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13 November 2017

Dear Nora

**86 Mill Lane NW6 1NL - Ground and Lower Ground floors**

**Application Number: 2016/6359/P**

Thank for your time on Friday and further to our telephone call, as suggested I set out my thoughts below. I would also like to give an update on the position since planning was first applied for back in March of this year.

To date, no third parties have approached me to discuss the proposal or issues directly and I welcome the opportunity to provide the full facts in this case and address any concerns.

**Background**

The intention with the ground and lower ground/ basement of number 86 Mill Lane is to create a high quality one-bedroom apartment which I may occupy. My sons currently occupy the two apartments above the shop which are undergoing much needed renovation. I am disappointed that objections have been received, particularly as I have lived in the area for over 40 years and have run a business on Mill Lane (a few doors away) for over 30 years. I believe, therefore, that I am in a strong position to know what businesses survive in Mill Lane. I passionately care about the continued success of Mill Lane.

I initially acquired number 86 from a friend around 20 years ago when it was an antique shop. It had failed and was then let out as a café until 2006 which also failed. From 2006 until 2016 it became Bake-a-Boo cake shop. In late 2015, the proprietor with whom I had enjoyed a good relationship approached me and said she did not wish to continue or extend her lease. I have attached an extract from her blog which provides some background from her perspective at appendix 1. The premises required urgent structural work on them and I initially tried to rent the ground floor and basement as it stood, without success, as the need for substantial work was apparent and the rates were crippling.

One issue which became apparent was that the size of the shop made the rates too high (approximately £7,000 per annum) for a viable business. There are currently approximately 10 vacant units on Mill Lane and to date I have not had any serious interest in the unit being occupied as it stands. Note that by the time the planning application was made the unit had stood empty for some time. I concluded that from experience a smaller unit would be more viable and have far better chances of survival as it would have a more affordable rent and be eligible for small business relief on business rates.

**The proposed retail unit**

I have concluded that a smaller unit will best serve the area and with increased affordability I am confident of finding a long-term tenant. This is because smaller units have enjoyed a greater level of success and stability on Mill Lane. For example, there is an optician, a computer repair clinic, internet business, book-keeping business as well as a range of professional service providers who all operate

from smaller spaces or shared offices. I must point out that the original planning application has been curtailed from a 2 bedroom flat to a one bedroom flat and the large basement area to the front of the building will no longer form part of the proposed new dwelling but could be made available to the shop for use as storage (in its current condition) or, subject to necessary building work being carried out, other uses (e.g. storage or food preparation). This will provide flexibility to any incoming business.

Additionally, the area has been impacted by a change in people's shopping habits which has contributed to the success of national retailers and internet businesses and the removal of business from secondary shopping locations such as Mill Lane. The loss of certain types of business has not been due to a restriction on the available premises on Mill Lane but has been driven by a lack of footfall and consequent demand. Having a large unit with high overheads on Mill Lane is not attractive to any business which relies on footfall.

### The proposed new dwelling

The plans for the proposed new dwelling have been curtailed and the intention now is to create a high quality one-bedroom flat. The best way to achieve this is to extend the premises at the back and utilise part of the current back room of the shop in the proposed new dwelling. The rear of number 86 benefits from good light, backs onto existing residential premises and would be better suited to residential rather than commercial use. It appears that when the property was first constructed (I believe around 1880) the rear portion which I am proposing to turn into residential space was initially habitable space and only became part of the retail space more recently (I believe in the 1970s).

### The consultation responses

In relation to the specific complaints received I will address these in turn:

Consultee's name	Consultee's Response	My Response
Judith	<i>"It is so important that commercial premises on Mill Lane are retained, and for businesses that will benefit local residents ( unlike a Vaping shop or tanning salon!) another cafe to replace the one that has closed, a restaurant, a bakery , a gift shop."</i>	I do not believe this consultee has fully considered the nature of the proposal. The commercial premises are being retained along with the original shop front and to date I have not excluded any type of business from letting the space. However, I am able to confidently say from experience that a restaurant or café will find it hard to survive in the unit as it stands. In the local area, there is, however, history of cafes from much smaller units being successful.
Adrian D'Enrico	<i>"Yet another disappointing value-engineered scheme to remove commercial space from Mill Lane to the benefit solely of the developer and to the detriment of all other existing residents in the vicinity. Formerly a real asset to the local community and an attractor of visitors to the area, the conversion to residential might provide a temporary fix and meet a purported demand for residential stock in the area, but the flipside of that is the (almost certainly permanent) removal of retail provision in the area. There is an increasing void of A1/A3 use between Kilburn Station, Cricklewood</i>	I do not believe this consultee has properly considered the proposal either. There will not be complete removal of the retail premises. He has also falsely inferred my motivations. I am not a property developer, rather, I have been a resident for over 40 years and worked on the same stretch of Mill Lane for 30 of those years (and seen many businesses come and go). As outlined in this letter, the loss of Bake-a-Boo (the "real asset" referred to) had nothing to do with my actions but was the sole choice of the proprietor with whom I enjoyed a

	<p><i>and West End lane - the very diversity that attracts people to the area is being diminished. There is prior evidence of retail to residential conversion in this area so I'm sure the application will sail through - but it's another loss to the vibrancy of the local area for the sole purpose of short-term profit."</i></p>	<p>good relationship). I am faced with the responsibility of making sure that the shop is viable and that any incoming business can be profitable and sustainable. I believe a smaller more affordable shop will achieve this.</p>
<p>James Earl – Neighbourhood Development Forum</p>	<p>See attached.</p>	<p>This objection appears to have been made hastily and does not take into account the background (as set out in this letter) and the trading conditions facing businesses on Mill Lane. Those with any knowledge of the road will have seen retail businesses in particular fail due to high overheads, low footfall and the arrival of major retailers on West End Lane. Retail businesses on Mill Lane simply cannot compete. The reduction in the size of the unit will, as I have already set out in this letter, increase the viability of the space and contribute to protecting employment in the area. As a vacant unit, there are no employment prospects and as an existing large unit with high overheads, there is not likely to be scope for sustainable employment (evidenced by the difficulty in letting the unit out). Conversely, some of the smaller units host multiple employees (particularly in the case of professional services).</p> <p>With regard to the stretch of Mill Lane between number 62 and number 92 (the old community centre to the florist) there are 15 units of which there is a dentist, an optician, a surveyor, an architect, a vet, two accountancy practices, a beauty parlour, an estate agent, a building contractor, an internet business and one retail business, the florist. One unit is fully residential. The other two units are empty (both of which are larger units).</p> <p>The majority of businesses mentioned above and which have enjoyed success on this stretch of Mill Lane have been those which do not rely on footfall but are a destination by appointment. These types of business generally have far</p>

		more scope for employment both in absolute terms and in terms of employees in relation to the square meterage of the premises. As a large shop, number 86 has not hosted any significant number of employees in the last 20 years, I believe in part because of a lack of profitability. A smaller shop will have lower rent, lower energy costs, no business rates (if within the exemption), lower service charge, lower insurance costs and lower costs of maintenance. These substantial savings will enhance the viability of any business occupying the space and give greater potential for the proprietor to create employment opportunities.
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In light of the above, I do not consider the proposed change of use of the lower ground and part of the ground floor of number 86 Mill Lane into residential use would have a negative impact on the local area. The scope of the proposed plan is far less than other developments in the area which have been approved (including on the same stretch of Mill Lane) and which have ultimately hosted successful businesses. In fact, the proposed development will enhance the area as it will provide an additional, high-quality dwelling as well as a restored original shop-front and a more viable commercial space.

Yours sincerely

**Alan Heywood**

**APPENDIX 1**

**EXTRACT FROM BAKE-A-BOO BLOG**



BAKE-A-BOO

## WHAT'S HAPPENING AT 86 MILL LANE?

MAR 19, 2017 BY BOO COMMENTS: 0 TAGS: BAKE-A-BOO, MILLLANE, NW6, WESTHAMPSTEAD, WHAMP

I haven't blogged for an awfully long time, and that's just because life has been incredibly busy and all new. I have so much I want to share and will do over time, but for now I felt compelled to write something here after yesterday I found that stories from Mill Lane, my old bake-a-boo stomping ground, seemed to be coming back to haunt me.

As well as slacking off blogging I have completely neglected my own social media and lost touch a little bit with the world and my old life, which I never wanted to do and aim to rectify as soon as possible. However yesterday morning I went on twitter to see that @whampstead twitter handle had tweeted about there being an application for planning permission at the old premises on Mill Lane that used to be home to bake-a-boo.

When I left Mill Lane, my 10 year lease was up, it was either renew, or leave, and I was ready to leave and had plans for a new life. I did know that the landlord wanted to do some work on the building and that meant he did not want a tenant in there to take over bake-a-boo, and it wouldn't have worked out for that person anyway as they would have had to contribute to the cost of the work and that just wouldn't have appealed to anyone. I was happy to walk away and draw a line under bake-a-boo. Keep it for what it was to me for a decade and leave it as that. I had no burning desire for it to continue under someone else's reign. As far as I know I left on good terms with my landlord and with everyone on Mill Lane, and really and truly I haven't looked back, apart from occasionally picking up some post and seeing my old mates in the locksmiths, glass shop and the lovely Achillea girls.

I'll admit I initially felt sad to read that planning had gone in to turn the premises into a two bedroom flat. I felt sad for the businesses on Mill Lane who I know would benefit from another retail outlet, and I think this is how many people will see this news at first glance. However I also think it goes deeper than this, and requires more thought than initial disappointment. There were some responses on Twitter about luxury flats being built. These are assumptions and having spoken to both my landlord and some of the other people on Mill Lane yesterday – I think there is often a case of Chinese whispers and a lot of 'he said' she said' and a lot of emotion surrounding proposed plans. It's difficult to know the story behind a planning application – peoples initial thought is greed and selfishness on the part of the applicant in most planning applications – their space will take over mine, it's not fair, etc etc. I don't think people always look at the bigger picture of these decisions and are fuelled by the annoyance of the situation. This is perhaps a controversial thing to write and I'm sure there will people who don't like what I say on this, but I am entitled to my opinion and this does impact my life and my memories and is something I do very much care about.

I grew up in West Hampstead – in fact just off Mill Lane, I was born in the Royal Free, I went to Beckford and Hampstead school and lived in West Hampstead from birth to the age of 21, and from the age of 24 I had a business there for 10 years. I care about West Hampstead, the people, the community, the businesses and it's my 'hometown'. There are a lot of changes going on in West Hampstead at the moment and things are developing and the chains have moved in. It's really tough for the little guys, and I can speak from personal experience. There were times I really struggled with my business. A lot of that came from my own lack of experience and many problems I faced with my health, but I also kept it going and made it work for 10 years, and it was something I was determined to see through when people came and went around me, and I sold my youth to my business! However, being a West Hampstead girl, I was under no disillusion that Mill Lane was ever going to be an easy street. It's never quite shone perhaps like it should. When I moved in there I had more plans for my business outside and was surprised at the success of the shop which prevented me from doing that – slowly other great business crept in – The Kitchen Table, the Physiotherapist, Inside story, Achillea flowers and in later years George the greengrocer returned, Monsters of Art popped up, the village haberdashery made us get in touch with our crafty side, and Passionate about vintage bought us a bit of Hollywood glamour, and these are just a few of the people who've come and gone in my time there. But it's never been easy for any of us. We will never be West End Lane, never have the footfall of West End Lane but will always be

impacted by what happens on West End lane. The restaurants are busier – I heard there's a Gails there now for cakes, you can pick up your fruit and veg from Waitrose and soon M&S. As much as we all say we want to support local businesses and want to shop local, we all know that sometimes convenience and living our time poor lifestyles just takes priority. I know when I closed people came to me with forlorn faces saying how sad they were we were closing – BUT I had never seen them before – if you want the businesses to stay you simply have to use them, no matter how short of time you are, and it's as simple as that.

Anyway the point of this is to say that I spoke to the Landlord of 86 Mill Lane and he answered some of my questions about this. I had some calls yesterday asking me if I knew about these plans when I left, as if I'd somehow betrayed people! Well, there was no planning application when I left. I have not seen it personally or investigated it any further than seeing a tweet and speaking to the applicant himself, which is what I would urge people to do – speak to the right people and get the correct facts before becoming emotionally charged about it all. I could have predicted that the building or at least some of it would be developed and that housing may be the most feasible option, for the simple fact that it was a big premises – whilst there was the tea room we also had a large basement kitchen and a garden – the rateable value of a property like that is very high, something I don't think people realise, and those rates go up every single year and they are killers for small businesses. I know how hard it would be to find a tenant who would thrive there and would stay the duration of the lease as I had, just due to being able to survive – you have to sell a lot of cupcakes to pay those rates – believe me I know! My landlord was luckily understanding of my hard times and did what he could to support me during those times. However, I did hear a rumour yesterday that apparently, I left owing a years' worth of rent which is just completely ridiculous, and this is why I say don't believe everything you hear and get your facts in line before you go on the attack.

He told me yesterday that the property at 86 Mill Lane, will be developed into a flat in the basement. Development will have to take place to put in its own entrance through the entrance to the other properties above the shop. But the shop front will remain. It will be a small retail space and probably won't be able to have the same use as it did when I was there, but ultimately it will be a shop front and it will NOT be a luxury flat development. Response to this is that the space that will be left would be too small to be a retail outlet and will end up being an office or business and will be unhelpful to the other local businesses and not encourage footfall on Mill Lane. This is perhaps true – but I urge you to really think about this. I closed the door on the 30<sup>th</sup> May last year. The property has sat empty, with the windows frosted and the old gate still hanging on the door. It's derelict and abandoned and every time I drive past it I feel sad. The 30<sup>th</sup> May was almost 10 months ago. That's how long it has sat there abandoned. As much as an office isn't helpful to the street, neither is an empty building. None of us know what it will end up being in there, but it will have a shop front and it will also be a flat underneath, which most of the other shop fronts a long that parade also have. I don't see it as being all bad, and I urge you to really think about that before contesting this development. Empty shop, or filled shop? Can we really be so picky about what come there or not? I believe the plans state to extend at the back of the building – again this doesn't impact Mill Lane or change the appearance of the building. If anything, it will look cleaner and there will be some life back in there again. Isn't that a good thing? I give you further information about these plans straight from the horses mouth and I know that lots of people are very upset about these proposed plans, but I don't think they have really thought about the deeper impact and they are forgetting how bloody hard it is to thrive on Mill Lane. One more office or one more flat isn't going to take away from what Mill Lane has to offer – instead of putting energy into fighting this, I suggest perhaps



putting that energy into getting yourself down to Mill Lane, having a coffee or buying yourself something nice. Making a cake at home with some fresh fruit and veg and picking up a holistic juice or some exotic tea you have never tried from The Curled Leaf. That's how we support Mill Lane, not by fighting its development. I hope what I have said here clears up some of the so-called stories and rumours. It's not all doom and gloom, but it will be if they wait to find someone to take over the retail space as it is – because it's too big and too expensive and it will NOT survive. There will be a shop front, hopefully it will be someone or something good and useful to the area and there will be a lovely (but not luxury!!) flat filled with new customers and people who will soon discover the greatness that is West Hampstead.

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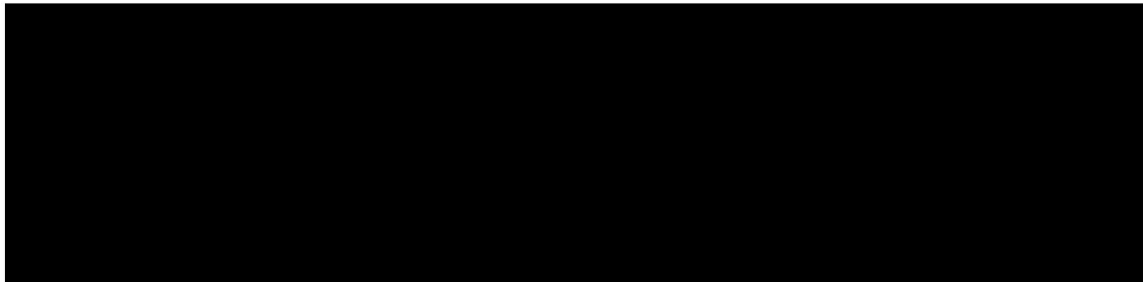
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**APPENDIX 2**

**CONSULTATION RESPONSE FROM NEIGHBOURHOOD DEVELOPMENT FORUM**



Dear Camden Council,

I'm writing from the Fortune Green & West Hampstead Neighbourhood Development Forum (NDF) to object to this planning application.

1. While we acknowledge the need for more housing, and have no objection to the lower ground floor being converted to residential, we strongly object to the proposal to convert a large part of the ground floor to residential.
2. The proposal is in breach of Neighbourhood Plan Policy 14 - which protects ground floor employment uses in the Mill Lane Neighbourhood Centre.
3. The proposed ground floor employment space - at just 22 metres square - is so small that it is unlikely to be viable as a commercial space or as a retail unit.
4. We require that all of the ground floor is maintained in employment/retail use - in order to be both policy compliant and to maintain the character and viability of this important Neighbourhood Centre.

We therefore request that the Council refuses the application in its current form.

Yours sincerely,

James Earl  
(Fortune Green & West Hampstead NDF)