



Planning Services
London Borough of Camden
Camden Town Hall Extension
Argyle Street
London
WC1H 8EQ

10 February 2015

Via Planning Portal
let.002.MW.S.17000007

Dear Sir/Madam

7 - 9 POND STREET, HAMPSTEAD, LONDON NW3

Indigo Planning has been instructed by Barrecore to submit a planning and a listed building consent application for the change of use of ground floor of No.7 and the basement level of No's 7 and 9 Pond Street from restaurant/bar (Class A3/A4) to use as a Pilates studio (Class D2). In support of the application we enclose:

- Completed planning and listed building consent application forms, duly signed and dated;
- Completed ownership certificate, duly signed;
- Planning and heritage statement and Design and Access Statement (within this letter);
- CIL Form;
- Site Location Plan (scale 1:1250); and
- Existing and Proposed floor plans.

In addition, a cheque for £385 made payable to the London Borough of Camden, to cover the requisite planning application fee, has been sent under separate cover.

Below we set out the proposal in more detail, outlining the main planning considerations associated with the application. This letter demonstrates how the proposed change of use would be acceptable in the context of the development plan policies and other material considerations.

Site and surroundings

The application site is located on the northern side of Pond Street and comprises two, three-storey mid-terrace buildings. Specifically, the application

site refers to the ground and basement levels of No.7 Pond Street and the basement level of No.9 Pond Street, which are currently vacant, having most recently been in use as a bar/restaurant with the basement area of the two properties internally linked.

Pond Street is characterised by a mixture of commercial and residential units, usually with the residential units located above ground floor commercial units. Immediately opposite the site is the Hampstead Hill School and the Royal Free Hospital complex.

The site lies within the Hampstead Conservation Area and both buildings are Grade II Listed. The listing covers the late 1860s terrace of 5 – 13 Pond Street which contribute, cumulatively, with the neighbouring public house The Roebuck.

The site has a PTAL of 5, “Very Good”, situated within a one minute walk of bus stops servicing a variety of routes and a short walk to Belsize Park tube station and Hampstead Heath railway station.

Planning history

The site has been subject to a limited number of planning applications. In 1981, planning permission was granted for the change of the site from a retail unit to a restaurant under a personal condition (LPA ref. 31543). This personal permission was extended for a continued use in 1987 (LPA ref. 8702781).

Recently, in 2013 planning permission was granted (LPA ref. 2013/0953/P) for the change of use of the site from a restaurant / bar use to use as offices. Although planning permission was granted, this has not been implemented and therefore the lawful use of the building remains in an A3/A4 use.

In 2014 planning permission and listed building consent were both refused for a single storey extension to the rear of No.7 and internal works to the basement area. The Council concluded that the single storey extension was out of character with the host building and that the internal works (which involved removal of the wall separating No.7 and No.9 at basement level would harm the special interest of the building.

Proposed use

The applicant, Barrecore, is a privately owned, company that specialises in providing Pilates classes, personal training and nutritional advice. Barrecore currently operates in various locations, however, in order to provide the service its clients expect, and the expand its operations; they require new premises in Hampstead which are designed to meet its specifications.

Experience has shown from its existing units that its facilities serve a local catchment area and people tend to walk to classes. The experience from Barrecore’s Chelsea studio is that at least 50% live within a 1 mile radius of the studios with the remainder visiting on their way into London or work in the area.

This trend is the same for the Wimbledon Village and Chiswick studios albeit that a much higher percentage live within a 1 mile radius. Barrecore has an existing client base of young professional, particularly appealing to women of different age groups between 25 and 50, who generally live in close proximity to their sites. The proposed facility will therefore serve the local population and its location in close proximity to public transport will enhance its accessibility.

It is proposed that the site will be used to run classes throughout the day and evening, however, due to the limited size of the studio, the number of people per class would be low. and the nature of Pilates, the activity level will be low. Barrecore prides itself on having small class sizes to help offer enhanced customer service and tuition as opposed to large classes where there is little or no interaction.

Ground floor alterations

The main alteration at ground floor level would be the insertion of an office to the rear of the property. This area is currently occupied by the bar and as with the remainder of the property has been greatly altered.

Basement alterations

It is proposed to block up part of the party wall and only use one of the two existing doorways. This would enable the basement of No.9 to be used as the studio area. The bar would be removed as would the columns next to the barrelled storage areas. The existing w/c would be rationalised with three showers, a w/c and a changing area. The existing kitchen would become a new personal training room.

Planning Considerations

Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are to have regard to the development plan for the purposes of any determination to be made under the Planning Acts. The determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant development plan for the London Borough of Camden consists of:

- Core Strategy 2010 - 2025 (2012);
- Development Policies 2010 – 2025 (2012);
- Camden Site Allocations Plan (2013); and
- London Plan (2011)

In addition to the above the Camden Planning Guidance document (2013) provides general direction and assistance to help inform the design of prospective developments. As a Supplementary Planning Document (SPD) the Camden Planning Guidance document is a material consideration.

Also of relevant to the application is the Hampstead Conservation Area Statement which was published in October 2001.

The application site is allocated on the Council's proposals map as being within the Hampstead Heath Conservation Area and the South End Archaeological Priority Area. The site is not located within a designated town centre, neighbourhood centre or shopping frontage location.

Core Strategy Policy CS10 promotes the retention and enhancement of existing community and leisure facilities in the Borough. Development Management Policy DP15 seeks to meet increased demand in community and leisure uses. The existing unit is currently vacant and has been vacant for some time. The re-use of the space as a D2 Pilates Studio would provide a new leisure facility in the area in accordance with these policies.

As the site is not located within an allocated centre, the loss of the existing lawful town centre use (A3/A4) is not resisted in principle. This is supported by the extant planning permission which consents the change of use of the site to an office use.

As described above, the proposed D2 use of the application site as a Pilates studio would provide employment as well as leisure provision. Core Strategy Policy CS8 promotes a mix of employment facilities and types, including the provision of facilities for small and medium sized enterprises such as Barrecore. This proposal would achieve this aim, providing new employment space that would be compatible with the existing mix of commercial and residential uses in the area.

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan and decision making. These 12 principles include that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DP26 accords with these principles, requiring new development to protect existing neighbouring uses.

The proposed Pilates use of the site would be compatible with the neighbouring residential and commercial uses and would certainly have less impact than the existing bar/restaurant use in terms of noise, unsociable hours and fumes. Pilates is an exercise method, designed to stretch, strengthen and restore the body's balance. The primary focus of Pilates is not aerobic and therefore does not involve the same activity as say an aerobics class. This means that the level of music played is kept to a low level which from experience of their other sites does not impact neighbouring residential properties. As such, this proposal would generate betterment for the amenities of neighbouring residents, in line with Policy DP26.

The application site is within a highly sustainable location with strong public transport accessibility. The proposed development would not include any vehicular parking and the surrounding area is covered by a CPZ between 9:00

am and 20.00pm. As such, the proposed use is highly unlikely to generate additional traffic movements and would encourage sustainable modes of transport, in accordance with Policy DP17 and DP18. Unfortunately, due to the size of the site and its constraints, no cycle parking is proposed within this development. However, in considering the use of the site as an office in 2013 (2013/0953/P), the Council concluded that it would not be expedient to expect cycle storage at the site.

Access Statement

The main entrance to the building is obtained through the front door which faces onto Pond Street. There is an existing small step at this entrance and the proposed development would not alter this arrangement. Pond Street is on an incline and therefore it is not possible to achieve a level access through this entrance.

The internal arrangements proposed are relatively minor and would not impact the accessibility of the building. The staircase connecting the ground and basement levels would be retained.

The site is highly accessible by public transport. There are no existing or proposed cycling or vehicular parking provisions proposed within the development.

Heritage statement

Policy and legislative context

The national policy context for assessing heritage assets is the NPPF. This requires that for any application, the significance of any heritage asset affected should be assessed, the level of detail to be proportionate to an asset's importance and no more than is sufficient to understand the potential impact of the proposal on that significance.

Further guidance on conservation and assessment of the historic environment is provided in a number of English Heritage publications including the 2008 publication Conservation Principles: Policies and Guidance. The advice in these documents has been considered in carrying out this assessment.

National policy is set out in the NPPF with Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of particular relevance to the proposed application. The NPPF also establishes that conservation of heritage assets in a manner appropriate to their significance is a core planning principle (Paragraph 17).

The NPPF requires an application to describe the significance of a heritage asset affected including any contribution made by its setting. It requires an assessment of any harm that might be caused to the significance of a heritage asset and whether this harm is substantial or not substantial. Where substantial harm would be caused, consent is to be refused unless the harm is shown to be

necessary to achieve substantial public benefits. Where the harm is less than substantial then this should be weighed against public benefits of the proposal including securing optimum use of the asset.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area.

Policies CS14 and DP25 seek to manage and conserve Camden's heritage including Conservation Areas and Listed Buildings.

Consideration

The application proposals relate to the use of the building and internal works and as such the proposed development would conserve the character of the Conservation Area.

From an internal site inspection, it is clear that very little if any of the historic fabric remains apart from the two staircases and dividing wall in the basement. There are no dividing walls at ground floor. Recent alterations in connection with the use as a bar has eroded the character with the insertion of a bar and seating at ground floor and basement level. The removal of these elements is considered to enhance the special architectural character of the building. Furthermore, the scheme proposes to retain the existing wall separating the two basement levels which was identified as a reason to refuse Listed Building Consent in the 2014 application 2014/4394/P.

The proposed works and use would secure the viable use of the site, ending a pro-longed period of vacancy to ensure the maintenance of its fabric and character. As such, the proposed works would preserve and enhance the special character of the Listed Buildings and Listed Building Consent should be approved.

Yours sincerely



Michael Wood

Enc: As above