

Address:	13 and 13A West Hampstead Mews London NW6 3BB	
Application Number:	2014/1182/P	Officer: David Peres Da Costa
Ward:	West Hampstead	
Date Received:	17/02/2014	
Proposal: Change of use of ground floor at 13A from vehicle spray shop (Class B2) to residential (Class C3) and conversion of property to create a 2 bedroom house including roof extension with roof terrace; and demolition of No.13 and erection of 3 storey office (Class B1) with 3x air-conditioning units at 2nd floor level (on semi-enclosed terrace).		
Drawing Numbers: Site location plan; A10; A100 A; A101 A; A110 A; A111 B; A1000 E; A1001 B; A1010 D; A1011 D; A1012 A; CHP daylight and sunlight report dated 25/7/13 ; EMTEC noise report dated 2/9/13; Broad Oak Tree Consultants report dated 7/8/13		
RECOMMENDATION SUMMARY: Grant conditional permission		
Applicant:	Agent:	
Mr Mike Greene J&MGLLP Flat 1 16 Shepherds Hill London	dMFK 119 Cholmley Gardens West End Lane London NW6 1AA	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	Class B2	(General industry)	254m ²
Proposed	Class B1	(Offices)	490m ²
Existing	Class C3	(Dwellinghouses)	48.5m ²
Proposed	Class C3	(Dwellinghouses)	96m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette		1							
Proposed	Flat/Maisonette		1							

OFFICERS' REPORT

Reason for Referral to Committee: The application is reported to committee as the development involves the total demolition of a building in the conservation area [Clause 3(v)]

1. SITE

- 1.1 The site is occupied by two buildings at right angles to each other on West Hampstead Mews: 13A is a 2 storey building located at the entrance to West Hampstead Mews from West End Lane; 13 is a part single storey, part 2 storey workshop on the south side of West Hampstead Mews.
- 1.2 The ground and first floor of 13 and the ground floor of 13A are in use as a vehicle spray shop. The first floors of 13A are in use as a 2 bedroom flat.
- 1.3 The properties fall within the South Hampstead Conservation Area and are identified as positive contributors.
- 1.4 The mews is in commercial and residential use. Although the surrounding area is primarily detached residential properties (sub-divided into flats), there is a nursery school to the rear (88 Compayne Gardens).

2. THE PROPOSAL

Original

- 2.1 Permission is sought to demolish 13 West Hampstead Mews. The existing rear gable wall (facing 88 Compayne Gardens) would be retained and a 2 storey building plus attic accommodation would be built behind this. The proposal involves a change of use of 13 West Hampstead Mews from vehicle spray workshop (Class B2) to offices (Class B1) which would be arranged over 3 floors.
- 2.2 The proposal also involves a change of use of the ground floor of 13A West Hampstead Mews from vehicle spray workshop (Class B2) to residential use (Class C3). The existing 2 bedroom flat at first floor would be converted to a 2 bedroom house at ground, first and 2nd floor (mezzanine) level. The 2nd floor would have French doors opening onto an inset roof terrace. Full height glazed timber French doors would replace the two existing sets of timber doors with glazing above on the elevation facing the mews.

Revision

- 2.3 Following officer's comments the modern window in the flank wall of No. 13A has been replaced with a window with a traditional design and the existing external dedication stone has been shown on an internal wall of the ground floor space of No 13.

3. RELEVANT HISTORY

- 3.1 **2013/6059/P**: Erection of single storey roof extension with roof terrace, alterations to existing window and door and the addition of 2 windows to side elevation and conversion of work space (Class B2) to residential (Class C3) at ground floor of 13a to create 3 bedroom dwelling house. Erection of a 3 storey building with double pitched roof and rear courtyard for business use (Class B1) following the demolition of no13. Withdrawn 18/12/2013
2013/6187/C: Demolition of existing building at no13. Withdrawn 18/12/2013

The above applications were withdrawn so that the applicant could prepare a heritage statement.

4. **CONSULTATIONS**

4.1 **Adjoining Occupiers**

<i>Number of letters sent</i>	29
<i>Total number of responses received</i>	0
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 4.2 A site notice was displayed from 24/3/14 to 14/4/14 and the application was advertised in the Ham and High newspaper on 27/4/14. No letters of representation have been received.

5. **POLICIES**

5.1 **National and regional policy**

NPPF 2012
 London Plan 2011

5.2 **LDF Core Strategy and Development Policies Core Strategy and Development Policies 2010**

CS1 (Distribution of Growth)
 CS3 (Other Highly Accessible Areas)
 CS5 (Managing the Impact of Growth and Development)
 CS6 (Providing quality homes)
 CS8 (Promoting 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)
 CS16 (Improving Camden's Health and Well-being)

DP1 (Mixed use development)
DP2 (Making full use of Camden's capacity for housing)
DP5 (Homes of different sizes)
DP6 (Lifetime Homes)
DP13 (Employment sites and premises)
DP16 (The transport implications of development)
DP17 (Walking, cycling and public transport)
Dp18 (Parking standards and limiting the availability of car parking)
DP20 (Movement of goods and materials)
DP22 (Promoting sustainable design and construction)
DP23 (Water)
DP24 (Securing High Quality Design)
DP25 (Conserving Camden's Heritage)
DP26 (Managing the Impact of Development on Occupiers and Neighbours)
DP28 (Noise & vibration)
DP32 (Air Quality and Camden's Clear Zone)

5.2 **Supplementary Planning Policies**

Camden Planning Guidance
South Hampstead Conservation Area Statement

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use;
- Quality homes;
- Design;
- Transport;
- Impact on amenity; and
- Trees

Land use

Replacement of B2 floorspace with B1 office and residential extension

6.2 The existing vehicle spray shop is arranged over ground floor of 13 and 13A and the first floor of 13 West Hampstead Mews. The floorspace of the ground floor is approximately 217sqm with 37sqm of ancillary office / storage floorspace at first floor level. The total floorspace in B2 use is therefore 254sqm. It is noted that Part 3, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) permits a change of use from B2 (General Industry) to B1a (Office) without planning permission.

6.3 There are few concentrations of industrial and warehousing uses left within Camden. The area between Kentish Town and Gospel Oak is the only area of land in the borough to have a mix of such uses and no housing, making it particularly suited for continued employment use. Camden Planning Guidance (CPG 5 - Town

Centres, Retail and Employment) includes a section on light industrial, industrial, storage and distribution (chapter 7) and identifies three main categories of sites and premises. Small isolated sites with incompatible neighbouring residential use fall within category 3. Category 3 sites are heavily compromised and may not be suitable for continued industrial use when they become empty or need significant investment, although they could be suitable for office B1(a) space. It is considered that the existing accommodation is poor quality and would fall within category 3.

6.4 The surrounding area of West Hampstead Mews has a number of upper floor units which have been converted to residential. Within the application site, the upper part of No 13A is in residential use. Close to the site, the first floor of No 11 and No 8 are in residential use. Further from the site (approximately 50m away) the first floors of No 5 and No 4 are in residential use. Recently, prior approval has been granted (25/03/2014) for a change of use of the ground floor of No.s 1 and 2 from offices to a flat (ref: 2014/0729/P) and prior approval has been granted (22/05/2014) for change of use of the ground floor of No 4 from offices to a flat (ref: 2014/2201/P). It is evident that the Mews is becoming more residential in nature and less suited to general industrial B2 uses which can harm neighbouring amenity. The existing tenant of the vehicle spray workshop vacated the premises in March 2014. This use was not particularly compatible with the neighbouring residential uses in the mews. Furthermore, if this planning application is not successful, it is possible a more harmful use within the B2 Use Class could occupy the property (without the need for planning permission). As such, the loss of the B2 floorspace is not considered to be harmful.

6.5 Policy DP13 (Employment premises and sites) states that where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that certain criteria are met. It is considered that all the relevant criteria have been met.

- The level of employment floorspace is maintained or increased. The floorspace will increase from 254sqm to 490sqm.
- The proposal includes other priority uses such as housing. The proposed development would involve an increase in residential floorspace as the ground floor of 13A West Hampstead Mews would be joined to the existing first floor flat to create a 3 bedroom house.
- The proposed 490sqm office building would be suitable for new small or medium enterprises which are defined as business employing less than 20 people (small) and / or less than 250 (medium).

As all the criteria have been met, the proposal accords with policy DP13.

6.6 The supporting text of policy DP13 (paragraph 13.4) indicates that where it is proposed to redevelop employment land for another business use, including offices, the Council will seek to retain physical features that will enable the flexible use of the premises for a range of business purposes. The proposed development provides the design features that enable flexible use within the constraints of the building envelope. It is accepted that the size of the building envelope and the proposed floor to ceiling heights are informed by the necessity to sensitively infill the mews and relate appropriately to the neighbouring properties. It is noted that the proposed office building has clear and flexible space with few supporting columns; wide doors and corridors; loading facilities available from West Hampstead Mews;

large amounts of natural light; availability of a range of units sizes (it is shown on the drawings as an office building over 3 floors but it is evident that it could be subdivided should it be required); and there is space for servicing by commercial vehicles from the wide cobbled mews in front of the development.

- 6.7 The mews is an appropriate location for office accommodation. It is close to the West Hampstead Town Centre and is an easily accessible location. The proposed offices are therefore in accordance with policy CS8 (Promoting a successful and inclusive Camden Economy). Housing is regarded as the priority land use of the Local Development Framework. The conversion of first floor flat at 13A West Hampstead Mews into a two bedroom home would provide additional residential floorspace and would be in accordance with policy DP2 (Making full use of Camden's capacity for housing).

Dwelling size

- 6.8 The conversion of the two bedroom flat to a two bedroom house is in accordance with policy DP5 (Homes of different sizes) as the proposed dwelling is identified as a very high priority in the Dwelling Size Priorities Table.

Residential development standards

- 6.9 The development would provide a 2 bedroom house with two double bedrooms on the ground floor, kitchen living room at first floor and study on the mezzanine floor within the roofspace. The mezzanine would be connected to the first floor by a spiral staircase. The house would have a floorspace of approximately 96sqm. The minimum floorspace for a dwelling designed for 4 persons is 75sqm so the dwelling comfortably exceeds the Council's minimum floorspace standard. The bedrooms also exceed the minimum floorspace set out in CPG2. The bedroom at mezzanine level would have an inset balcony providing the house with a small area of outdoor amenity space. There is adequate space within the dwelling for refuse storage.

Lifetime Homes

- 6.10 Policy DP6 requires Lifetime Homes standards to be met where possible, although it is accepted that conversions may not be able to meet all standards, and some may not be relevant. The proposed 2 bedroom house would meet most of the relevant criteria.

Design

- 6.11 No.13a is a handsome two storey yellow stock brickwork building at the head of the Mews. Its front ground floor elevation has two large carriage style doors with domestic sash windows above with red brick segmental arches and a prominent stucco cornice, and with a slated hipped roof behind the parapet. It is an exception to the typical mews buildings, architecturally symmetrical, and stands as a local landmark making a distinctive contribution to the character of the Mews.
- 6.12 By contrast both the front and rear buildings that comprise No.13 on its deep site have been altered, are in poor condition, and are of a poor design. Set back within the site is a large carriage workshop building with a slate roof. In front its original courtyard has been covered over with a stepped modern roof. There is a plaque showing a coat of arms (and the date 1886) on the gable of the setback workshop.

- 6.13 The character of the mews is defined by the two storey brick terraces with carriage doors at ground floor level and small domestic sash windows to the first floor. The surviving granite sett surface is also an important part of the special interest of the area. The South Hampstead Conservation Area Appraisal describes the Mews as “generally two storeys with pitched roofs hidden behind parapets and attractive simple elevations keeping their original function as garages, workshops, and stables”. This group of mews buildings are identified in the CA Appraisal as making a positive contribution to the character and appearance of the conservation area.
- 6.14 Whilst the group may make a contribution to the conservation area, it is evident that No 13 in the corner of the mews is a poor quality early C20 infill frontage to a deep site on which stands a large late C19 workshop set behind a modern flat roofed link structure. Overall, it is not a visually coherent traditional mews building. It is apparent that the workshop and link buildings within the site have been altered and extended many times and are of no intrinsic architectural interest. Considering the poor quality and highly altered appearance of this corner of the mews it is considered that this part of the site detracts from the character of the area. The only feature of historic interest is the 1886 plaque on the gable of the workshop, but this is not a visual feature of the mews frontage as it set well back within the site itself.
- 6.15 The CA Appraisal, para 6.2 confirms there is a strong presumption to retain buildings that make a positive contribution to the character of the area. However detractors are elements of the townscape that are considered to be so significantly out of scale or character with their surroundings that their replacement with a building of appropriate scale, mass and detailed architectural treatment would benefit the character of the area. Para 6.9 confirms that sensitive redevelopment may provide the opportunity for beneficial change.
- 6.16 In this instance the poor quality frontage and the altered nature of No.13 means it falls into the category of detracting from the special interest of the area, and that the site could benefit from a sensitive redevelopment to bring beneficial change.
- 6.17 The NPPF para 137 confirms that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve or better reveal their significance should be treated favourably. Whilst No.13 is a designated heritage asset (as it falls within the conservation area), it has a low significance (in terms of its contribution to the group value of the Mews buildings) and the loss would be clearly outweighed by the public benefit of sensitive redevelopment. The proposal is therefore in accordance with the NPPF.
- 6.18 It is therefore considered that the proposals for demolition of No.13 are justified, and that its proposed replacement building is a sensitive infill to the character and appearance of the Mews. Its fenestration pattern and elevation follows the established rhythm of the adjacent elevations. Its roof level, eaves and roof rise incrementally to follow the stepping of adjacent roof levels in response to the gradient of the sloping ground. The proposed alterations to No.13A are limited in scope and are harmonious with the architectural interest of the building. A condition will be included so that samples of the proposed yellow facing brickwork and

natural slated roof materials are provided to ensure they match the existing predominant facing materials of adjacent buildings. A condition will also require details of doors and windows to be provided to ensure they are appropriately detailed.

- 6.19 The possibility of re-erecting the existing dedication stone from the gable of No. 13 to elsewhere on site has been considered. However it's mounting on the elevation of No 13A would be historically inaccurate as this is an entirely separate building. It would also be inappropriate to mount it on the front elevation of the replacement mews elevation of No.13 as it would appear completely over scaled. The applicant has provided a drawing showing it mounted on an internal elevation of No 13. This is considered acceptable as it would provide a suitable historic reference to the previous building on the site. A condition would be included to ensure that it the dedication stone is carefully removed and re-erected and retained as shown on the approved drawings.
- 6.20 The Council's Policy DP25 requires that only development proposals that preserve and enhance the character and appearance of the Conservation Area should be permitted. These redevelopment proposals are both in scale and in character with the Mews and so are in accordance with policy DP25.

Transport

- 6.21 A single cycle storage space is provided at ground floor level close to the entrance door. This meets the Council's cycle parking standards and accords with policy DP18 (Parking standards and limiting the availability of car parking).
- 6.22 Paragraphs 5.1 and 5.5 of CPG7 (Transport), indicate that the imposition of car free housing only applies where there is an increase in the number of dwellings. Whilst the Council always encourages car free housing, as there is no increase in the number of dwellings, it would be inappropriate to insist on this. The successful appeal (15/4/14) at 14 Netherhall Gardens (ref: APP/X5210/A/13/2205355) supports this view. The existing flat already has a parking permit and so the proposed house would not contribute to additional parking stress.
- 6.23 Impact on the highway network and immediate environment is likely during construction. Given the size of the proposed development the proposal is likely to represent a detrimental impact on the highway network during its construction period. This likely level of works is considered sufficient to require a Construction Management Statement (CMS) in order to mitigate any adverse impacts. The CMS will be secured by condition.

Sustainability

- 6.24 Policy DP22 promotes sustainable design and construction. As the proposed office development is less than 500sqm and the proposed house is a conversion rather than new build, the development does not meet the criteria requiring the submission of sustainability tools such as BREEAM and EcoHomes. However a

condition would be included to ensure that an energy statement is provided which would demonstrate how the development follows the steps of the energy hierarchy: be lean; be clean; be green (in that order).

Amenity

6.25 Noise and vibration

The development includes 3 condensers in a plant area within a cut-out of the roof of the proposed office building (13 West Hampstead Mews). The applicant has submitted a noise report. The nearest noise sensitive windows are rooflights within the office building which are approximately 3.5m away. The 2nd floor French doors of No13A are 13.28m away. The nearest window to the south (80 Compayne Gardens) is 18 metres away. The noise report indicates that noise attenuation will be required to meet the Council's criteria. The noise report indicates that the condensers will need to be placed within a simple compound enclosure with acoustic louvres fitted around the edge of the compound. A condition will be included to ensure that the type of compound meets the details set out in the noise report. A condition will be also included to ensure that noise levels will not harm neighbouring amenity.

6.26 Daylight and sunlight

The applicant has provided a daylight and sunlight report which assesses how the proposed development would impact on the following properties: 88 Compayne Gardens; 88 and 90 West End Lane; and 12 West Hampstead Mews. It is accepted that, due to the orientation of the neighbouring properties, no sunlight analysis is required of the windows overlooking the site.

6.27 The rear elevation of 88 Compayne Gardens looks towards the site. However it is noted that the existing rear gable wall of the workshop at No. 13 would be retained and the proposed development built behind this. Furthermore the roof form of the part of the development closest to 88 Compayne Gardens would follow the design of the existing roof and would be no higher. The proposed development will not bisect a 25 degree line drawn from the centre of the lowest window and so the proposed development is unlikely to have a substantial effect on daylight enjoyed by the occupants of this building. The other neighbouring properties (88 and 90 West End Lane and 12 West Hampstead Mews) were assessed in terms of vertical sky component (VSC) and no sky line (NSL) in accordance with BRE guidelines. All windows facing the development will achieve either a VSC of at least 27% or 0.8 times the existing value. All rooms will also have a significant portion of their area in front of the NSL. Therefore, following BRE guidance, the proposed development would not harm neighbouring properties in terms of loss of daylight and is acceptable in terms of policy DP26 (Managing the impact of development on occupiers and neighbours).

Trees

6.28 The applicant has provided a tree survey and tree constraints plan. There is a mature horse chestnut tree located in the garden of 88 Compayne Gardens. The report indicates that the crown has been raised in the past and it has been reduced

all over in the past year. The tree has a height of 13m and the constraints plan indicates that the roots might extend under No 13. The Council's tree officer accepts that the foundations of the existing building are likely to have restricted the roots of the Horse Chestnut. A condition would be included to ensure appropriate details of a tree protection plan and method statement are provided prior to development. The crown of the Horse Chestnut is shown spreading slightly over the rear of No. 13. However the height and roof form of the existing building and the proposed development are similar on the rear boundary so the proposal would be unlikely to have a significant impact on the crown.

Mayoral CIL

- 6.29 The CIL applies to all proposals which add 100sqm of new floorspace or an additional dwelling. As more than 100sqm of new floorspace is being provided, the development would be liable to CIL. Within Camden this is charged at a rate of £50 per square metre. As the development would increase the total floorspace by 283.5sqm it would generate a CIL payment of £14,175.

7. CONCLUSION

- 7.1 The proposed demolition of No.13 is justified and the proposed replacement building is a sensitive infill to the character and appearance of the Mews. The proposed replacement of general industrial floorspace (B2) with office (B1) and a residential extension would be in accordance with policy DP13, DP1 and DP2. The proposed 3 bedroom house provides accommodation that meets the Councils residential development standards. The proposed development would not harm neighbouring amenity or the trees bordering the site.