

Application ref: 2019/6253/P  
Contact: Josh Lawlor  
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Date: 17 March 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Patalab Architecture  
15 Garrett Street  
London  
EC1Y 0TY

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**First Floor**  
**72 Hampstead High Street**  
**London**  
**NW3 1QP**

Proposal:

The change of use at 1st floor from ancillary retail (Class A1) to self-contained mixed office/financial service unit (Class B1a/A2), alterations to windows

Drawing Nos: Location Plan, PA5411\_rev01, PA5410\_rev01, V200i.W1.03.A.H.001, V200i.W1.03.A.H.002, 1415\_ASK007\_rev00\_Window Detail, 1415\_PA3110\_rev02, PA2010\_rev01, PA3013\_rev01, PA3211\_rev01, PA3210\_rev01, PA3212\_rev01, PA3111\_rev01, PA2012\_rev01, PA3014\_rev01, PA3011\_rev01, PA309\_rev01, PA3009\_rev01, PA3012\_rev01, PA3010\_rev01, PA3012\_rev01, PA3010\_rev01, PA2212\_rev01, PA2110\_rev01, PA211\_rev01, PA2210\_rev01, PA211\_rev01, PA2011\_rev01, PA2009\_rev01, A1013\_rev01, A1210\_rev01, A1011\_rev01, A1212\_rev01, A1014\_rev01, A1211\_rev01, A1010\_rev01, A1111\_rev01, A1009\_rev01, A1110\_rev01, A0002\_rev01

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 [Location Plan, PA5411\_rev01, PA5410\_rev01, V200i.W1.03.A.H.001, V200i.W1.03.A.H.002, 1415\_ASK007\_rev00\_Window Detail, 1415\_PA3110\_rev02, PA2010\_rev01, PA3013\_rev01, PA3211\_rev01, PA3210\_rev01, PA3212\_rev01, PA3111\_rev01, PA2012\_rev01, PA3014\_rev01, PA3011\_rev01, PA309\_rev01, PA3009\_rev01, PA3012\_rev01, PA3010\_rev01, PA3012\_rev01, PA3010\_rev01, PA2212\_rev01, PA2110\_rev01, PA211\_rev01, PA2210\_rev01, PA211\_rev01, PA2011\_rev01, PA2009\_rev01, A1013\_rev01, A1210\_rev01, A1011\_rev01, A1212\_rev01, A1014\_rev01, A1211\_rev01, A1010\_rev01, A1111\_rev01, A1009\_rev01, A1110\_rev01, A0002\_rev01]

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

#### Informative(s):

- 1 Reasons for granting permission.

In land use terms the proposal seeks a change of use of the first floor from Class A1 (ancillary retail) to a mixed use Class B1a/A2 (Offices or Financial services). The site is located within the Hampstead Town centre and situated on a primary retail frontage. Policy TC2 aims to provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice. Policy EC1 of the Hampstead Neighbourhood Plan seeks to protect the continued use of first floor retail space for commercial use as proposed in this application. Para.4.66 of the Town Centres CPG (2018) states that the Council will generally resist proposals which would result in less than 75% of the premises in primary frontages within the Hampstead Town Centre being in retail use. The application site was most recently operating at a phone shop (Class A1) at ground floor with first floor providing ancillary space to this ground floor unit. The proposal would retain a large retail unit at ground floor with access to a basement for storage. The loss of the first floor ancillary retail space is not considered to harm the viability or functionality as a retail unit. As such the change of use at first floor to mixed offices or financial services (Class B1a/A2) space would not reduce retail provision on the existing and is considered compliant policy compliant. The provision of a mixed office or

financial services (Class B1a/A2) use at first floor is considered acceptable in land use terms.

The first floor windows facing Perrin's Court are proposed to be replaced with powder coated aluminium windows to match the windows on second floor. The replacement casements are to be balanced with all sections of glazing (including opening lights) to have equal areas. The replacement windows are considered to be a minor alteration that would not harm the appearance of the grade II listed building or wider Hampstead Conservation Area.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposal would not give rise to adverse impacts on residential amenity.

No objections were received following public consultation on the scheme. The site's planning history was taken into account in coming to this decision. As such, the proposed development is in general accordance with policies TC1, TC2, TC4, A1, D1 and D2 of the Local Plan (2017), policies DH1, DH2, EC1 and EC2 of the Hampstead Neighbourhood Plan (2018), CPG Town Centres and Retail (2018), The London Plan 2016, and NPPF 2019.

- 2 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).
- 3 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.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title of the signatory.

Daniel Pope  
Chief Planning Officer