

Delegated Report		Analysis sheet	Expiry Date:	26/10/2021
		N/A	Consultation Expiry Date:	04/12/2021
Officer			Application Number(s)	
Josh Lawlor			2021/4223/P	
Application Address			Drawing Numbers	
104 Mill Lane London NW6 1NF			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Replacement of shopfront by a brick façade with uPVC windows.				
Recommendation(s):	Refuse Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	04	No. of objections	04
Summary of consultation responses:	<p>One notice was displayed directly outside the site on Mill Lane on the 10/11/2021 (expiring 04/12/2021)</p> <p>5 Sington House, 33a Mill Lane, 101 Fordwych Road, 24 Brassey Road objected to the application.</p> <p>5 Sington House:</p> <ul style="list-style-type: none"> • out of keeping with the area and will be detrimental to the street scene. • I note the application states most recent use was residential. This is untrue as the ground floor has been a plant hire facility with 'shop windows fronting the street. <p>101 Fordwich Road:</p> <ul style="list-style-type: none"> • The proposal contains a pale minimalist attempt to match the brickwork of the whole parade's upper floors. The fenestration is short and wide whilst every other window in the street is tall and narrow. The front entrance bears no resemblance to the quality and dimensions of the immediately adjacent residential entrance at number 106A. • The development will result in the whole basement being part of a residential unit, but non-habitable. This is a waste of a valuable resource in Mill Lane and an invitation to a future owner/renter to break the law and use it for habitation. <p>24 Brassey Road:</p> <ul style="list-style-type: none"> • The proposal to replace the shop front on this property is very unsympathetic to the character of this length of Mill Lane which is a series of business uses and until recently this was used a tool hire shop. • Whilst it may not be possible to stop the conversion of retail units to residential this can at least be done in a positive manner, having a bedroom facing onto a busy road makes the proposed flat particularly unsuitable as a place to live. • Camden should insist on an improved proposal otherwise they are creating poor quality housing with storing up problems for the future. 			

**The Fortune Green
and West Hampstead
Neighbourhood
Forum**

The Fortune Green and West Hampstead NDF strongly objects to this application as it breaks several policies in the Neighbourhood Plan which was adopted by LB Camden in 2015.

“Mill Lane is recognised as an important commercial centre serving local needs and this application contravenes the entirety of NDP Policy 14 shown immediately below-

NDP Policy 14: Mill Lane Neighbourhood Centre Development (including changes of use) shall preserve or enhance the character of the Neighbourhood Centre and promote a diverse range of shops, businesses and economic activity. This shall be achieved, where appropriate by:

- Support for proposals to improve and restore the original character of shopfronts, including windows, signs and external fittings.
- Proposals to convert ground floor retail/business space into residential use will not be supported.
- Contributions to public realm improvements to improve the character of the Neighbourhood Centre, where applicable.

It also contravenes parts of Policy 2 – Design and Character

It will be the first ground floor frontage conversion from commercial to residential in a 200-metre parade of historical architectural significance and will put the commercial viability of the whole parade in jeopardy by setting a precedent for the loss of commercial premises.

In particular:

- Conversion to residential will also destroy the architectural character of the entire parade as the shop front will be removed.
- The design of the new frontage does not reflect the surrounding architecture, only partly because there is no other residential ground-floor residential unit in the arcade.
- It contains a pale minimalist attempt to match the brickwork of the whole parade’s upper floors.
- The fenestration is short and wide whilst every other window in the street is tall and narrow.
- The front entrance bears no resemblance to the quality and dimensions of the immediately adjacent residential entrance at number 106A.

The resulting external design looks entirely incongruous and unattractive. The development will also result in the whole basement being part of a residential unit but non-habitable. This is a waste of a valuable resource in Mill Lane and an invitation to a future owner/tenant to break the law and use it for habitation”.

Officer comment on landuse issue: The Council is unable to control the use change as this is ‘permitted development’ The history section below details the grant of ‘prior approval’ associated with the use change earlier this year.

Site Description

The property is a retail unit in the middle of a shopping parade. The site has a roller shutter front with fascia above. Above the retail unit are several residential flats. The existing frontage consists of three shop windowpanes with a window door separating them near the centre. The site is not located within a conservation area. It is located within the Fortune Green and West Hampstead Neighbourhood Plan area.

Planning History

2021/4184/P Conversion of ground floor retail unit to 2 x 1 bed flats under the GPDO Prior Approval Class MA Change of use of Class E to Class C3. **Deemed consent granted 22/10/2021**

Relevant policies

The National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan (July 2017)

- D1 Design
- D3 Shopfronts
- A1 Managing the impact from development

Fortune Green and West Hampstead Neighbourhood Plan (2014)

- 2 Design & Character

Camden Planning Guidance (CPG)

- [Design](#) - January 2021 – Chapter 6 Shopfronts

Assessment

1. Proposed Development

- 1.1 The proposed development will replace the existing shopfront with a bricked frontage that has 2 residential windows and a new front door to one side, as shown below.



1. Proposed front elevation

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- Design and impact on streetscene
- Residential Amenity.

3. Design

- 3.1. Policy D3 (shopfronts) of the Camden Local Plan 2017 states that the Council will expect a high standard of design in new and altered shopfronts. When determining proposals for shopfront development the Council will consider the existing character, architectural merit and design of the building and its shopfront. The Council will also consider the relationship between the shopfront and the upper floors of the building and surrounding properties, the general characteristics of shopfronts in the area and the degree of accessibility. The Council will resist the removal of shop windows without a suitable replacement. Policy D1 also requires development to positively contribute to the street frontage and respect local character and context. Policy 2 (Design & Character) of the neighbourhood plan requires 'All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead.'
- 3.2. Shopfronts should respect the design, character and proportions of the building within which they are situated and respect the character of the street; The materials and proportions of shopfronts should be sensitively chosen to be appropriate to the host building and surrounding context; Shopfronts should be designed to add visual interest, quality and vitality to the street scene
- 3.3. The existing shopfront is not of architectural merit, and it has a roller shutter which is not desirable; however, it is in keeping with the parade as it appears as a typical shopfront. It activates the ground floor because of its wide glazing and appears in keeping with the other shopfronts on the road. Shopfronts with glazing covering the entire ground floor frontage width are characteristic of this frontage- indeed there are no brick frontages on the ground floor with uPVC windows on this parade. The proposed brick frontage would create a solid and inactive frontage which would appear incongruous and irregular within the streetscene. The windows

are small and mean and out of proportion with fenestration on upper floors. The proposed PVC materials are also inappropriate in both visual appearance and sustainability and not supported by Council guidance on design. The entire character of the shopfront would be lost. The frontage is intrinsically unacceptable because of its materials, form and location. The brick frontage is therefore considered out of character and harms the relationship between the building and the wider street scene.

4. Residential Amenity

- 4.1. Policy A1 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. The factors the Council will consider are visual privacy, outlook, sunlight and daylight and overshadowing.
- 4.2. The location of the shopfront is set away from neighbouring windows would not unduly harm neighbouring occupiers' access to outlook, sunlight, or daylight, nor would it harm other residential amenities and refusal is not warranted on this basis

5. Recommendation

- 5.1. Refuse planning permission on design grounds-

The proposed ground floor façade, by reason of its inappropriate design, materials and form, is considered to be out of character with the adjoining terrace of properties and thus causes harm to the appearance of the host building and wider shopping parade, contrary to policies D1 and D3 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2014.