
Planning, Heritage and Accessibility Statement

74 Haverstock Hill, London, NW3 2BE

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1. Introduction

1.1. This Town Planning, Heritage and Accessibility Statement has been prepared on behalf of 'Sanchin Ltd' for the Change of Use from estate agent (Class E(c)) to Residential (Class C3) at 74 Haverstock Hill in the London Borough of Camden (herein referred to as 'LBC').

1.2. The application proposes the following:

"Change of use of basement and first floor from estate agent (Class E (c)) to residential (Class C3) to provide a residential dwelling."

1.3. This Statement includes a consideration of heritage matters relevant to the Site.

1.4. In addition, the application is supported by an Internal Daylight Assessment, prepared by T16 Design, and the following drawings:

- Site Location Plan
- Existing and Proposed Floor Plans
- Existing and Proposed Elevations
- Existing and Proposed Sections

Document Structure

1.5. This Statement comprises the following sections:

- Chapter 1 – Introduction (this section);
- Chapter 2 – Site and Surroundings;
- Chapter 3 – Planning History;
- Chapter 4 – The Proposal;
- Chapter 5 – Planning Policy Context;
- Chapter 6 – Planning and Heritage Considerations; and
- Chapter 7 – Conclusion.

2. Site and Surroundings

- 2.1. No.74 Haverstock Hill is a 4 storey building, comprising part of a terrace along Haverstock Hill. The ground and basement level is currently in use as an estate agent. The upper floors are in residential use. The prevailing character of the site's surroundings is predominantly residential, with some commercial uses to the ground floor of some properties along Haverstock Hill and surrounding roads. There is also a church located approx. 50 metres south east of the site, and Haverstock School approx. 200 metres south east. The site also lies in close proximity to Primrose Hill.
- 2.2. The site sits within Parkhill Conservation Area. The building is neither statutorily or locally listed, but is defined within LBC's Parkhill and Upper Park Conservation Area Appraisal and Management Strategy as a 'Positive Building' which is significant to the conservation area and should therefore be retained. The closest statutory listed building is 94 Haverstock Hill, currently in use as 'The Belrose' pub.
- 2.3. The site has a Public Transport Accessibility Level (PTAL) of 4 where 0 is worst and 6b is best. The site therefore has good overall public transport accessibility, owing to its proximity to 6 bus stops within a 10 minute walk and Kentish Town Train Station to the east which is served by Thameslink overground services and providing access to key destinations such as Stratford, Shepherd's Bush and Clapham Junction. Additionally, Chalk Farm underground station to the south gives the site connections to the Northern Line.
- 2.4. The site is not within a designated Town Centre, but the terrace is allocated as a Local Service Parade.
- 2.5. The site is within Flood Zone 1, where the risk of flooding is low.

3. Planning History

- 3.1. A search of LBC's public access records has identified four applications that relate to the application site. The details of which are provided below.
- 3.2. In May 1974, a planning application for the *"Change of use of the ground floor of 74 Haverstock Hill, NW3, from retail to making up of soft furnishings"* was refused (application reference: G9/4/16/18791).
- 3.3. In January 1989, a planning application for the *"Change of use of ground floor and basement from retail shop to estate agency within Class A2 of the Town and Country Planning Act (Use Classes) Order 1987 (no plans submitted)"* was approved (application reference: 8802680).
- 3.4. In July 1990, an application for full planning permission for the *"Erection of a mansard roof extension at fourth floor level erection of an additional storeys at third floor level above existing rear addition and change of use of the upper floors to three one-bedroom self-contained flats and one two-bedroom maisonette including works of conversion as shown on one unnumbered drawing (RevB) revised on 21.11.90 and 27.12.90"* was approved (application reference: 9003321).
- 3.5. In December 2003, an application for full planning permission for the *"Alterations to shopfront, involving repositioning of door nearer the pavement within the existing recess"* was refused (application reference: 2003/3021/P). An Appeal was subsequently lodged and dismissed in September 2004.
- 3.6. In April 2002, an application for full planning permission for *"The erection of an 2-storey rear extension and associated enlargement of existing lightwell, in connection with the change of use and works of conversion of the rear basement and ground floors from estate agent use (A2) to a two bedroom self contained flat. As shown on drawing numbers: HH/10 and HH/11A"* was approved (application reference: PEX0200559).

This application sets the precedent for residential use at ground floor level.

Neighbouring Applications

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- 3.6. A search of LBC's public access records has also identified a number of applications at neighbouring properties for proposals similar to those being submitted under this application.
- 3.7. In June 2016, an application at 76 Haverstock Hill for full planning permission for "*Conversion of existing 3 bedroom dwellinghouse and 49sqm of ground floor retail unit (A2 use) into 1 x 1 bedroom flat and 3 x 2 bedroom flats; erection of mansard roof extension; demolition of existing single storey and two storey rear extensions and erection of new part one storey/part three storey rear extension*" was approved (application reference: 2016/1066/P).
- 3.8. In May 2015, an application at 75 Haverstock Hill for full planning permission for "*Change of use from Office (B1) to 2 x residential units (C3)*" was approved (application reference: 2014/5896/P).
- 3.9. The applications above therefore set a precedent for residential at ground floor and basement level along Haverstock Hill.

4. The Proposal

- 4.1. The application comprises the change of use of existing estate agent and associated floorspace (Class E(a)) at ground floor and basement level to residential use (Class C3).
- 4.2. The proposed dwelling will be a 2-storey two bedroom, 3 person, dwelling, with a total GIA of 75.5 sqm. Access to the unit will be provided through the existing communal residential access door which serves the upper floor of the property, this is located to the left hand side of the existing main shop entrance.
- 4.3. The internal layout comprises the main kitchen and living area on the ground floor, with two bedrooms (one double, one single) at lower ground level, each with en suite bathroom.
- 4.4. Light is provided at lower ground level through two lightboxes, located internally behind the existing window to the front of the unit.
- 4.5. Given the existing shop entrance recedes from the street, a frameless, glass balustrade is proposed to the front of this to provide a small area of amenity space for future occupants.
- 4.6. Waste/recycling provision will be as per the existing daily on street collection service.
- 4.7. The development is proposed to be car-free. A large store is provided at basement level which could house folding bicycles or electric scooters.

5. Planning Policy Context

5.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004:

“when making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”

5.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act, the Development Plan for the site comprises the following:

- London Plan (2021);
- LBC Local Plan (2017);
- LBC Site Allocations (2013);
- LBC Policies Map (2021).

5.3. Material considerations include: the National Planning Policy Framework (NPPF) (2019); Planning Practice Guidance (PPG); regional and local supplementary planning guidance/ documents (SPG/SPDs) including the Parkhill and Upper Hill Park Conservation Area Appraisal and Management Strategy (2011) and any other emerging policy and guidance and site specific circumstances.

6. Planning and Heritage Considerations

6.1. This section considers the proposals in relation to relevant planning policy context.

Principle of Development

Loss of Commercial Floorspace

6.2. In accordance with Camden's Policy TC3 'Shops outside of centres' the Council will only provide planning permission for the loss of a shop outside designated centres provided:

a) *"Alternative provision is available within 5 - 10 minutes' walking distance"*

- As demonstrated in Table 2 below there is significant provision of estate agencies within close proximity to the site.

b) *"There is clear evidence that the current use is not viable"*

- This is demonstrated through the high number of similar premises which are currently on the market in close proximity of the site (see Table 1). The site has also been marketed since April 2021, with no interest in uptake.

c) *"Within the Central London Area, the development positively contributes to local character, function, viability and amenity"*

- The site is not located within the Central London Area.

6.3. As such, the proposals conform to Policy TC3.

6.4. As the application site has potential to accommodate business premises Local Plan Policy E2 (Employment Premises and Sites) is considered relevant. Under Policy E2, LBC resists the loss of business premises and sites for non-business use, unless the following points can be demonstrated:

a) *"The site or building is no longer suitable for its existing business use"*

- There is an oversupply of similar commercial premises in the locality as demonstrated in Table 1. The site has been marketed since April 2021, with no uptake. There is a significant supply of alternative estate agents within the local area, as shown in Table 2.

b) *"The possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time"*

- As above, the site has been marketed for a range of uses since April 2021 with no uptake. This is representative of a number of commercial units in the local area, as outlined in Table 1. There is already a significant supply of estate agents within the local area, as shown in Table 2, so this use is no longer required. The site is located on the fringes of the Local Service Parade Centre, therefore, due to the local oversupply in premises is not a sought after location for an alternative business.

6.5. The ground and basement floors are currently used as an estate agency, located in an area comprising a mix of commercial and residential uses. The site is not located within a Primary or Secondary frontage, or a Neighbourhood Centre and as such, is not recognised by LBC as an important area for commercial or retail uses. In April 2002 planning permission has been granted for the partial change of use of the application site to residential (application reference: PEX0200559). It is also noted the neighbouring property at 76 Haverstock Hill gained permission in 2016 (reference 2016/1066/P) for the change of use of the ground floor retail unit (a vacant former estate agents) to a residential unit. This demonstrates a lack of demand for commercial units in this area and sets a precedent for the loss of commercial units.

6.6. A local availability search of commercial units has been carried out using Zoopla, which focuses on a 0.5 mile radius from the site. The commercial units identified within the local availability search are summarised in Table 1. This local availability search demonstrates that there is over 500 sqm of available commercial floorspace within 0.5 miles of the site. In addition, as highlighted in Table 2, there are already a high number of estate agents operating within the local area, with 11 situated less than 10 minutes' walk from the site, and a further 14 within a 10-20 minutes' walk.

Table 1

Unit Address	Existing Use	Size of Unit (sqm)	Distance from Site (miles)
75 Haverstock Hill	Retail	35	0.03
10 England's Lane	Retail	43	0.19
Chalk Farm Road	Retail	129	0.33
60 Chalk Farm Road	Retail	93	0.36
59 Chalk Farm Road	Restaurant/Café	n/a	0.37
76 Willes Road	Public House	58	0.49
29 Chalk Farm Road	Retail	49	0.5
195 Haverstock Hill	Retail	97.5	0.5

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Table 2

Address	Estate Agent	Walking Distance from Site (miles)
<i>Within 0.5 miles (10 minute walk)</i>		
2 Englands Lane, Belsize Park, London, NW3 4TG	Desres Estate Agents	0.16
2C England's Lane, Belsize Park, London, NW3 4TG	Knight Frank	0.17
5 Adelaide Road, Chalk Farm, London NW3 3QE	Stones Residential	0.24
38 England's Lane, Belsize Park, London, NW3 4TG	Kinleigh Folkard & Hayward	0.29
119 Regent's Park Road, London, NW1 8UR	David Birkett Estate Agents	0.3
161 Haverstock Hill, Belsize Park, London, NW3 4QT	Hamptons Estate and Letting Agents	0.4
19 Belsize Grove, Belsize Park, London, NW3 4TX	Hadleigh Residential	0.4
140 Gloucester Avenue, London, NW1 8JA	Ashtons Estate Agents	0.4
166 Regent's Park Road, London, NW1 8XN	John D Wood & Co. Sales and Letting Agents	0.4
79 Regent's Park Road, London, NW1 8UY	Savills	0.5
208 Haverstock Hill, London, NW3 2AG	Parkheath	0.5
<i>Within 1 mile (20 minute walk)</i>		
2 Fleet Road, London, NW3 2QS	Day Morris	0.6
49 Chalcot Road, London, NW1 8LS	Paul Lee & Company Lettings Agent	0.6
50 Chalcot Road, London, NW1 8LS	Jeremy Bass Estate Agents	0.6
189 Kentish Town Road, London, NW5 2JU	Olivers Town Estate Agents	0.7
27 Belsize Lane, Belsize Park, London, NW3 5AS	Heywoods	0.8
35 Belsize Lane, Belsize Park, London, NW3 5AS	Lexingtons Estate Agents	0.8
88 Belsize Lane, Belsize Park, London, NW3 5BE	Admiral Property Partnership	0.9

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The Hub, 8a Baynes Mews, London, NW3 5BH	Belsize Park Office Estate Agents	0.9
27 Parkway, London, NW1 7PN	Marsh & Pearsons	0.9
120 Parkway, London, NW1 7AN	Foxtons	0.9
67 Parkway, London, NW1 7PP	Hotblack Desiato Estate Agent	1.0
103 Parkway, London, NW1 7PP	London Residential	1.0
78 Parkway, London, NW1 7AN	Michael Charles Lettings	1.0
Northways Parade, 27A College Crescent, London, NW3 5DN	Blane Rosen & Co	1.0

6.7. Table 1 demonstrates that there is already a significant provision of available and surplus commercial floorspace in the immediate local area. Table 2 demonstrates that there are 25 estate agents in close proximity to the site demonstrating a surplus in demand for the local area. As a result the change of use of the application site into Class C3 (dwellinghouses) would not have an undesirable impact on the provision of such services in the area.

6.8. It is well reported that the retail sector has been struggling for a number of years with increasing rates of unit vacancy, now standing around 14% in comparison to 12% at the beginning of 2020. Estate agencies in particular are experiencing significantly lower levels of in-store demand given the number of online resources such as Rightmove and Zoopla which have taken a bigger share of the market. Similarly, working patterns within the industry have moved online, with staff working remotely. As a result of changing market trends the need for physical stores such as Naylius McKenzie's premises at the application site is reducing.

6.9. Finally, it is highlighted new permitted development rights (Class MA) are coming into place in August 2021 which permit the change of use from commercial uses (Class E) to residential use (Class C3), including within Conservation Areas. Class MA will require units to be vacant for 3 continuous months before submitting any application for prior approval. In the interests of retaining an active use, providing ongoing use for the site and reducing local vacancy rates, the current occupant is to remain in place until permission is granted for the change of use.

Introduction of Residential Uses

6.10. The conversion of the ground and basement at 74 Haverstock Hill will result in an uplift of one dwelling, contributing towards LBC's housing targets. LBC sets a target of 16,800 additional homes from 2016/17 –

2030/31, amounting to 1,200 new homes p/a, while the London Plan requires 10,380 across 10 years, amounting to a slightly reduced number of 1,038p/a. While this number is slightly lower, it is significantly higher than the recently superseded London Plan's target (889p/a), highlighting there is still a growing and pressing need for housing in the borough.

- 6.11. Within LBC's Policy H1, it states the Borough has a particular need and priority for self-contained homes, which make up two thirds of the need, given they provide the most flexibility to potential occupants. Self-contained housing is therefore the LBC's priority land use, with a need for all tenures including the private rented sector. Policy H1 further states vacant or underused sites which are suitable for housing in terms of accessibility are expected to be redeveloped for housing, unless the Plan seeks to protect existing uses on the site. While the existing use comprises a commercial use, which LBC aims to protect, the site is not within a Primary or Secondary frontage, or a Neighbourhood Centre and as such, is not recognised by LBC as an important area for commercial or retail uses. Additionally, the site is not needed to meet any plan priorities for the area, or identified for another use and it currently underused. The site is therefore considered suitable for conversion to a self-contained residential unit.
- 6.12. It is highlighted above the adjacent property at 76 Haverstock Hill gained planning permission in 2016 (reference 2016/1066/P) for the change of use of the ground floor retail unit (a vacant former estate agents) to a residential unit. This sets a precedent for the conversion of local commercial premises to residential.
- 6.13. Making effective use of underutilised land is a key aspect of local and national planning policy. This is demonstrated at paragraph 118 of the revised NPPF which states that planning policies should "*promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively*". Additionally, Policy H2 of the London Plan actively encourages the provision of new homes on small sites, recognising their important role in meeting London's housing needs and aiming to significantly increase their contribution. It is considered the proposals successfully align with these particular elements of the Framework. In light of the above it is considered that the principle of the proposed change of use is acceptable and accords with local and national planning policy.

Design and Heritage Statement

- 6.14. LBC's Policy D2 states that, in relation to development proposals within conservation areas, the Council will require developments to preserve, or where possible, enhance the character and appearance of the area and resist any demolition of a building that makes a positive contribution to the character of the conservation area. The building is not locally or statutorily listed, but is identified as a 'Positive Building' so it is understood to be a 'non-designated heritage asset' for the purposes of Policy D2. As such, any proposals must be weighed against public benefit of the proposal, balancing any harm or loss and the significance of the building.
- 6.15. The Parkhill and Upper Parkhill Conservation Area Appraisal describes the Haverstock Hill as one character area, comprising residential and commercial. It states the homogeneity of the street has been affected by contemporary designs and the streetscape character eroded by parking courts, dormers and loss of boundary walls. As shown within the submitted plans, minimal external alterations will take place as a result of the proposals, with the only changes being the addition of a 1.1 metre frameless glass balustrade in line with the shopfront, to providing optimum use and amenity space to the dwelling. The material has been chosen to ensure limited impact on visual amenity of the building and the Haverstock Hill character area. Given it is glass and frameless, the balustrade will have limited prominence and the ground floor will retain its appearance as a shopfront, which is important to the character of Haverstock Hill, while being put to a more viable use.
- 6.16. The proposals follow similar design principles to the adjacent property, 76 Haverstock Hill, where a similar scheme involving partial converting the ground floor to residential use and implementing a non-retail fronting Haverstock Hill has already been successfully implemented, following planning permission in 2016. The only alterations made to the shopfront from the retail use was the obscuring of the windows, with the whole shopfront retained to prevent any visual impacts on the character of the area. Similarly at no.74, the property retains its appearance as a shopfront, but still provides suitable residential amenity for occupants. The properties are shown side-by-side in Figure 1, which is taken from Google Street View, dated July 2019. This demonstrates how the conversion of no.74 to residential use will similarly retain the shopfront and protect the character and appearance of the locality.



Figure 1 - 76 & 74 Haverstock Hill (Google Street View, July 2019)

Amenity

Residential

- 6.17. LBC Policy A1 aims to protect quality of life of occupants of new developments, to include visual privacy and outlook, as well as levels of internal daylight/sunlight. As the proposals also include basement development, Policy A5 also applies, which permits basement development where it does not harm amenity.
- 6.18. The unit has been configured with the bedrooms at basement level, while the living space and kitchen are located at ground level, to ensure they receive the highest levels of natural light. This layout also maximises outlook to communal rooms, and limits outlook to bedrooms where privacy is sought.
- 6.19. Two internal south facing lightboxes are proposed behind the windows to provide light to the bedrooms. An Internal Daylight Assessment has been submitted alongside the application, which assess the basement level of the proposals using Average Daylight Factor (ADF) as prescribed by BRE guidance. In

order to be compliant, the proposals must reach a minimum of 1.00% target ADF. The report demonstrates the proposals exceed this, with the two bedrooms at basement level reaching 3.38% and 3.64%, making them acceptable and ensuring future occupants will enjoy a well-lit environment with a reduced need for artificial lighting.

- 6.20. The lightboxes will additionally improve residential amenity at ground level, as they will create screening behind the windows, to prevent any overlooking into the main living area from the street.
- 6.21. The unit exceeds the nationally described space standards for a 2-bed, 3-person dwelling across two floors, measuring 75.5sqm in total. The minimum standards require the unit to be at least 70sqm.
- 6.22. Given site constraints, the bedrooms at basement level will have limited outlook, however given they have high levels of natural light and exceed the minimum space requirements, this layout is considered to be the optimum in order to make best use of the existing premises and is considered to provide the best living environment for future occupants.

Neighbouring

- 6.23. LBC Policy A1 states that permission will be granted for development unless it causes unacceptable harm to amenity, including factors such as privacy and daylight/sunlight.
- 6.24. Given that the proposals represent only internal reconfiguration and the change of use of the existing premises to residential. It is considered that the proposals would not have any negative impact on amenity of both the existing residents of upper floors of No.74 or neighbouring premises.

External Amenity Space

- 6.25. A small area of amenity space is provided in the existing site entrance. While this area is limited, it is considered a benefit of the proposals, given the constrained nature of the site which would ordinarily be unable to provide any amenity space.
- 6.26. Whilst external amenity space is limited this is justified by virtue of the proposals exceeding minimum internal space standards by 5.5sqm. The site is also in close proximity to a variety of public open space including Talacre Gardens (600m / 8 minutes' walk) and Primrose Hill Park (800m / 10 minutes' walk).

Accessibility Statement

- 6.27. The change of use involves adapting a 19th century building to residential use and as such, is subject to existing site constraints. The communal entrance is stepped, and leads to a narrow corridor so is not adaptable for wheelchair use. It is possible to insert a ramp to the private entrance, however to be fully M4(2) compliant, a bathroom would be required ground floor level which would result in the loss of approx. 20.5sqm living space, reducing the quality of space for future occupants.
- 6.28. Due to the site constraints, Lifetime Homes also cannot be met as there is no level access and it would not be possible to provide a bedspace and bathroom at ground floor level, as well as a lift connecting the floors. This would significantly compromise the quality of the residential unit, creating a cramped space. As such, and given the context of the existing site, it is considered acceptable to provide a residential unit that does not meet M4(2) or Lifetime Homes, which will still contribute to Camden's housing need.

Highways and Parking

- 6.29. LBC Policy T2 requires all new developments in the Borough to be car-free. As a result of these policies, and the site's PTAL of 4, we consider that a car-free development is acceptable.
- 6.30. With regards to cycle parking, although no designated storage has been allowed for within the site boundary, there is significant internal storage within the proposed dwelling for the storage or folding cycles or scooters. There is also significant on-street provision of visitor cycle storage along Haverstock Hill (nearest located 20m from the site), as well as numerous Santander Bike Hire stations around Primrose Hill and Chalk Farm (500m / 6 minutes' walk). Furthermore we consider that there is scope for storing bikes within the unit.

Waste and Recycling

- 6.31. There is an existing on street daily collection service for waste and recycling.

7. Conclusions and Sustainable Development

- 7.1. This Town Planning Statement has been prepared on behalf of Sanchin Ltd to support a full application for the change of use of ground and basement floors from use as an estate agents (Class E(c)) to residential (Class C3), at No.74 Haverstock Hill.
- 7.2. We consider that the principle of the loss of the existing estate agents is acceptable based on the significant provision of estate agents within the local area, marketing evidence and the surplus of commercial properties on the market in the locality. The principle of residential use in this location is considered to be acceptable on the basis that the proposals result in an uplift of one residential unit compared to the existing situation, which will make a contribution towards LBC's housing targets. The approach also aligns with the NPPF which encourages proposals to make better use of underutilised land. The principle of the change of use is also shown to be acceptable along the adjoining terrace including at No.76 Haverstock Hill.
- 7.3. The design of the development has been developed to be sensitive to its Conservation Area setting, and to safeguard internal and neighbouring amenity. The only external works include introduction of a clear framed glass balustrade. As a result the proposals are not considered to have an adverse impact on the character of the host building and wider Conservation Area. Should it be considered that the proposals result in limited harm to these heritage assets the benefits of securing the optimum viable use of the site should be taken into account.
- 7.4. The proposal has been assessed against the planning policy context and has been found to be in accordance with National and Local planning policies and guidance. The presumption in favour of sustainable development set out in the NPPF therefore applies and planning permission should therefore be granted.

