



PLANNING & HERITAGE STATEMENT

TO ACCOMPANY:

Full Planning Application

SUBMITTED BY:

The Gillett Macleod Partnership

TO:

London Borough of Camden Council

FOR:

Conversion of part office space to create 1 x 2-bedroom dwelling and 6 x studio flats; bike and waste storage; minor external alterations to rear

AT:

47 Heath Street, London, NW3 6UA

1.0 THE PROPOSAL

- 1.1 This application is submitted for the proposed conversion of part of the existing building which comprises a mix use with commercial to the ground floor and commercial and residential use to the upper floors at no. 47 Heath Street, London to create a 1 x 2-bedroom dwelling and 6 x studio flats; bike and waste storage; minor external alterations to rear.
- 1.2 The units will comprise
- 3 storey (incl. basement), 2-bedroom/4-person dwelling – GIA 98m²
 - Studio flat 1/1 person – GIA 39m²
 - Studio flat 2/1 person – GIA 38m²
 - Studio flat 3/1 person – GIA 39m²
 - Studio flat 4/1 person – GIA 38m²
 - Studio flat 5/1 person – GIA 39m²
 - Studio flat 6/1 person – GIA 38m²
- 1.3 Internal alterations are proposed to facilitate the conversion whilst external alterations consist of additional windows at first floor level which would overlook an existing flat roof light well to the rear of the building.
- 1.4 Bin and cycle storage would be provided at ground floor level within the confines of the building and would be accessed from Holly Hill.
- 1.5 Foxton's Estate Agents would retain a floor area of approximately 63m² at ground floor level and 68m² at basement level.
- 1.6 All work would be completed to a high standard in high quality matching materials to safeguard the appearance of the existing building and the wider conservation area and in order to provide high quality accommodation for future occupants.

2.0 SITE LOCATION & PROPERTY

- 2.1 The application site comprises a four-storey building with basement. Part of the ground floor is currently occupied by Foxtons Estate Agents with the remaining space falling vacant for several years.



Aerial view of the application site and surrounding area

- 2.2 The property is positioned on a prominent corner location and is within the Hampstead Conservation Area. The building is not statutorily or locally listed although it is within the setting of no. 49 Heath Street a Grade II Listed Building.



No. 47 Heath Street (Foxton's)

3.0 RELEVANT PLANNING POLICY

- 3.1 The following paragraphs provide a brief summary of the relevant local and national planning policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

National Planning Policy Framework (NPPF) 2021

- 3.2 The National Planning Policy Framework set out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this application.

Presumption in Favour of Sustainable Development

- 3.3 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Decision-making

- 3.4 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Delivering a sufficient supply of homes

- 3.5 Paragraph 60 explains that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Achieving well-designed places

- 3.6 Section 12 of the NPPF refers to design, with paragraph 126 describing how the Government attaches great importance to the design of the built environment, stating that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*
- 3.7 Paragraph 130 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Conserving and enhancing the historic environment

- 3.8 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 197 sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.9 Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 3.10 Paragraph 201 states that local planning authorities should refuse consent if a proposed development would lead to substantial harm to (or total loss of significance of) a heritage asset.
- 3.11 Paragraph 202 of the NPPF states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use.
- 3.12 Local planning authorities should look for opportunities for new development within conservation areas and world heritage sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements to the setting that make a positive contribution to the asset should be treated favourably.

The London Plan 2021

- 3.13 The council embraces the sentiments of the London Plan which sets a clear context for considering development needs at local level taking full account of the borough's character. Policies D1, D4, D6, H2 and HC1 are considered relevant.

Policy D1: London's form, character and capacity for growth

- 3.14 Understanding the existing character and context of individual areas is essential in determining how different places may best develop in the future.

Policy D4: Delivering good design

- 3.15 For residential development it is particularly important to scrutinise the qualitative aspects of the development design described in Policy D6 Housing quality and standards. The higher the density of a development the greater this scrutiny should be of the proposed built form, massing, site layout, external spaces, internal design and ongoing management.

Policy D6: Housing quality and standards

- 3.16 Housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

Policy H2: Small sites

- 3.17 Boroughs should pro-actively support well-designed new homes on small sites and for London to deliver more of the housing it needs, small sites below 0.25 hectares in size must make a substantially greater contribution to new supply across the city.

Policy HC1: Heritage conservation and growth

- 3.18 Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Camden Local Plan

- 3.19 The Camden Local Plan sets out the Council's planning policies and replaces the Core Strategy and Development Policies planning documents (adopted in 2010). The Local Plan will cover the period from 2016-2031. Policies G1, H1, H6, E1, D1 and D2 are considered relevant.

Policy G1: Delivery and location of growth

- 3.20 The Council will create the conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough.

Policy H1: Maximising housing supply

- 3.21 The Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31, including 11,130 additional self-contained homes

Policy H6: Housing choice and mix

- 3.22 The Council will aim to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs.

Policy E1: Economic development

- 3.23 The Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses.

Policy D1: Design

- 3.24 The Council will seek to secure high quality design in development. The Council will require that development (amongst other criteria):

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;

Policy D2: Heritage

- 3.25 The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

- 3.26 Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage

PRINCIPLE OF THE DEVELOPMENT

- 4.1 The National Planning Policy Framework (NPPF) is committed to the supply of new dwellings and sets out ways in which this can be achieved. The council is not able to demonstrate a five-year supply of deliverable housing sites and in this situation paragraph 11 of the NPPF is engaged.
- 4.2 Section 11 of the NPPF states that planning policies and decisions should promote and support the development of under-utilised 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 (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).
- 4.3 London Plan 2021 policy H2 (Small sites) states that boroughs should pro-actively support well-designed new homes on small sites and for London to deliver more of the housing it needs, small sites below 0.25 hectares in size must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority.
- 4.4 The supporting text of policy H2 states *“Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision.”*
- 4.5 The application site has a TfL PTAL rating of 4 thus indicating that the property is in a suitable location for conversion.
- 4.6 Local Plan policy G1 (Delivery and location of growth) states that the council will create conditions for growth to deliver homes, jobs, infrastructure and facilities to meet Camden’s identified needs. Policy E1 (Economic Development) states that the council will maintain a stock of premises that are suitable for a variety of business activities, for firms of differing sizes.
- 4.7 Whilst it is acknowledged that the council has introduced an Article 4 Direction to remove the right to convert offices to homes in this case as the majority of the floor space has been vacant for several years a mixed use that can increase the provision of much needed housing whilst retaining a commercial presence at street level should be supported.
- 4.8 Paragraph 2.13 of the Local Plan states that **“The Council will encourage the provision of a mix of uses in suitable locations** and expect development proposals of

an appropriate size in growth areas, Central London and the town centres of Camden Town, Finchley Road / Swiss Cottage and Kilburn High Road to contribute towards meeting Camden's pressing need for self-contained housing (see Policy H2 Maximising the supply of self-contained housing from mixed-use schemes for further guidance on mixed use). This reflects the designation of self-contained housing as the priority land use of the Plan (see Policy H1 Maximising housing supply for maximising the supply of self-contained housing)".

- 4.9 Therefore, given the council's current housing land supply the part conversion of the property to provide new self-contained housing should be supported in principle in accordance with the aims of national, regional and local planning policy subject to other material considerations.

5.0 HOUSING MIX

- 5.1 Local Plan policies H6 (Housing choice and mix) and H7 (Large and small homes) state that the council will seek to provide a variety of housing suitable for Camden's existing and future households having regard to household type, size, income and any particular housing needs.

- 5.2 The development proposes

- 1 x 2-bedroom/4-person unit
- 6 x 1-person studio flats

- 5.3 Policy H7 indicates that there is a need for studio flats and 2-bedroom dwellings and as a result the conversion would assist the council's aims in providing a variety of suitable housing.

- 5.4 In summary, the conversion would comply with Local Plan policies H6 and H7.

6.0 DESIGN AND IMPACT ON HERITAGE ASSETS

- 6.1 As the application concerns property within the Hampstead Conservation Area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 6.2 Section 16 of the NPPF sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability to ensure new development makes a positive contribution to local character and distinctiveness. Therefore, when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to

the asset's conservation and if a proposed development would lead to substantial harm, it should be refused.

- 6.3 London Plan policy HC1 (Heritage conservation and growth) states that development proposals affecting heritage assets and their settings should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.4 Local Plan policy D1 (Design) seeks to secure high quality design in development that respects local context and character; and preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).
- 6.5 The application site is situated in Sub Area One (Heath Street/Hampstead High Street) of the Hampstead Conservation Area. The property comprises a 4-storey building with basement which is not statutorily or locally listed; however, the site is classed as a '*building which makes a positive contribution*' in the Character Appraisal and is less than 10m from the Nationwide Anglia Building Society at no. 49 Heath Street which is a Grade II Listed Building.
- 6.6 To recap the conversion would only result in minor alterations to the rear of the building comprising of new window openings at first floor level overlooking the flat roof light well. The new installations would have wooden frames to match the style, glazing bars and openings of the existing fittings in the property and would be appropriate to the building's context and would not result in the loss of any historically significant or distinctive features.
- 6.7 Therefore, given the position of the alterations to the rear of the building the scheme would not undermine the building's contribution to the special interest and significance of the Conservation Area and the conversion would help to secure its future use and limit the risk of neglect.
- 6.8 As set out above whilst the property is in proximity of a Grade II Listed Building at no. 49 Heath Street the changes to the rear of the application building would not impact upon views of this heritage asset and as a result would not affect its setting or fundamentally compromise its significance.
- 6.9 Therefore, it is maintained that the proposed works would have a neutral impact on the host building and the wider Conservation Area, sustaining its significance and people's experience of its.
- 6.10 Any identified adverse impact would be extremely limited and would be balanced by bringing the vacant parts of the building back into permanent use thus improving the vitality of the area.

- 6.11 Overall, the proposed conversion would maintain the character and appearance of the property. The visual impact of the proposed alterations would be relatively localised and as a result the effect would not be harmful to the adjacent heritage asset or the setting of the Conservation Area as a whole.
- 6.12 In summary, the proposed development would be compliant with the aims of the NPPF, London Plan policy HC1 and Local Plan policies H1 and H2.

7.0 FUTURE LIVING CONDITIONS

- 7.1 Paragraph 130 f) of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.2 London Plan policy D6 (Housing quality and standards) requires housing development to be of high quality design and provide gross internal areas that comply with Table 3.1.

| Type | GIA | Complies |
|--|------------------|----------|
| 2-bedroom/4-person | 98m ² | Yes |
| Studio Flat 1/1 person unit with shower room | 39m ² | Yes |
| Studio Flat 2/1 person unit with shower room | 38m ² | Yes |
| Studio Flat 3/1 person unit with shower room | 39m ² | Yes |
| Studio Flat 4/1 person unit with shower room | 38m ² | Yes |
| Studio Flat 5/1 person unit with shower room | 39m ² | Yes |
| Studio Flat 6/1 person unit with shower room | 38m ² | Yes |

- 7.3 As set out above each unit would meet or exceed the expected minimum floor space standards. In addition, habitable rooms would benefit from an acceptable outlook and access to natural daylight and the scheme would provide a comfortable and functional layout which would be adequate for the proposed number of occupants.

- 7.4 In summary, the proposed development would provide future occupants with a good standard of living which would conform to the aims of the NPPF and London Plan policy D6.

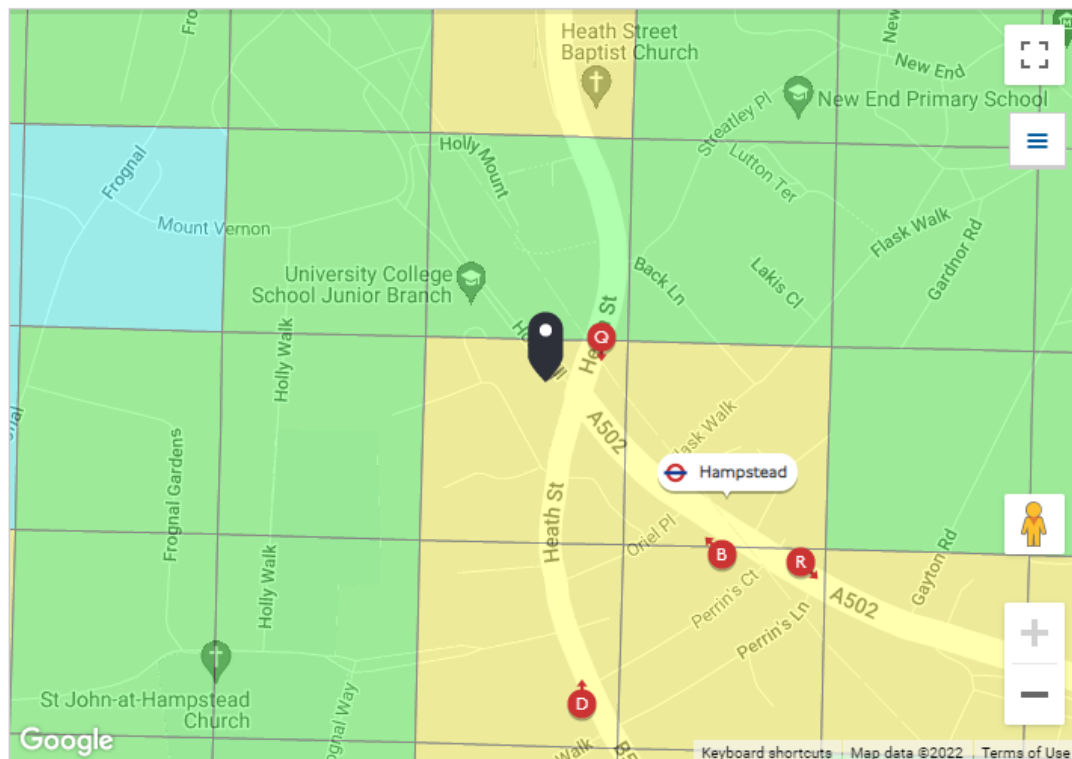
8.0 IMPACT ON NEIGHBOUR AMENITY

- 8.1 Paragraph 130 f) of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.2 Local Plan policy A1 (Managing the impact of development) states that the council will seek to protect the quality of life of occupiers and neighbours with factors considered including visual privacy, outlook; sunlight, daylight and overshadowing; noise and vibration.
- 8.3 The scheme does not propose any extensions and as a result the development would not result in a loss of outlook, sunlight, daylight or create overshadowing.
- 8.4 Although new window openings would be installed to the rear of the building these would not directly overlook any neighbouring properties and therefore privacy would be respected.
- 8.5 Whilst the development would result in an intensification in use of the site given the scale of the conversion and the total number of occupants proposed the scheme would not create any noise and disturbance which could be considered harmful to the amenities of neighbouring occupiers.
- 8.6 In summary, the development would be compliant with the NPPF and Local Plan policy A1 which collectively seek to protect the amenities of neighbouring occupiers.

9.0 PARKING AND HIGHWAY IMPLICATIONS

- 9.1 Paragraph 111 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 9.2 London Plan policy T5 (Cycling) requires developments to provide cycle parking in accordance with the minimum standards set out.
- 9.3 Local Plan policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car-free development) state that the council will limit the available of parking and require all new developments in the borough to be car-free to promote more sustainable methods of transport.

- 9.4 The application site has a PTAL rating of 4 and is approximately 25m from the entrance of Hampstead underground station. The site is also close to bus routes on Heath Street and Hampstead High Street.



You can click anywhere on the map to change the selected location.

PTAL output for Base Year

4

47 Heath St

47 Heath St, London NW3 6UA, UK

Eastings: **526356**, Northings: **185773**

- 9.5 Given the accessible location of the site a car-free development in this instance should be acceptable.
- 9.6 London Plan policy T5 (cycling) and Table 102. (Minimum cycle parking standards) require 1 cycle space per studio, 1.5 spaces per 2-person 1-bedroom dwelling and 2 spaces per all other dwellings.
- 9.7 The scheme proposes to provide 8 secure cycle spaces within the confines of the building which would meet the minimum standards required for 6 x studio flats and 1-2-bedroom dwelling.
- 9.8 In summary, the proposed development would not conflict with the aims of the NPPF, London Plan policy T5 or Local Plan policies T1 and T2.

10.0 CONCLUSIONS

- 10.1 The proposed development would support the Government's aims by making effective use of under-utilised land and buildings for new mixed-use development. The scheme would also help meet an identified need for housing, retain a commercial presence and thus improve the vitality of the centre.
- 10.2 The proposed sympathetic renovation and conversion of the building would preserve the character of the property and the setting of the adjacent Listed Building and wider Conservation Area.
- 10.3 The development would also provide a good standard of living for future occupants without impacting on the amenities of neighbouring occupiers.
- 10.4 In addition, the car-free scheme should be acceptable given the sustainable location of the site with adequate cycle and waste storage provided on site.
- 10.5 The NPPF states that decision-makers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. The proposed scheme would conform with national, regional and local planning policy and, for the above reason, it is politely requested that the application is approved.

23rd May 2022