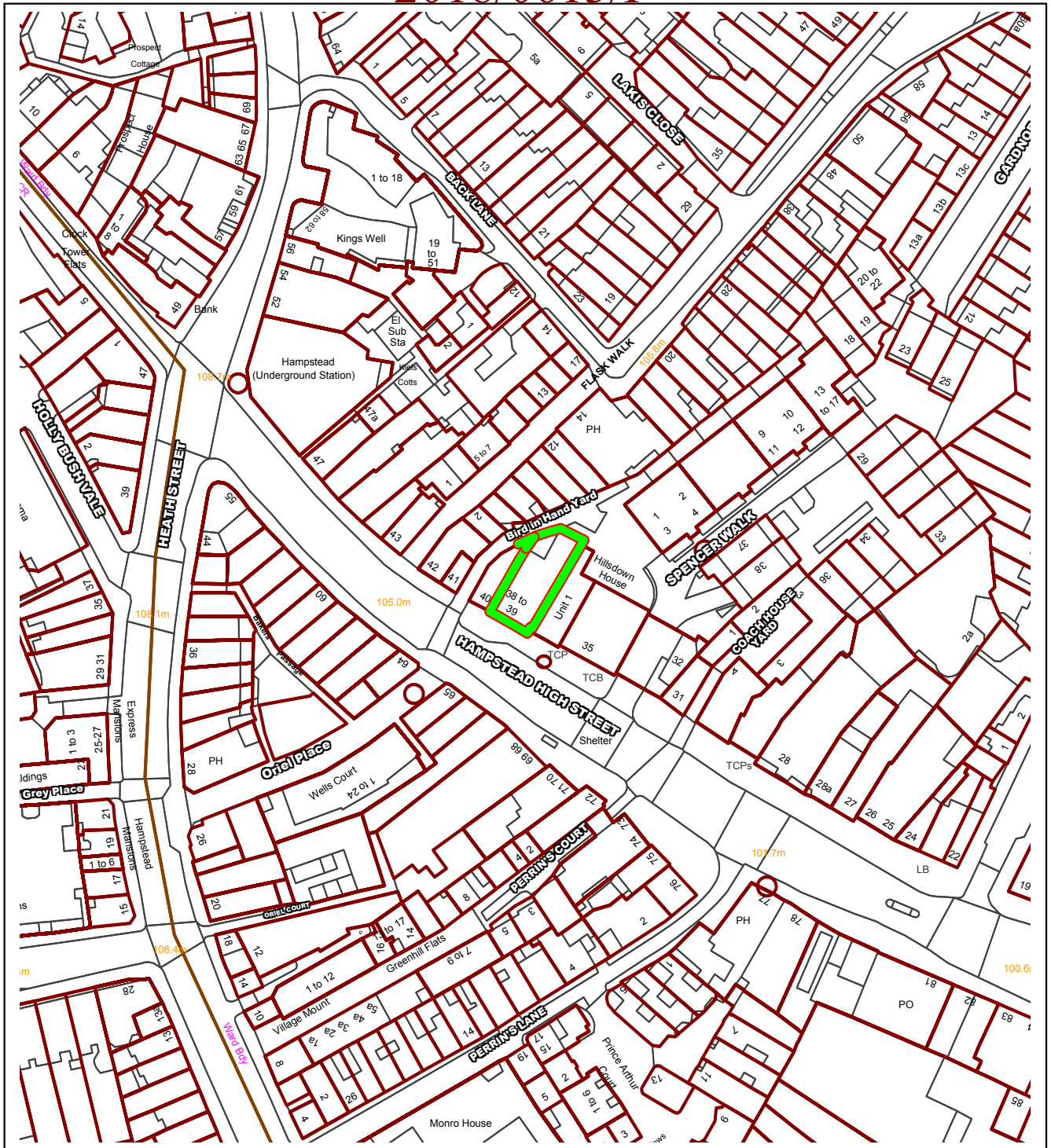


38, 39 & 40a Hampstead High Street - 2018/0613/P



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Site photographs

1. Front Elevation



2. Front Elevation of Hillsdown House



3. Front Elevation of 40 Hampstead High Street



4. Rear Elevation



5. Rear Elevation of 40 Hampstead High Street



6. Rear Elevation



7. Rear Elevation



8. Ground floor rear elevation



9. Bird in Hand Yard



10. Rear Elevation of Hillsdown House



11. Bird in Hand Yard view from rear of 38-40a Hampstead High Street



12. View from rear elevation of 38-40a Hampstead High Street



Delegated Report		Analysis sheet	Expiry Date:	03/04/2018
(Members Briefing)		N/A / attached	Consultation Expiry Date:	23/03/2018
Officer			Application Number(s)	
Alyce Keen			2018/0613/P	
Application Address			Drawing Numbers	
38, 39 & 40A Hampstead High Street London NW3 1QE			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
External alterations including demolition of ground floor rear extension and replacement with part single storey, part two-storey rear extension, installation of residential front entrance at ground floor level, alterations to front and rear fenestration and change of use of first floor from ancillary restaurant use (Class A3) to flexible A1/A3/B1 use.				
Recommendation(s):		Granted conditional planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	02	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>No comments were received from local residents during the consultation period.</p> <p>Site Notice: 02/03/2018 – 23/03/2018. Press advert: 01/03/2018 – 22/03/2018.</p>					
CAAC/Local groups comments:	<p>An objection was received from the Hampstead Neighbourhood Forum in response to the original proposal. Since the proposal has been amended to remove the change of use at the front section of the first floor from café/restaurant (Class A3) to residential (Class C3) the Forum withdrew their initial objection.</p> <p>An objection was also received from the Hampstead Village Business Improvement District (BID). The BID objects to the proposal on the following grounds:</p> <ul style="list-style-type: none"> - The first floor should remain A3 and also remain part of a single commercial unit in conjunction with the ground floor. - The proposal to change the frontage and include a residential access door is extremely unsympathetic to the front elevation of the building. - Furthermore, Local Plan Policy D3 Shopfronts states 'Where an original shopfront of architectural or historic value survives, there will be a presumption in favour of its retention', and 7.72 'Good examples of shopfronts should be retained wherever possible'. - Converting some of the frontage to a wooden door would detract significantly from this active frontage. - The front façade is infinitely more visible, from an extensive portion of Hampstead High Street, and changes to this would be much more detrimental to the aesthetic of the area. - Losing this upper floor would be detrimental to our area, as it would reduce the function of this premises as a useful space for private and community use. <p><u>Officer comment:</u></p> <p><i>In regard to the first floor being used as A1/A3 or B1, this is considered to be acceptable as the Hampstead Neighbourhood Plan states that office and retail units at first floor level should be provided.</i></p> <p><i>As for the introduction of a timber residential front door to the right of the commercial shopfront, officers believe this residential entrance door is acceptable for the following reasons.</i></p> <ul style="list-style-type: none"> - <i>Appropriate choice of materials – painted timber</i> - <i>There are a number of other residential entrance doors present within the streetscene (including 30, 31, 75, 79)</i> - <i>This shopfront is not the original shopfront for the building.</i> - <i>The works do not alter the detailing of the original façade of the main</i> 					

building.

Site Description

The site is a four storey building occupying a long irregular shaped plot located on the northern side of Hampstead High Street. The property's current lawful uses are Class A3 on the basement, ground and first floors with Class C3 on the second and third floors.

The building is not listed, however; the site is located within the Hampstead Conservation Area. The building is also noted in the conservation area statement as a positive contributor.

Relevant History

There are a number of historical applications over the property for shopfront alterations, advertisements and table and chair applications but none relevant to this application.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

Local Plan 2017

Policy G1 Delivery and location of growth

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy TC2 Camden's centres and other shopping areas

Camden Planning Guidance

CPG1 Design (July 2015 updated March 2018)

CPG Town centres (March 2018)

CPG Amenity (March 2018)

Hampstead Conservation Area Statement 2001

Hampstead Neighbourhood Plan 2018

Policy EC1: Healthy retail mix

Policy EC2: Contributing positively to the retail environment

Assessment

1. Proposal

- 1.1 The proposal involves external alterations including demolition of ground floor rear extension and replacement with part single storey, part two-storey rear extension. The extension is full width at ground floor and then reducing to half width of the host building at first floor. The roof form is proposed to be pitched that mirrors the butterfly valley roof form on the host building. The rear extension will be constructed in London stock brickwork with dark grey metal framed windows with stock brick chamfered reveal.
- 1.2 A residential/commercial front entrance at ground floor level is proposed to be installed. This door is to be of painted timber to ensure it is in keeping with the existing shopfront.
- 1.3 A change of use at first floor is proposed from ancillary restaurant use (Class A3) to flexible A1/A3/B1 use. This commercial unit is proposed to be used as either office or retail/café in conjunction with the ground floor commercial unit.

Revisions

- 1.4 The original proposal included the change of use at the front section of the first floor from café/restaurant (Class A3) to residential (Class C3). This element was removed by the applicant in light of the policy in the new Hampstead Neighbourhood Plan 2018 which is discussed below.
- 1.5 The first floor part of the extension has been revised to be no more than half the width of the building (in line with the central chimney). The depth has also been revised to be in alignment with the adjacent red brick building. The brickwork of the extension has also been revised to London stock bricks with a recessed mortar joint.

The key planning issues are as follows:

- Land Use
- Design & Character
- Amenity impact on surrounding occupiers

2. Land Use

- 2.1 The ground floor will be retained as retail/café (Class A1 or A3). While the first floor will be office (Class B1) and/or retail/café (Class A1 or A3) in conjunction with commercial unit A.
- 2.2 The Hampstead Neighbourhood Plan includes policy EC1: Healthy retail mix, which specifies that office and retail units at first floor level should be provided. Therefore the first floor proposed to be a mix of B1, A1 or A3 is considered acceptable in regard to this policy.
- 2.3 This change of use at first floor ensures that the Hampstead Village area continues to be promoted as a successful and vibrant centre.

3. Design & Character

- 3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Policy D2 (Heritage) states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan Document is supported by CPG1 (Design).
- 3.2 The application building and adjoining property at no.40 Hampstead High Street are identified as positive contributors in the Hampstead Conservation Area Statement and any alterations to them

must be sympathetic to their original character.

- 3.3 The overall size and design of the proposed rear extension is considered appropriate. The height, mass, bulk and scale of the proposed extension would result in a contemporary and sympathetic form on the rear elevation which would be subordinate in scale and would respect and preserve the original design and proportions of the host building.
- 3.4 The scale of the extension is considered to be appropriate in terms of the depth being limited to the adjoining properties projection and the width being half the width of the host building. The materials of London stock brickwork and dark grey metal frame windows are considered to be acceptable.
- 3.5 The introduction of a residential access door on the shopfront elevation is considered to be acceptable for the following reasons. The access door is proposed to be of painted timber, which is in keeping with the existing shopfront. A number of shopfronts along Hampstead High Street include residential entrance doors including 30, 31, 75 and 79. The existing shopfront is not the original shopfront therefore minimal alterations including the introduction of a residential access door are considered acceptable. It should also be noted that the works do not alter the detailing of the original façade of the main building.

4. Amenity

- 4.1 Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG6 (Amenity).
- 4.2 As the extension is contained to be in alignment with the depth of the adjoining properties and the width being contained to half the width of the host building it is not considered to cause harm to neighbouring amenity in terms of loss light or outlook. Furthermore, the proposed first floor window would share the same outlook as the existing upper floor windows at the site and would not exacerbate current levels of overlooking as result.

Recommendation: Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 29th May 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'

Application ref: 2018/0613/P
Contact: Alyce Keen
Tel: 020 7974 1400
Date: 24 May 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

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planning@camden.gov.uk

www.camden.gov.uk

Patalab
15 Garrett Street
London
EC1Y 0TY

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

38

39 & 40A

Hampstead High Street

LONDON

NW3 1QE

DECISION

Proposal:

External alterations including demolition of ground floor rear extension and replacement with part single storey, part two-storey rear extension, installation of residential front entrance at ground floor level, alterations to front and rear fenestration and change of use of first floor from ancillary restaurant use (Class A3) to flexible A1/A3/B1 use.

Drawing Nos: PA1009-01, PA1010-01, PA1011-01, PA1012-01, PA1013-01, PA1014-01,
PA1101-01, PA1102-01, PA1104-01.

PA3101-02, PA3104-03, PA3009-03, PA3010-03, PA3011-03, PA3012-03, PA3013-03,
PA3014-03, PA3102-04, PA3104-04.

Design & Access Statement prepared by PataLab dated 31/01/2018.

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
PA1009-01, PA1010-01, PA1011-01, PA1012-01, PA1013-01, PA1014-01,
PA1101-01, PA1102-01, PA1104-01.
PA3101-02, PA3104-03, PA3009-03, PA3010-03, PA3011-03, PA3012-03,
PA3013-03, PA3014-03, PA3102-04, PA3104-04.
Design & Access Statement prepared by PataLab dated 31/01/2018.

Reason:

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

- 4 Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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

David Joyce
Director of Regeneration and Planning

DECISION