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Our Ref: HPD/DSP/18/025
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Camden Council
Development Management
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Dear Sir/Madam,

RE: LOWER GROUND AND GROUND FLOOR, 68 HEATH STREET, LONDON, NW3 1DN

On behalf of our client, Skinsmiths, we are instructed to submit a full planning application for the change of use of the abovementioned premises from Class A2 to Class D1 (Ground Floor), to facilitate their operation as a Skincare Clinic.

Accordingly, please find enclosed the following documents which comprise in addition to this letter, the application:

- Duly completed Planning Application Form;
- Completed Certificate B and copy of Notice as served;
- Completed CIL Additional Information Form.
- Site Location Plan at scale 1:1,250 with the site edged in red;
- Existing Plan (Dwg no. SKI01 100);
- General Arrangement Plan (Dwg no. SKI01 101);
- Existing External Elevations (Dwg no. SKI01 200);
- Proposed External Elevation (Dwg no. SKI01 201); and
- Marketing Report.

This application seeks planning permission for the change of use of 68 Heath Street, only. We are aware that the subject premise is Grade II Listed, however a separate application for Listed Building Consent will be made subject to being able to secure a Class D1 use of the property.

PLANNING HISTORY

We are aware of the following planning history for the premises:

- LPA Ref: 2014/4858/L - Retention of internal alterations at ground floor level. Approved 07 January 2015.
- LPA Ref: 2013/5458/L - Alterations to shopfront and display of 1x non-illuminated hanging sign. Split Decision 20 December 2013.
- LPA Ref: 2013/5374/P - Alterations to shopfront window. Refused 20 December 2013.
- LPA Ref: 2012/1610/L - Internal and external works in association with change of use and works of conversion from restaurant at first floor level to a 1-bedroom self-contained flat. Approved 13 February 2013.
- LPA Ref: 2009/1497/L - Alterations in connection with the display of an externally illuminated projecting sign and lettering etched onto window for restaurant (Class A3). Approved 15 September 2009.

- LPA Ref: 2009/1497/A - Display of externally illuminated projecting sign at restaurant (Class A3). Approved 15 September 2009.
- LPA Ref: 2008/4365/L - Alterations in connection with the display of fascia sign and new projecting sign to a restaurant. Appeal Dismissed 10 June 2009.
- LPA Ref: 2008/3321/A - Display of fascia sign and new projecting sign to a restaurant. Refused 27 October 2008.
- LPA Ref: 2004/1727/L - Alterations to front entrance door and internal alterations to restaurant on ground and first floors.

The accompanying material for the most recent planning application (2014/4858/L) identifies that the ground floor of the premises was converted to an Estate Agent in 2014, after the previous restaurant uses were terminated in 2013. This change of use would have been lawful under the terms of the General Permitted Development order at the time, which is why there is no planning permission for the Class A2 use. Therefore, the premises now benefit from permission for Class A2 use.

As such, a change of use to Class D1 will be required for Skinsmiths to operate from the premises.

SKINSMITHS

Skinsmiths are a skin enhancement clinic, established in 1994 in New Zealand (under brand name Caci). Skinsmiths embrace innovative treatments to improve skin health and well-being, whilst offering a range of membership treatment plans with staggered payment options, to ensure treatments are available for all.

Current membership packages include Skin Health, Anti-Wrinkle, and Laser Hair Removal. Skinsmiths Skincare products are also offered for retail sale.

Skinsmiths also launched the Confidence Project in 2016, identifying and supporting projects in the local community to help empower woman.

Individual Skinsmiths clinics generally consist of a Retail and Welcome Area at the front of any premises; with a Consultation Room, Waiting Room and Staff Room follow toward the rear of the clinic. Additionally, separate Treatment Rooms are available for use, equating to typically 40% of the total floorspace. All rooms and areas are essential for the delivery of high-quality skincare services within a safe, personal, welcoming and accessible environment.

THE APPLICATION PROPOSALS

This planning application has been submitted for the change of use of the Lower Ground and Ground Floor property at 68 Heath Street in Hampstead, from Class A2 to Class D1 (Non-residential institution), to facilitate a new Skincare Clinic. No external alterations are proposed. The accompanying proposed floor plans (Dwg no. SKI01 101) demonstrate the proposed general arrangement of the clinic, including 4 no. treatment rooms, a retail & welcome area, a consulting room, a waiting area, and a Staff Area.

The proposed clinic will be for the benefit of the local workforce and residents in Hampstead and the surrounding area, providing specialist skin-care treatment packages designed to improve skin health, well-being and personal confidence. Skincare products are also offered for retail sale to members, or the visiting public.

Opening hours will be between 10.00am – 6.00pm Tuesday and Friday, 10.00am – 8.00pm Wednesdays and Thursdays and 10.00am – 4.00pm on Saturdays. The premises will be closed on Sundays and Mondays.

Skinsmiths will employ 4 members of full time staff within the clinic along with several part-time employees.

The proposed clinic use would contribute to supporting the mixed-use functionality of Hampstead, introduce a new business into Camden, contribute to the vitality of the street frontage, and improve the provision of high quality skincare services within the borough, and wider London.

PLANNING POLICY

The National Planning Policy Framework (NPPF), which came into effect on 27 March 2012, aims to strengthen local decision making and to reinforce the importance of up to date plans.

It is intended to refocus planning policy on encouraging growth, and thus the NPPF includes a powerful presumption in favour of sustainable development at **Paragraph 14**. Government expects that this presumption should run as a 'golden thread' through all plan making and planning application decisions.

Paragraph 14 of the NPPF states:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

Approving development proposals that accord with the development plan without delay".

Paragraph 7 of the NPPF defines sustainable development as consisting of three dimensions: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **An Economic Role** - contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying coordinating development requirements, including the provision of infrastructure;
- **A Social Role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
- **An Environmental Role** - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF explains that these roles should not be taken in isolation, because they are mutually dependant. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 17 sets out the 'Core Planning Principles' for both plan-making and decisions taking. Principle 12 includes the need to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 187 confirms that Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area and that decision-takers at every level should seek to approve applications for sustainable development.

Paragraph 22 of the NPPF states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to state that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 23 stresses that local planning authorities should seek to ensure the vitality of town and local centres by promoting a competitive and diverse offer of retail, leisure, commercial, office, tourism, cultural, community and residential needs.

In promoting healthy communities, planning decisions should seek to deliver the social, cultural and recreational facilities and services the local community needs. This includes ensuring that established shops, facilities and services can sustainably develop and modernise, retaining benefits for the surrounding community (**Paragraph 70**).

London Plan

In March 2016, the London Plan was consolidated to include Further Alterations to the London Plan (FALP) and Minor Alterations (MALP). The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031.

Notwithstanding the above, in December 2017, the Mayor published the draft New London Plan for public consultation. This document is to be given significant weight for decision making purposes in London.

Policy GG3 of the draft London Plan emphasises the need to improve Londoner's health and reduce health inequalities, particularly by addressing the wider determinant of health, taking a systematic approach to improving the mental and physical health of all Londoners.

Policy SD6 goes on to state that London's varied town centres should be promoted and enhanced as strong, resilient, accessible, inclusive and viable hubs for a diverse range of uses including employment, business space, shopping, culture, leisure, night-time economy, tourism, civic, community, social infrastructure and residential development. Section E of the Policy also confirms that redevelopment, change of use and intensification of identified surplus office space to other uses including housing should be supported.

Local Planning Policy

The Local Development Framework for Camden comprises of the recently adopted 'Camden Local Plan (2017)' together with the Local Development Framework Policies Map (2016), and a number of Supplementary Planning Documents.

The Local Plan (2017) provides the vision, objectives and spatial policies to guide development in the Borough up to 2031, and sets out detailed planning policies to use for determining planning applications.

The Camden Policies Map (2016) identifies the site as part of the Secondary Shopping Frontage of Hampstead Town Centre, as well as being within the Hampstead Conservation Area.

We consider the following policies of the Local Plan (2017), relevant to this application:

- Policy G1 – Delivery and Location of Growth;
- Policy C1 – Health and Wellbeing;
- Policy C2 – Community Facilities;
- Policy A1 – Managing the Impact of Development;
- Policy CC5 – Waste
- Policy TC1 – Quantity and Location of Retail Development
- Policy TC2 – Camden's Centres and Other Shopping Areas

- Policy TC4 – Town Centre Uses
- Policy T1 – Prioritising Walking, Cycling and Public Transport

Policy G1 seeks to deliver growth across the borough by supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.

Policy C1 advises that the Council will improve and promote strong, vibrant and healthy communities through ensuring a high quality environment with local services to support health, social and cultural wellbeing and reduce inequalities.

Policy C2 states that the investment plans of educational, health, scientific and research bodies to expand and enhance their operations will be promoted, considering the social and economic benefits they generate for Camden, London and the UK.

Policy A1 aims to protect the quality of life for all occupiers and residents; and balance this with the needs of the development. Issues to be considered include visual privacy and outlook; sunlight, daylight and overshadowing.

Policy CC5 requires all developments to include facilities for the storage and collection of waste and recycling.

Policy TC1 states that retail and other town centre uses should be located in designated centres.

Policy TC2 advises that within Secondary Shopping Frontages, the Council will protect these locations for Shops (Class A1), together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre. Appendix 4 goes on to state that 50% of Class A1 use must be maintained in the secondary shopping frontages of Hampstead, with no more than 3 non-Class A1 uses in a row.

Policy TC4 sets out the criteria for the development of new Town Centre uses (including those within Class D1), including due consideration of: the effect on shopping provision and the character of the centre in which it is located; the cumulative impact of food, drink and entertainment uses; the health impacts of development; the impact on residential amenity, and; highways impacts.

Policy T1 promotes sustainable transport by prioritising walking, cycling, and public transport in the Borough. Developments should provide for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan (Table 6.3), and make provision for high-quality facilities that promote cycle usage.

COMPLIANCE WITH LOCAL PLAN POLICY

Sustainable Development

The application proposal seeks the re-use of an existing vacant building within Hampstead Town Centre. The site is sustainably located, within 80m (2 min's walk) of Hampstead Underground Station. Hampstead Heath Railway Station is also located 0.7 miles to the east of the site (12 min's walk).

As such, the proposed use will be easily accessible for a range of Hampstead residents and employees, whilst also being within easy travel distance of surrounding areas in South-West London.

The purpose of the Skinsmiths operation in Hampstead will be to support local health and wellbeing through the provision of a high-quality, safe and accessible skincare treatment clinic.

The re-use of the existing building will also promote diversity in the Town Centre, whilst contributing to the vitality and viability of the area, and will make use of the existing premises on site such that there will be no impact on the character of the local area by reasons of scale or design.

In addition to the inherent sustainability benefits of occupying an existing building within a sustainable location, together with social well-being that will ensue from the use proposed, Skinsmiths will employ 6 full time members of staff within the Clinic, along with several part time employees.

Given the above, the proposals will provide benefits to the local economy and community whilst meeting sustainability objectives and will not be to the detriment of the environment or amenities of the area.

Accordingly, having regard to Policy G1 of the Local Plan (2017), the Council are required to look favourably on this application, which seeks to secure sustainable economic growth, improvement to the diversity and vitality of the Hampstead Town Centre, and improvement to health and social well-being for local residents and employees.

Shopping Frontage and Town Centre Use

The application proposes a change of use from Class A2 to Class D1 at 68 Heath Street, to facilitate a Skincare Clinic. The proposed use will be located within the Hampstead Town Centre, wherein Policy TC1 of the Local Plan promotes Town Centre Uses, including those within Class D1.

Having regard to Policy TC2, the site is located within the Secondary Shopping Frontage of Hampstead Town Centre, wherein the Council wish to retain 50% of ground floor premises within Class A1 use, and restrict proposals that result in 3 non-Class A1 uses in a row.

Notwithstanding the above, we note that the current use of the premises falls within Class A2, having been occupied by an Estate Agent from 2013 until 2016. Prior to this, the property was used as a restaurant (Class A3) for a period of 10 years, and before which, the original public house use (Class A4) was in place.

As such, the subject premise has not been occupied for Class A1 (Shops) use, for at least 15 years, but more likely not for its lifetime.

In light of the above, the introduction of a Skincare Clinic (Class D1) in this location will not affect the current proportion of Class A1 uses within the Secondary Frontage, nor will it result in the loss of a Class A1 use.

Likewise, the property is currently located within a 'run' of units which includes Gaucho, L'Antica Pizzeria and Pizza Express (all falling within Class A3). Therefore, including the existing Class A2 use of the subject premises, a row of more than 3 non-Class A1 uses already exists in this location. By way of the proposed change of use, the existing arrangement for non-Class A1 uses will remain unaltered.

The Camden Planning Guidance Document for Town Centres and Retail (2018), advises that "*the Council will generally resist proposals that result in less than 50% of the premises in secondary frontages being in retail use.*" (For Hampstead Town Centre). Therefore, it is our understanding that proposals which do not result in a direct loss of a Class A1 use or the creation of a run of 3 non-A1 uses are not subject to the same policy restrictions. This is further ratified by Paragraph 4.67 which states that the guidance will be applied having regard to the existing character of the centre and the individual frontages.

The secondary frontage in this location (taken from the Heath Street Baptist Church to no. 64 Heath Street) is comprised of 13 units (please refer to Table 1, below). Of these, only three are operating within Class A1 Use. The frontage also includes three vacant properties (four including the subject premises), four restaurants/cafes, a church and a primary school. As such, it is clear that the frontage is currently blighted by vacancies and uses without an active frontage (church/primary school). Accordingly, whilst the proposal does not seek to introduce a Class A1 use, it will ensure a vacant premise is brought back into productive use and secure an active frontage in this key location.

Table 1 – Current composition of Frontage

Address	Operator	Use
64 Heath Street	Gaucha	Class A3
66 Heath Street	L'Antica Pizzeria	Class A3
68 Heath Street	Vacant	Class A2
70 Heath Street	Pizza Express	Class A3
72 Heath Street	Shoe Store	Class A1
74 Heath Street	Gilden's Art Gallery	Class A1
76 Heath Street	Vacant	Unknown
78 Heath Street	Vacant	Sui Generis
80 Heath Street	Yuhei Hair Salon	Class A1
82 Heath Street	Vacant	Class A1
84 Heath Street	Bunny Yawn	Class A3
84a Heath Street	Heathside Preparatory School	Class D1
86 Heath Street	Heath Street Baptist Church	Class D1

Further to the above, we note that there has also been very limited interest in the property from any Class A1 or Class A2 operators. The accompanying marketing report details how the property has been marketed from September 2016, to date, and the reasons this has been unsuccessful until the offer from Skinsmiths (the Applicant).

Within this context, it is our view that the proposed change of use to Class D1 is entirely acceptable within this location and, subsequently, that the proposal accords with the provisions of the Camden Local Plan (2017) and the Camden Planning Guidance for Town Centres and Retail (2018).

Transport

Due to the highly sustainable nature of the site, no car parking is proposed for the new use. This accords with the provisions of Policy T1, which promotes sustainable transport methods.

Amenity

The proposed use is not expected to give rise to any undue level of noise disturbance to neighbouring residents. The proposed hours of use are also limited on evenings and weekends. Any deliveries will also be taken during opening hours.

Waste Strategy

The proposed Skincare Clinic will utilise two separate waste management solutions, one for clinical waste and one for general waste and recycling. Details are set out below:

Clinical Waste

All clinical waste will be managed and collected by 'Initial Medical'. Orange clinical/infectious waste bins will be provided and stored within the individual treatment rooms for the collection of hazardous waste. These

are collected fortnightly by Initial, who will enter the premises to collect, empty and replace the bins. The waste is then taken off site and treated or incinerated.

In addition, 'Autolid Sanitary Units' will be provided to collect non-hazardous waste (such as gloves, disposable garments etc.), and will also be collected, emptied and replaced by Initial on a bi-monthly basis. No waste is stored outside of the premises.

General Waste

Skinsmiths have appointed the private waste Contractor 'First Mile', to collect waste and recycling from the premises.

The contract with First Mile includes the provision of mixed recycling sacks and 'waste' sacks for the separate storage and collection of recyclable and non-recyclable waste. These bags will be stored within the 'Store' towards the rear of the premises (as shown on the proposed General Arrangement Plan) and placed outside of the rear door at the end of each day for collection by First Mile.

Based on Skinsmiths' experience within other Clinics, and as waste will be collected every day, it is anticipated that 75L of storage for waste and recycling is required per day.

First Mile provide separate waste and recycling sacks with a capacity of 60L. Therefore, one waste sack and one recycling sack will be required per day and provided in advance by First Mile on a monthly basis.

No waste or recycling will be stored along Heath Street itself, and no waste will be placed outside the premises overnight.

CONCLUSION

Skinsmiths would make a positive contribution to the commercial and community life of Hampstead by maintaining an appropriate mix of retail and community services within Hampstead Town Centre and by enhancing the active frontage of Heath Street. The proposed use would also contribute to social well-being, by improving the availability and choice of skin-care treatments in the Hampstead area.

The proposal is wholly in compliance with National planning policy and in accordance with the provisions of the Camden Local Plan (2017), and Planning Guidance Documents. As such, we conclude that the proposed change of use is entirely appropriate in planning policy terms.

We trust that you have sufficient information to determine this application but should you have any questions or queries in the meantime or require any further information, please do not hesitate to contact myself on 020 3725 3841.

Yours faithfully



Danielle St Pierre BSc (HONS) MRICS AssocRTPI
DIRECTOR