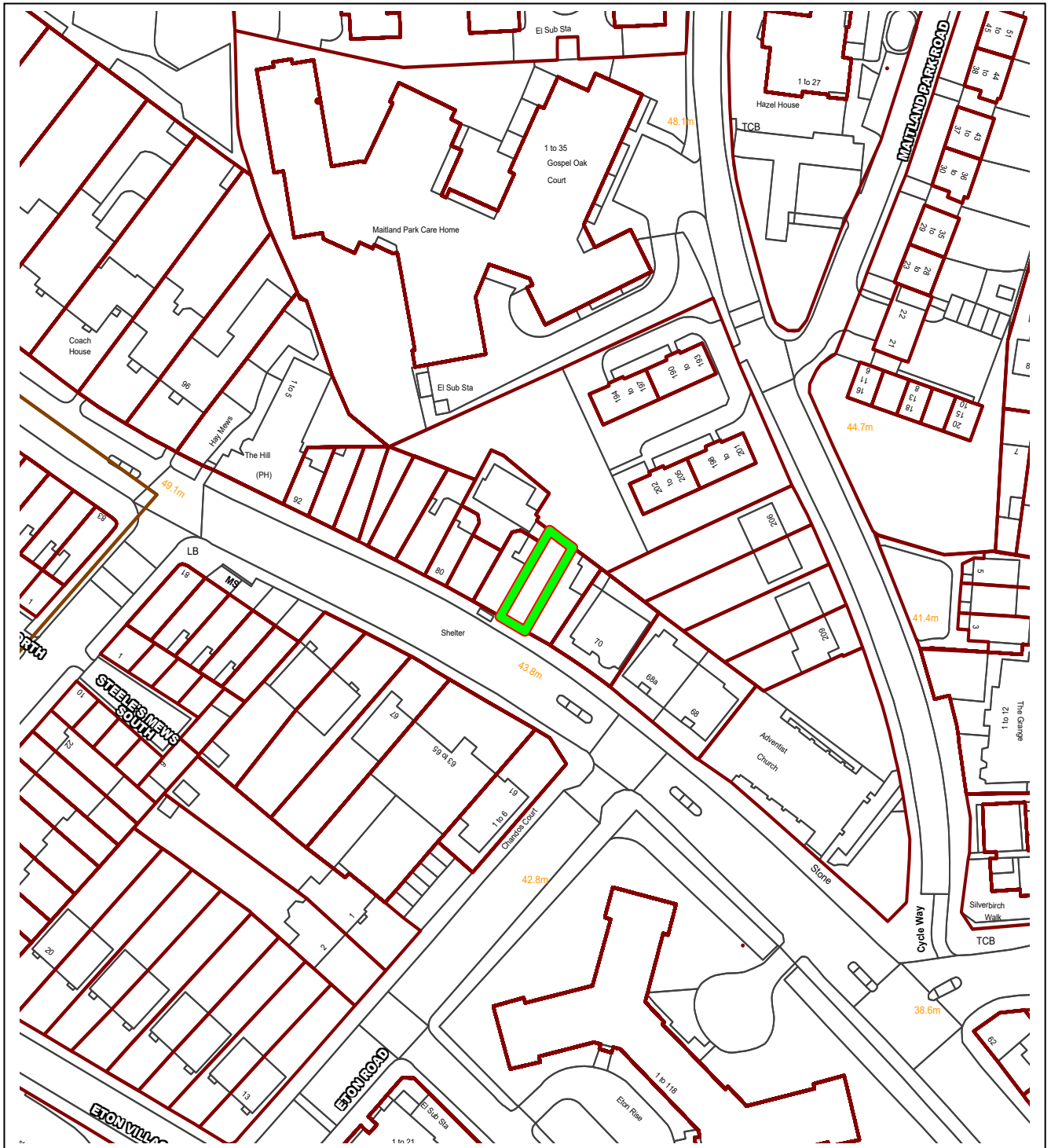


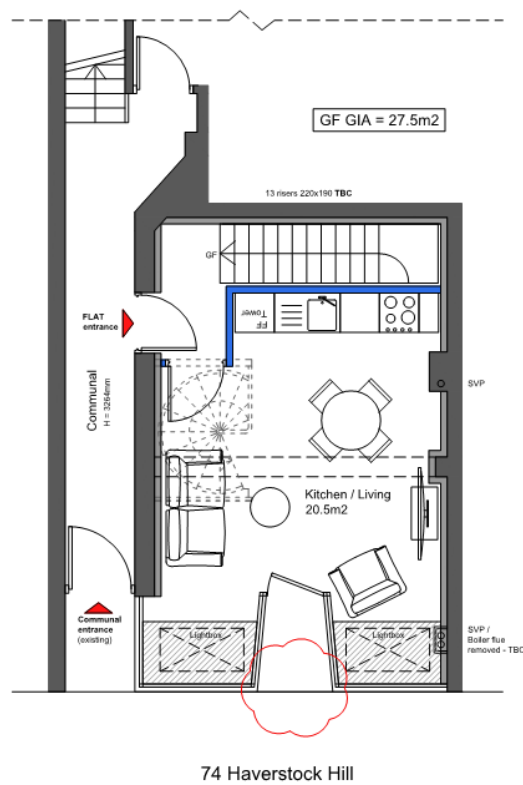
74 Haverstock Hill 2021/2817/P



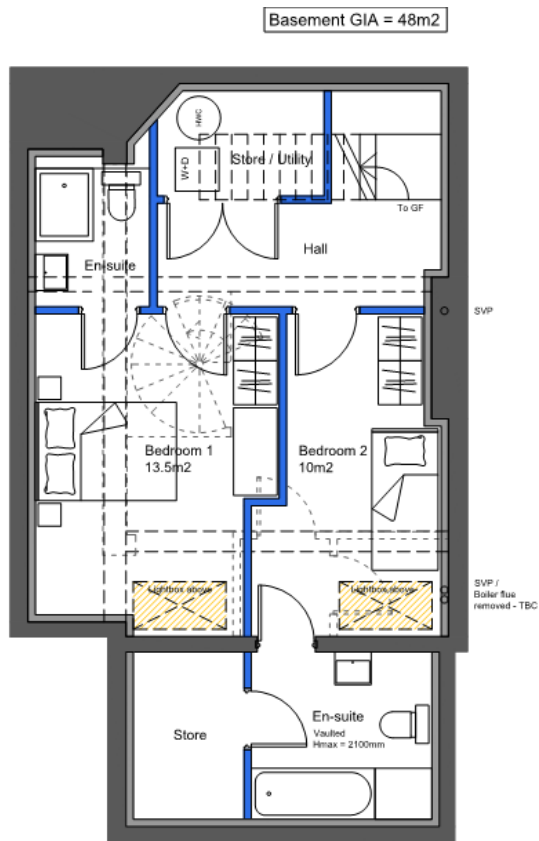
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1. Street view



2. Proposed ground floor plan



3. Proposed basement plan

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	05/08/2021
		N/A		Consultation Expiry Date:	15/08/2021
Officer			Application Number(s)		
Josh Lawlor			2021/2817/P		
Application Address			Drawing Numbers		
74 Haverstock Hill London NW3 2BE			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of basement and ground floor from estate agent (Class E (c)) to residential (Class C3) to provide a residential dwelling.					
Recommendation(s):		Grant Conditional Planning Permission Subject to S106 Agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	00	No. of objections	00
Summary of consultation responses:	Advertisement in Ham & High on 22/07/2021, expired 15/08 2021. Site notice displayed 22/07/2021, expired 15/08/2021. No representations received from local residents					
The Eton CAAC	<p>The Eton CAAC objected on the following grounds:</p> <p>Context:</p> <p>The property lies within the Parkhill Conservation Area and is not a listed building. It forms part of a parade of shops providing local convenience shopping and services to the surrounding residential community and is known locally as Steele’s Village. Residential is the predominant use above the ground floor shopping parade. These frontages including shop fronts and facias of the properties are largely original in form and architecture. Those immediately opposite on the other side of Haverstock Hill fall within the Eton Conservation Area, hence our interest in this application.</p> <p>It is noted that planning permission was granted in 2002 for use of the estate agents offices for residential.</p> <p>Comment:</p> <p>Steele’s Village is a successful parade of local shops and services well supported by the local community. The applicant’s Planning, Heritage and Accessibility Statement refers to</p> <ul style="list-style-type: none">• high number of similar premises which are currently on the market in close proximity of the site• a significant supply of estate agents within the local area <p>It would appear the applicant is not familiar with this particular parade of shops. We would refute the reference to a high number of similar premises on the market in Steele’s Village. Reference is made to 75 Haverstock Hill as vacant (on the opposite side of the road). This is a relatively recent vacancy and the only one in this parade. The Council [officers] will be aware that the property has been in continuous use as a local restaurant for many years, in the recent past as a well patronised Persian restaurant. Unfortunately, it appears to have been unable to survive the closure caused by three Covid related ‘lockdowns’ since March 2020. In addition, the application property is the only local estate and letting agent in this parade and the reference made to Hamptons at 161 Haverstock Hill is to a property located in Belsize Park (opposite the underground station) and serving a different area.</p> <p>As noted in the Council’s report of 16 July 2021 seeking approval for an Article 4 Direction covering certain parts of the Borough including ‘neighbourhood parades’ there is considerable pressure in the Borough for commercial and retail business use to change to residential use. It is also noted in the report that ‘Camden is a high value residential area’ and the value differential between the residential and commercial/retail uses increases the pressure for conversion to residential use in areas important to the continued economic success of the Borough including neighbourhood parades. This pressure for conversion to residential use threatens</p>					

	<p>to diminish the supply of local services, businesses and employment and undermine local amenity.</p> <p>Despite the Council's approval in 2002 for conversion of the ground and basement of the application property to residential use, this is no longer extant. The current proposal shows seriously compromised accommodation with poor daylighting at basement level and no external amenity space. Given the important contribution that this parade makes to the local community, through its convenience shops and services; cafes, pubs and restaurants and the overall vitality of the area it is important that the Council does not allow erosion of this neighbourhood parade.</p> <p><i>Officer's response: Please see background, land use and design/heritage section of the report</i></p>
Parkhill/Upper Park CAAC	<p>Object to proposed change of use from commercial to residential and loss of diversity of use in the area. Object to basement bedrooms and their reliance on light boxes for light and ventilation.</p> <p><i>Officer response: Please see background, land use, standard of accommodation and design/heritage sections of the report</i></p>

Site Description

No.74 Haverstock Hill is a 4 storey mid terraced building. The ground and basement levels are currently in use as an estate agent. The upper floors are in residential use. The ground floor frontages across the wider terrace are predominantly in commercial use.

The site is within Parkhill Conservation Area (CA) but this building is not statutorily listed. It is identified within the Parkhill and Upper Park Conservation Area Appraisal and Management Strategy as a 'Positive Building' in terms of its contribution to the CA.

The site is not within a designated Town Centre. The frontage is not a designated primary, secondary nor neighbourhood centre. The site is within Flood Zone 1, where the risk of flooding is low.

Relevant History

9003321 Erection of a mansard roof extension at fourth floor level, erection of an additional storey 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 **Granted 10/01/1991**

PEX0200559 The erection of a 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. **Granted 03/12/2002**

2003/3021/P Alterations to shopfront, involving repositioning of door nearer the pavement within the existing recess. **Refused 08/01/2004 and dismissed at appeal 01/09/2004**

2021/2818/P Installation of glass balustrades above first floor flat roof to create terrace facing Haverstock Hill. **Pending determination** (Recommended for refusal)

76 Haverstock Hill

2016/1066/P 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 **Granted 10/06/2016**

2014/5896/P Change of use from Office (B1) to 2 x residential units (C3) **Granted 14/05/2015**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan (2017)

- A1 Managing the Impact of Development
- D1 Design
- D2 Heritage
- D3 Shopfronts
- H6 Housing choice and mix
- H7 Large and small homes
- CC1 Climate Change Mitigation
- CC2 Adapting to climate change
- CC5 Waste

Camden Planning Guidance (CPG):

- Access for All CPG - March 2019
- Amenity - January 2021
- Design - January 2021
- Home improvements - January 2021

Assessment

1. The proposal and background

- 1.1. The proposal is for a change of use from Class E to one two bedroom flat (Class C3) arranged over ground and basement level. The living and kitchen area would be at ground floor and the bedrooms at basement level. The GIA would be 75.5 sqm. There would be two lightboxes to serve the bedrooms at basement level which are set behind the existing shopfront glazing. There are no external alterations proposed.
- 1.2. With effect from 1 August 2021, the change of use to C3 would be Permitted Development (PD) (subject to prior approval) provided that the Class E use or predecessors has been in place for at least 2 years, the cumulative floor area subject to such changes is under 1,500 sqm, and the property has been vacant for at least three months. The prior approval assessment is based on Transport & Highways, Contamination, Flood Risk, noise from commercial units affecting residents, natural light to all habitable rooms and if the conversion might affect business or similar in the area.
- 1.3. The Article 4 Directions that the council are introducing to withdraw the Class E to residential PD right covers designated centres. The premises and wider frontage are not in a designated centre and therefore would not be covered so could potentially change under the PD right if they become vacant for 3 months. The applicant has made clear that if an application is refused they would exercise their PD rights.

2. Revisions

- 2.1. The glazed balustrade to the front of the shopfront has been removed on officer's advice. The balustrade would have appeared incongruous within the shopfront and wider parade.

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
 - Land use (principle of loss of commercial estate agent (Class E))
 - Housing (including standard of accommodation)
 - The effects upon the character and appearance of the host property, and surrounding conservation area (Design and Heritage)
 - The effects on the residential amenities of neighbouring occupiers (Residential Amenity)
 - Transport

4. Land Use (loss of estate agents)

- 4.1. TC3 seeks to protect shops outside centres but only covers retail use (previously use class A1) so doesn't apply to an estate agent. There are no local plan policies to resist the principle of the loss of the estate agents in this non-designated frontage. As stated above the applicant could exercise a PD right for the change of use following a vacancy of three months. Therefore the proposed loss of the housing and the provision of new self-contained housing which is the boroughs priority land use (Policy H1) is considered acceptable in principle.

5. Housing (including standard of accommodation)

- 5.1. Policy H7 (Large and small homes) seeks to ensure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities, and seeks to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priority Table. The table identifies 2 and 3 bedroom market housing units as being high priority and 1 and 4 bedroom units as lower priority. The provision of one two bedroom unit would therefore comply with policy H7.
- 5.2. Local Plan Policy D1 (explanatory note 7.32) requires that all housing development is designed and built to create high quality homes. Local Plan Policy H6 states that the council will seek to secure high quality accessible homes. It will encourage all housing to provide functional, adaptable and accessible spaces and expect all self-contained homes to meet the nationally described space standard.
- 5.3. The new unit would have two bedrooms (3 person) with a gross internal area (GIA) of 75.5 sqm. This would comply with the required 70sqm with 2.5msqm of built in storage as per the Governments Nationally Described Internal space standards. The ceiling heights would be over 2.2m which is acceptable.

- 5.4. As mentioned above, the only assessment of the standard of accommodation within the Class MA prior approval relates to noise from commercial units affecting residents and natural light to all habitable rooms.
- 5.5. A Daylight and Sunlight report demonstrates that all rooms would pass the minimum recommended standards for Average Daylight Factor (ADF). Although served only by an internal lightwell, the bedrooms would have an ADF of 3.64% and 3.38% which is above the 1% requirement.
- 5.6. In terms of outlook, the ground floor would have an acceptable standard of views out. The basement floor would have no windows and rely on two lightwells located internally behind the existing window. This would not normally be considered acceptable, however since outlook would not be assessed under the Class MA prior approval and this is the applicant's fallback position, it is not considered a sufficient reason to refuse the application on this ground in this instance.

6. Design and Heritage

- 6.1. Section 72 of the Planning and Conservation Act 1990 requires that the local planning authority, in exercising their planning functions within conservation areas, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 6.2. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Policy D2 requires development to either preserve or enhance the character and setting of Camden's conservation areas.
- 6.3. There are no external alterations proposed which would require an assessment. The change of use to residential is considered to preserve the character and appearance of the frontage and wider conservation area.

7. Residential Amenity

- 7.1. Policy A1 of the Camden Local Plan seek to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.
- 7.2. The proposal involves no external alterations and as such, would not give rise to adverse impacts on neighbouring residential amenity.

8. Transport

- 8.1. Local Plan Policy T1 aims to promote walking, cycling and public transport use, and requires any new dwelling to provide secure, covered cycle parking. At least one covered, secure, fully enclosed and easily accessible cycle parking spaces would need to be provided in accordance with Policy T1, CPG Transport and Table 6.3 of the London Plan. The site is constrained but there is space at basement level for the storage of at least one bicycle.
- 8.2. Local Plan Policy T2 aims to mitigate the impact of new development on the transport network, and requires any new dwelling to be designated car-free. The new unit would be car-free in accordance with Policy T2, which includes limiting the availability of both off-street and on-street parking. This would be secured by a legal agreement and would prevent future occupiers from obtaining on-street parking permits.

9. Sustainability

- 9.1. The Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. The council will expect all developments to optimise resource efficiency.
- 9.2. A condition is imposed to require efficient water measures for the unit once the building is in use (110 litres per person per day). There is no plant equipment proposed as part of this application. Overall, the conversion of the ground and basement level is considered acceptable in sustainability terms.

10. Summary of Section 106 Planning Obligations

10.1. The following section 106 planning obligations and conditions would be required if planning permission is granted:

- Car-free development

11. Recommendation

11.1. Grant Planning Permission subject to S106 Agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 11th September 2021, 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: 2021/2817/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Email: Josh.Lawlor@camden.gov.uk
Date: 30 September 2021

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Savills
Savills
33 Margaret Street
London
W1G 0JD

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**74 Haverstock Hill
London
NW3 2BE**

Proposal: Change of use of basement and ground floor from estate agent (Class E (c)) to residential (Class C3) to a two bedroom residential dwelling.

Drawing Nos: 007-A, 009-A, 005, 001, 002, 004, 003, 007, 009, 006, 008.

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 The development hereby permitted shall be carried out in accordance with the following approved plans 007-A, 009-A, 005, 001, 002, 004, 003, 007, 009, 006, 008.

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

- 3 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 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 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

DRAFT

DECISION