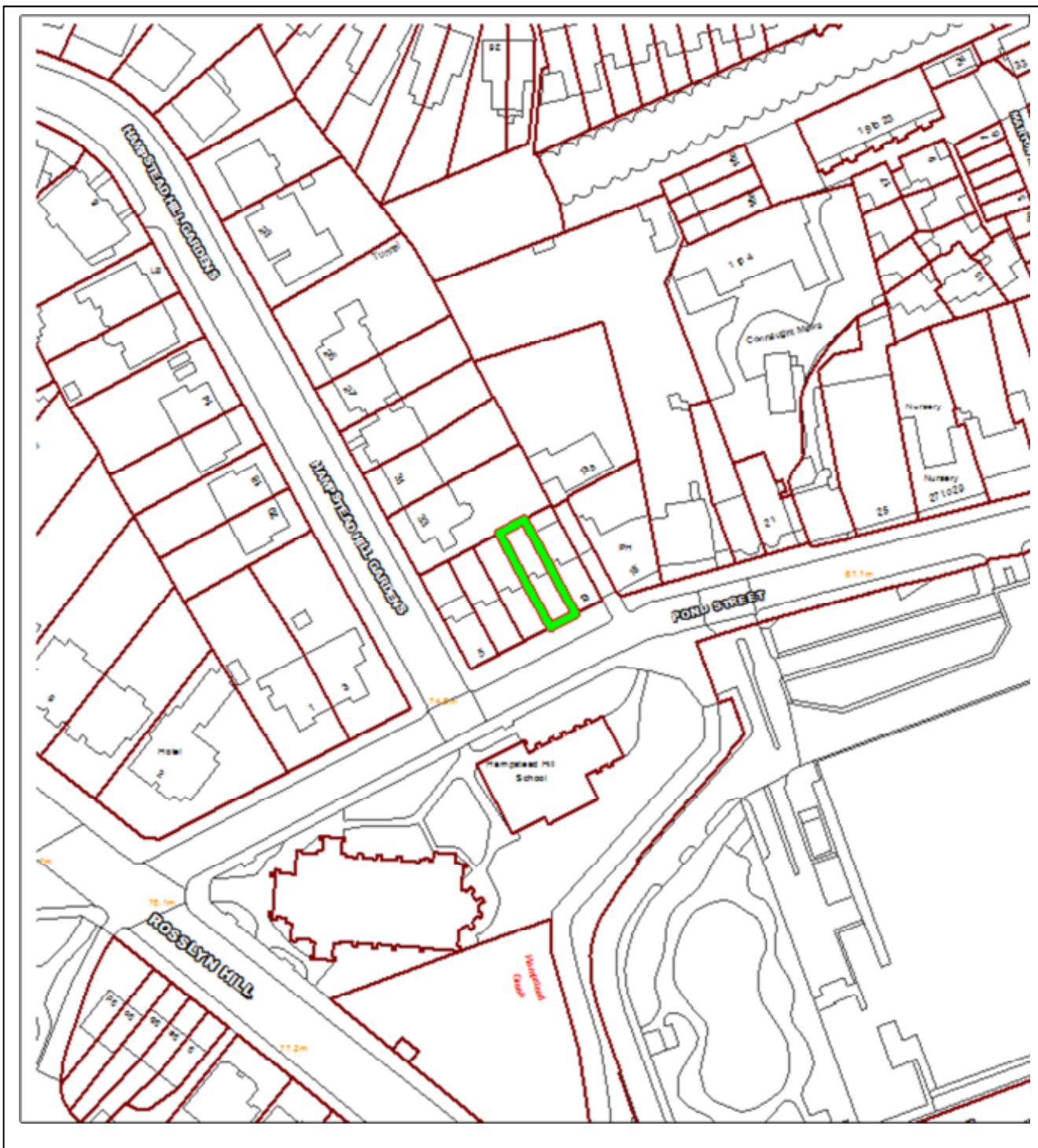


11 Pond Street, London, NW3 2PN

2014/6956/P and 2014/6958/L



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Site Photos –

Photo 1: Front elevation



Photo 2: Rear elevation



Photo 3: Existing rear element to be demolished



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	23/01/2015
		N/A / attached		Consultation Expiry Date:	01/01/2015
Officer			Application Number(s)		
Jonathan McClue			(i) 2014/6956/P (ii) 2014/6958/L		
Application Address			Drawing Numbers		
11 Pond Street London NW3 2PN			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>(i) Change of use of basement and ground floor from retail (A1) to residential (C3) and the conversion of the building into a single dwelling house, replacement single storey rear extension and alterations to the shopfront.</p> <p>(ii) Alterations in connection with the change of use from retail (A1) and conversion of the building into a single dwelling house (C3); including a replacement single storey rear extension internal alterations and alterations to the shopfront.</p>					
Recommendation(s):		(i) Grant Conditional Planning Permission (ii) Grant Listed Building Consent			
Application Type:		(i) Full Planning Permission (ii) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	13	No. of responses	02	No. of objections	00
			No. Electronic	01		
Summary of consultation responses:	<p>A Site Notice was displayed on 05/12/2014 for both applications and they were advertised in the Ham &High on 11/12/2014.</p> <p><i>Occupier at Flat 3, 33 Hampstead Hill Gardens in support:</i></p> <p>No objection subject to the replacement single storey element being no higher or deeper than the existing.</p> <p><i>Occupier at Flat 3, 13 Pond Street comment:</i></p> <p>The resident stated that they could not view the plans online.</p> <p><u>Officer Response</u></p> <p>The replacement single storey element is of a lesser scale then the existing rear extension.</p>					
CAAC/Local groups* comments: *Please Specify	<p><i>South End Green Association objection:</i></p> <p>Loss of retail (A1) use is not acceptable and should not have been granted permission in the previous application (ref: 2013/3396/P).</p> <p><i>Hampstead Shops Town Team objection:</i></p> <p>Loss of retail use would be detrimental to the parade of shops the site lies within.</p> <p><u>Officer Response</u></p> <p>These objections are covered within section 2.0 Land Use within the main body of the report below.</p>					

Site Description

This application relates to 4 storey (plus basement) mid-terrace building located on the northern side of Pond Street, to the south of the junction with Rosslyn Hill and the north of South End Green. Royal Free Hospital lies directly opposite. The host building has a retail (A1) use to the ground and basement floors with a residential flat on the first, second and third floors. The property lies within a small parade which contains a mixture of retail and non-retail uses.

The building is subject to a grade II statutory listing as part of 5-13 Pond Street. It lies within the Hampstead Conservation Area.

Relevant History

January 1975 – Planning Permission Granted - Change of use of basement, ground and first floors to Community Health Council offices; ref. 19629

December 1975 – Planning Permission Refused - The change of use of the ground floor from retail to restaurant; ref. 21673

June 1982 – Planning Permission Granted - The erection of a single storey rear extension to provide a music room and storage space for the ground floor shop; ref. 33962

June 1988 – Planning Permission Granted - Erection of a roof extension together with the formation of a roof terrace at the front; ref. 8803603

April 2014 - Planning Permission and Listed Building Consent Granted - Change of use of at basement and ground floor level from retail (Class A1) to residential (Class C3) and works in association to the change of use; ref. 2013/3396/P and 2013/4942/L

Relevant policies

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS7 – Promoting Camden's centres and shops

CS11 - Pedestrians and cycling

CS14 – Promoting high quality places and conserving heritage / conservation areas

Development Policies

DP2 - Protection of housing

DP5 – Homes of different sizes

DP6 - Lifetimes homes and wheelchair housing

DP10 – Helping and promoting small and independent shops

DP17 –Walking, cycling and public transport

DP18 –Parking standards and limiting the availability of car parking

DP19 - Impact of parking

DP24 - Securing high quality design

DP25 – Conserving Camden's heritage

DP26 - Managing the impact of development on occupiers and neighbours

DP30 - Shopfronts

Camden Planning Guidance (CPG):

CPG1 – Housing – Residential space standards

CPG4 – Basements & lightwells

CPG5 – Town Centres, Retail & Employment

Hampstead Conservation Area Statement 2002

London Plan

NPPF 2012

Assessment

1.0 Proposal

1.1 Planning permission is sought to change the use of the ground and basement floors from retail (A1) to residential (C3) to create a 4 bedroom single family dwelling with the upper floors. Internal and external works would be undertaken to the listed building including a replacement single storey rear extension, works to the shopfront and a new metal railing (900mm high) to the rear lightwell,

1.2 The internal alterations include the removal of the modern ground floor staircase partition and reinstatement of the original balustrade; two new openings on the ground floor; a new cornice in the ground floor front room; a new kitchen; new internal slatted roller shutter and refitting of the bathrooms.

1.3 The replacement single storey rear extensions would form a playroom with a depth of 5.2m; a width of 3.2m and a flat roof with a height of 2.91m.

1.4 The shopfront would be restored and the "Dutch" shopfront would be removed.

Revisions

1.5 Following consultation with the Council's Conservation and Heritage Officer the proposal was revised. The rear extension would be constructed out of London stock brickwork with sash windows as opposed to render with modern windows; the inner door was altered from a pair of panel doors and a proposed privacy screen to the shopfront was removed.

2.0 Land Use

Loss of Retail

2.1 As part of the application, the applicant submitted a 'Statement – Retail Use and Employment Protection' to justify the loss of the retail use. It states that the external environment of this area has changed dramatically over the years with the redevelopment and continuing growth of the Royal Free Hospital. The building and its neighbours are detached from the main South End Green shopping area and are isolated from pedestrian flows. Business rates are currently £7,400 per year and the owner has been advised that there is very little chance of obtaining a retail tenant, even with low rent, due to the building's poor commercial location.

2.2 The existing unit is current occupied by an antique dealer and restorer who specialises in old musical instruments. They have used this unit for the present business since 1976. The current use is almost entirely catalogue-led and internet based with the vast majority of customers coming by an appointment (much like an A2 use). There are virtually no shoppers entering in person and the retail function is considered to have been lost. The current occupier wants to scale down his business and no longer needs the unit. For the reasons above it is not considered commercially viable for a long-term commercial tenant for the shop.

2.3 Policy DP10 relates to small shop units and states that the loss of such a use outside of a designated centre is acceptable provided that there is alternative provision within 5-10 minutes

walking distance. The host unit lies outside of a designated centre and is within a 5-10 minute walk of other shopping provision at South End Green Neighbourhood Centre and Hampstead Town Centre. Therefore, the loss of the shop unit is acceptable under DP10.

2.4 In addition, planning permission has already been granted for the change of use from retail to residential through 2013/3396/P. This application was approved subject to a Section 106 Legal Agreement, which has been signed, and could be implemented.

Principle of Residential Accommodation

2.5 Residential floor space is a key objective for the Council, as outlined in CS6 and DP2, and as such new residential floor space is welcomed. Furthermore, the use of the ground and basement floors has already been deemed acceptable by way of 2013/3396/P.

Quality of Residential Accommodation

2.6 The proposed gross internal area (GIA) of the 4 bedroom dwelling would be well in excess of the requirements of table 3.3 of the London Plan and CPG1 (Housing). The dwelling would have good storage spaces and the internal layout of the unit is considered acceptable. The ceiling height in the basement is approximately 2.4m which complies with the guidance in CPG1 for at least 2.1m within an existing basement floor. The flat would be in compliance with CPG guidelines in that its principal habitable rooms have large individual windows orientated either due south, east and north to ensure an acceptable level of sun/daylight. Moreover, with multiple openings, its occupants would benefit from dual aspect which is considered acceptable. External amenity space is provided by a rear garden and a 3rd floor terrace.

2.7 A Lifetime Homes Statement has been submitted with the application. All of the criteria would be met apart from level access from the street due to an existing 125mm step up to the front door. This will remain as there is insufficient internal/external space for level access or a ramp. Overall, the access to the building would be no worse than existing and internal circulation would be improved. Given the constraints of the listed building, the above is considered acceptable.

3.0 Impact on Listed Building and the Character and Appearance of the Hampstead Conservation Area

3.1 The modern rear storeroom extension, which detracts from the listed building, would be demolished and replaced with a less substantial rear domestic extension. It would be finished in London stock brick with traditional timber sash windows to be in keeping with the host building.

3.2 The only other alterations to the exterior of the building include the installation of a plain metal railing around the existing rear lightwell; the removal of an inappropriate plastic Dutch awning from the façade and the renovation of the fascia. All the works would be in keeping with the building and the works to the front would greatly improve its appearance.

3.3 The significant changes internally are the installation of a bathroom on the first floor, which will occupy the entire back room so it does not result in a harmful subdivision of the room (pipework will either use existing routes or will be surface mounted and boxed), and the insertion of a pair of jib doors between the shop and the accommodation corridor. These changes are considered acceptable.

3.4 The proposal was revised following consultation with the Council's Conservation and Heritage Officer and is considered acceptable in these terms.

4.0 Residential Amenity

4.1 A new residential unit would not be introduced and the 3 bedroom flat would become a 4 bedroom

family dwelling. It is not thought that this would result in any harmful impacts on neighbouring commercial or residential properties.

4.2 The replacement rear extension would reduce the size of the existing rear element. It would therefore not lead to any detrimental impacts on neighbouring amenity.

5.0 Transport

5.1 The proposal would not result in the creation of a new residential unit. Therefore, a Section 106 Agreement would not be sought for a car free unit. Given the size of the dwelling and the existence of storage space within the basement and rear garden, it is considered that cycle parking could be accommodated in a safe and covered location.

6.0 CIL

6.1 As no new floorspace is being added and a residential unit is not being created, a CIL contribution would not be required as long as the basement and ground floors have been in lawful use.

7.0 Conclusion

7.1 The loss of a retail unit is supported in this instance and residential accommodation is desired by the Council's policies. The proposal would provide an adequate standard of living with the internal and external alterations being acceptable within the context of the listed building and the conservation area.

Recommendation: Grant Conditional Planning Permission and Listed Building Consent

DISCLAIMER

Decision route to be decided by nominated members on Monday the 2nd March 2015. For further information please click [here](#)

Mr Michael Brod
Brod Wight Architects
75 Haverstock Hill
Belsize Park
London
NW3 4SL

Application Ref: **2014/6956/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

24 February 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
11 Pond Street
London
NW3 2PN

DECISION

Proposal:

Change of use of basement and ground floor from retail (A1) to residential (C3) and the conversion of the building into a single dwelling house, replacement single storey rear extension and alterations to the shopfront.

Drawing Nos: 1039-S01A; S02A; S03A; S04; S05A; 1039-AP1-01C; 02B; 03B; 04C; 05B; 09A, Heritage/Design and Access Statement dated 30/10/2014, Lifetime Homes Statement dated 30/10/2014, Statement – Retail Use and Employment Protection dated 30/10/2014

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 policies 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: 1039-S01A; S02A; S03A; S04; S05A; 1039-AP1-01C; 02B; 03B; 04C; 05B; 09A, Heritage/Design and Access Statement dated 30/10/2014, Lifetime Homes Statement dated 30/10/2014, Statement - Retail Use and Employment Protection dated 30/10/2014.

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

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of the new residential unit.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

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

Director of Culture & Environment

DRAFT

DECISION

Brod Wight Architects
75 Haverstock Hill
Belsize Park
London
NW3 4SL

Tel 020 7974 4444
Textlink 020 7974 6866

planning@camden.gov.uk
www.camden.gov.uk/planning

Application Ref: **2014/6958/L**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

24 February 2015

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
11 Pond Street
London
NW3 2PN

DECISION

Proposal:

Alterations in connection with the change of use from retail (A1) and conversion of the building into a single dwelling house (C3); including a replacement single storey rear extension internal alterations and alterations to the shopfront

Drawing Nos: 1039-S01A; S02A; S03A; S04; S05A; S06; S07; S08; 1039-AP1-01C; 02B; 03B; 04C; 05B; 06B; 07A; 08A; 09A, Heritage/Design and Access Statement dated 30/10/2014

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

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



- 2 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting listed building consent.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policy CS14 (Promoting high quality places and conserving our heritage); and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policy DP25 (Conserving Camden's heritage). For a more detailed understanding of the reasons for the granting of this listed building consent, please refer to the officer report.

You can find advice about your rights of appeal at:

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

Yours faithfully

Director of Culture & Environment