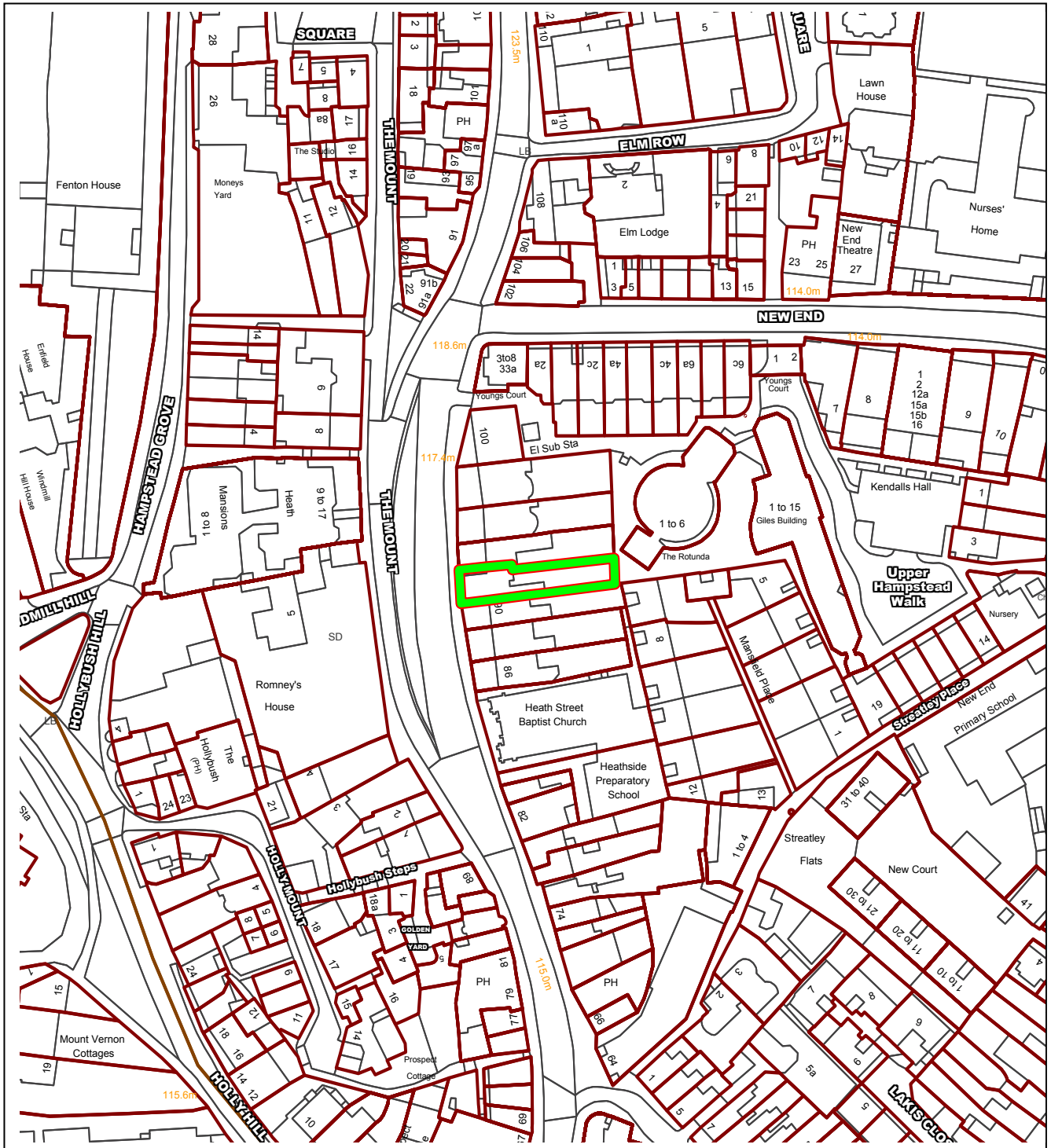


# OS Map – 92 Heath Street



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Go Figurative, 92 Heath Street



Photo 1 – Parade of shops near site



Photo 2 – Application site





Photo 3 - Streetscene

<b>Delegated Report</b> <b>(Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>26/12/2014</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	8/12/2014
<b>Officer</b>			<b>Application Number(s)</b>		
Mandeep Chagger			2014/6872/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
GO Figurative, 92 Heath Street, London. NW3 1DP			Please see draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Change of use (ground floor and basement only) from A1 to A2					
<b>Recommendation(s):</b>		<b>Granted</b>			
<b>Application Type:</b>		<b>Full Planning Permission</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	06	No. of responses	03	No. of objections	03
			No. Electronic	00		
Summary of consultation responses:	<p>Site notice erected 19/11/2014 – 10/12/2014. Two objections received from local residents, summarised below:</p> <ol style="list-style-type: none"> <li>1. The number of shops on the High Street is decreasing and see yet another shop removed from the High Street for good.</li> <li>2. The ground floor spaces on High Streets are crucial to use as shops which can attract footfall and help other shops in the area.</li> <li>3. By giving permission to this conversion, would permit the further decline of the High Street.</li> <li>4. Having yet more professional services such as estate agents is changing the look and feel of Hampstead.</li> <li>5. The Council should be promoting more individual shops and services in the area to enhance the bohemian nature of the area.</li> <li>6. Granting planning permission would not comply with DP10.</li> </ol> <p><b>Officer comment:</b> The loss of A1 at this site is not protected under CPG5 or LDF policies and the use is not considered to add to the vitality and viability of the street given that it has been vacant for some time. It is also noted that A2 uses are considered town centre uses and therefore it is an appropriate use for this premises.</p>					
CAAC/Local groups* comments: *Please Specify	<p>The Heath &amp; Hampstead Society:</p> <p>We are losing far too many shops in Hampstead, in particular in the High Street/Heath Street area; the loss of shopping footfall has already had a negative effect on the attractiveness and vibrancy of the area.</p>					

## Site Description

The site is located on the eastern side of Heath Street, mid way between its junction with Hampstead High Street to the south and the East and West Heath Roads junction to the north. It comprises part of a Georgian three storey terrace together with basement and attic levels that dates from the 18<sup>th</sup> Century. No.92 has a sizeable projecting 20<sup>th</sup> Century shop unit which covers part of the front garden and extends hard up to the pavement edge. All buildings and parts thereof within this terrace, bar this commercial unit, are in residential use.

The building is Grade II listed and lies within the Hampstead Conservation Area. The commercial unit is curiously positioned from the northern and southern shopping parades of Heath Street.

Opposite the site lies the Mount, separated from Heath Street by a slim 'green' and a steep level change. The street comprises predominantly residential uses but with a mix of retail, churches, cafes and restaurants, and service/office uses to many of the ground floors. The site is within a secondary retail frontage as defined within the Camden Local Plan.

The application relates to the ground (44 sqm) and basement (8.4 sqm) floors which have a combined area of 52.4 sqm. The basement is accessed via an open stairwell positioned to the front of the unit. It will continue to be used primarily for storage/ancillary use to the ground floor including kitchen facilities. The site is currently occupied by an Art Gallery which is an A1 use given art is sold from the premises.

## Relevant History

**PW9902255** - The change of use of the ground floor from retail (Class A1) to financial and professional services (Class A2) within the meaning of the Town and Country Planning (Use Classes) Order 1987. Granted planning permission on 16.06.1999.

## Relevant policies

### National and Regional Policy

National Planning Policy Framework  
2012 London Plan 2011

### LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development  
CS7 Promoting Camden's centres and shops  
CS14 Promoting high quality places and conserving our heritage

DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP13 Employment sites and premises  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours

### Camden Planning Guidance (updated 2013)

CPG1 Design  
CPG5 Town Centres, Retail and Employment  
CPG6 Amenity

## Assessment

### 1. Proposal

1.1 The application seeks planning permission for a change of use from A1 retail to A2 Professional and Financial Services. The applicant proposes to use the unit as an estate agency. The opening hours sought are from 0830-1830 Monday to Friday, 1000-1330 Saturdays, and closed Sundays and bank holidays.

1.2 The main planning considerations are as follows:

- ***Principle of the change of use;***
- ***Impact on Conservation Area and Grade II Listed Building***
- ***Impact on residential amenity***

### 2.0 Principle of the change of use

2.1 The Camden Planning Guidance 5 (CPG5) seeks to protect the retail function of town centres in Camden by ensuring there are a high proportion of such premises in shopping uses. It encourages a mixture of suitable uses in each frontage. The guidance in relation Hampstead Town Centre that planning permission will generally not be granted for developments that would result in the loss of retail units (Use Class A1) which contribute positively to the character, function, vitality, viability and amenity of the area. Policy CS7 states that the Council will ensure that developments in its centres are appropriate to the character, size and role of the centre in which it is located. This policy explicitly states that shop and service uses (in Classes A1 and A2) are considered suitable for all levels of centres. In addition, CPG 5 Paragraph 3.27 states the Council will generally resist proposals that would result in less than 50% of the premises in secondary frontages being in retail use.

2.2 The Council will generally resist proposals that would result in more than 3 consecutive premises in non-retail use within secondary frontages. Given that this unit is isolated from other commercial premises and located between residential properties on either side, the application is assessed as an extension to the parade of shops nearby. The nearest shops to the application site are located to the south of the Church and are in A1 use. In this secondary frontage, 63.6% of the units are in A1 use. If planning permission is granted for the change of use of this unit from A1 to A2, the A1 use occupied would reduce to 54.5%. The 50% ratio in Hampstead Town Centre applies to secondary shopping frontages. Therefore it is considered that the loss of an A1 unit here would not harm the retail function of the secondary frontage of which it forms part. Furthermore, officers do not consider that the proposed A2 office and professional use would have an adverse impact on the character, vitality or vibrancy of the area, given that such uses are considered to be compatible with town centre uses and would therefore be suited to this location.

2.3 Accordingly, it is considered that the proposal complies with core policies CS5, CS7 and development policies DP12 and DP13.

### 3.0 Impact on Conservation Area and Grade II Listed Building

3.1 The application makes no provision to alter the exterior of the property therefore there would still be an active frontage for the streetscene and the property's contribution as a secondary shopping unit within the Conservation Area would remain intact. As a result there are no concerns regarding the design implications of the proposed development on the Grade II Listed Building or the Conservation Area as the development would preserve the Hampstead Conservation Area as required under policy CS14 of the Core Strategy.

### 4.0 Impact on residential amenity



4.1 Camden Planning Guidance policy 6 (CPG6) provides advice to help avoid the harmful effects of a development on the amenity of existing and future occupants. As no external changes are proposed the development would have no impact on the current daylight, sunlight, privacy or outlook felt by neighbouring properties. It is likely that the proposed financial and professional services would have a similar footfall to the shop use and significant noise is not often associated with such a use. The development therefore complies with policy CPG6.

## **5.0 Conclusion**

The proposed change of use of the property into an A2 use would not detract from the special character of the conservation area or disturb the row of shop frontages and it is compliant with policies governing this form of development.

**Recommendation:** Grant Planning Permission subject to conditions

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 19 January 2015. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**

Ms Linda Aitken  
studioaitken  
105 Southwood Lane  
London  
N6 5TB

Application Ref: **2014/6872/P**  
Please ask for: **Mandeep Chagger**  
Telephone: 020 7974 **6057**

13 January 2015

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**GO Figurative**  
**92 Heath Street**  
**London. NW3 1DP**

**DECISION**

Proposal:  
Change of use (ground floor and basement only) from A1 to A2  
Drawing Nos: Location Plan, Planning Statement including Design and Access Statement,  
Existing plan, Proposed plan.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as



possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, Planning Statement including Design and Access Statement, Existing plan, Proposed plan.

Reason:

For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

# **DRAFT**

# **DECISION**