefore the qualities of homogeneity and group conformity that factor heavily in the listing description are far less applicable to the rear of the terrace than to the street front (to which no changes are proposed).

Other Conservation/Listed Building Matters Continued.....

The majority of the proposals for the interior involve the removal of 'modern' interventions (bars, stud partitions etc) and care has been taken to ensure that the proposals to the interior will not adversely affect the heritage value of the Conservation Area or the Listed property. Only one area of works is proposed to any part of the historic fabric – the opening up of a small section of wall in the basement. It is proposed that the main structural portions of this wall are retained as large vestigial portions to make this intervention clear. As such, the two-cell basements of the two separate shops would remain as a clearly legible layout.

The property is not currently operating as a restaurant and has proved unviable for such a purpose. A change of use will therefore provide a new active purpose for the building and help to sustain the economic vitality of the community – a development factor identified in NPPF. In fact, alterations to the interior and change of use of the property will contribute to the preservation of the heritage asset by keeping the property occupied and in active use.

The Site is within an area of archaeological priority. There will naturally be an element of excavation associated with the ground floor slab of the proposed extension but disturbance would be minimal and unlikely to require further archaeological investigation to assess their potential.

6. Sustainability

As no changes to the external historic fabric are proposed, there is limited scope for improving the thermal insulation qualities of the existing building. The proposed extension however will be built in accordance with the Building Regulations Part L2A ensuring its compliance with current requirements.

The improvements ('greening') of the rear garden will work as positive wider contribution as a wildlife resource.

7. Access

Accessibility remains as existing, capable of meeting Part M of the Building Regulations, with no impact on the historic character of the building.

8. General

All construction work is to comply with British Standards and Codes of Practice, and all relevant regulatory requirements.

9. Conclusion

It is considered that the proposals contained within this application meet the requirements of Change of Use and extension to a Listed Building and within a Conservation Area.

10. Material accompanying the application

Survey drawings: 1036-S01 to 1036-S08

Proposal drawings: 1036-AP1-01 to 1036-AP1-08

Arboricultural Method Statement by Martin Dobson Associates Ltd, 3rd July 2014 Ref A92