

# 57 Hemstal Road – 2025/3654/P



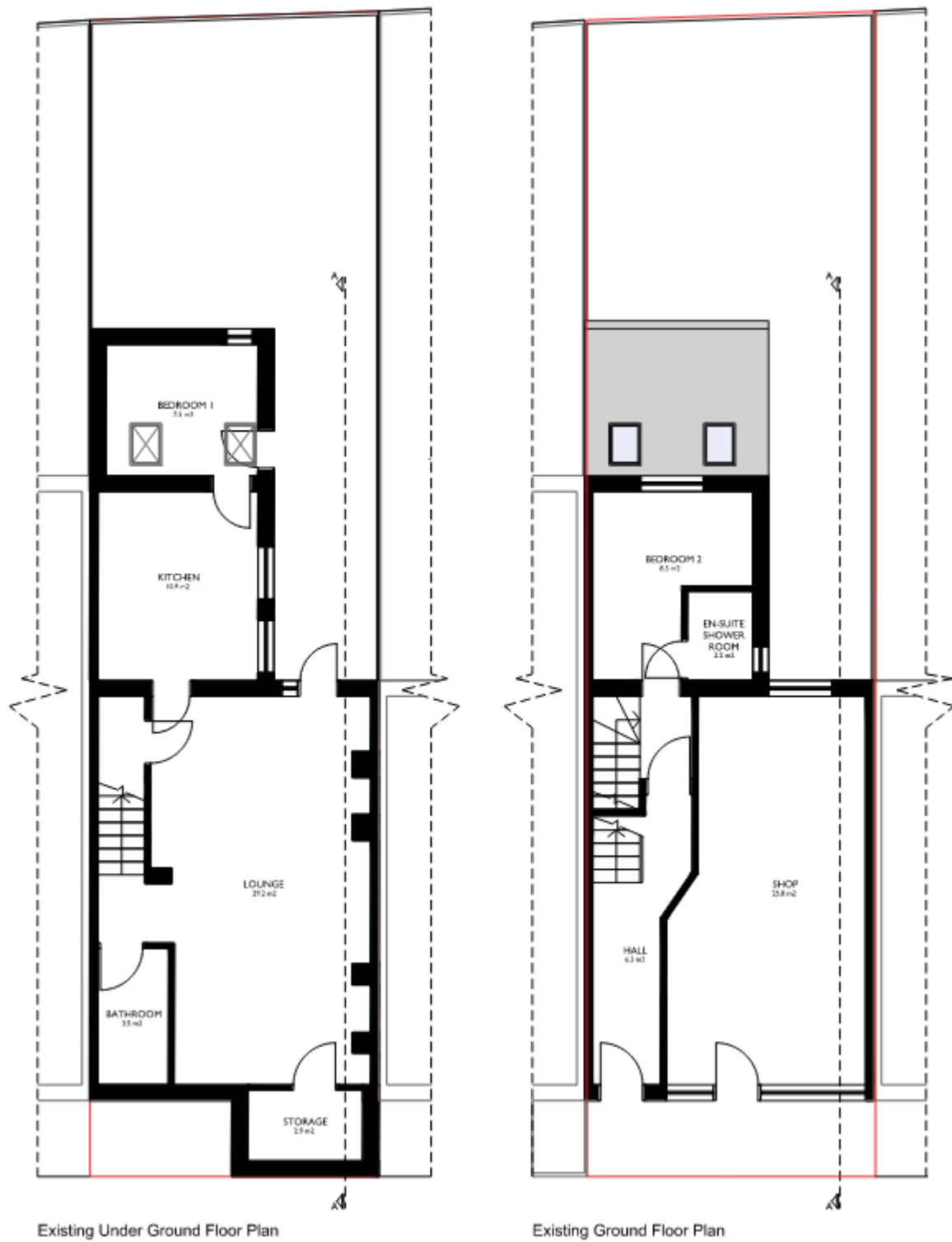


Figure 1. Existing floor Plans

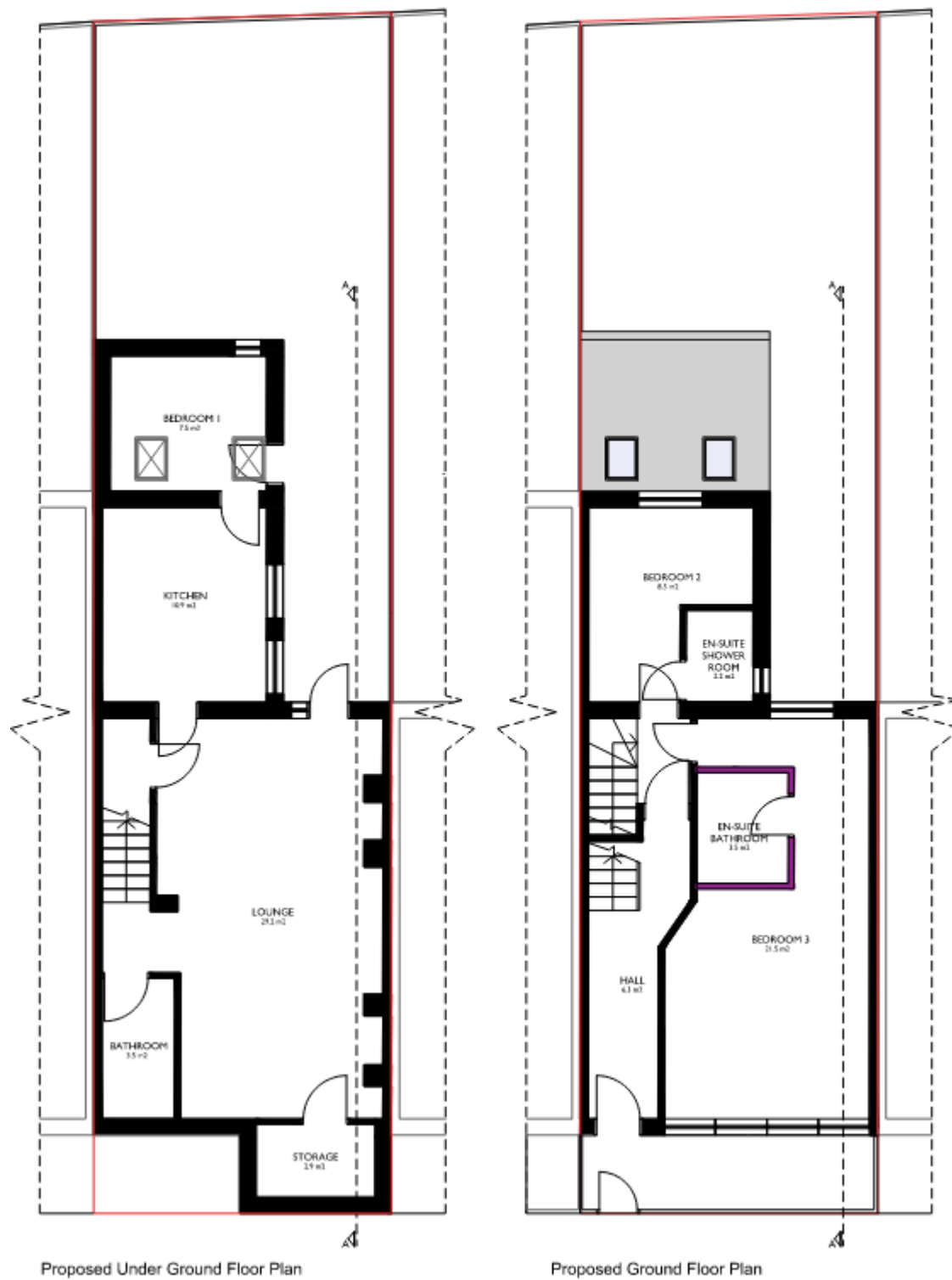


Figure 2. Proposed Floor Plans



Figure 3. Existing and Proposed Front Elevation

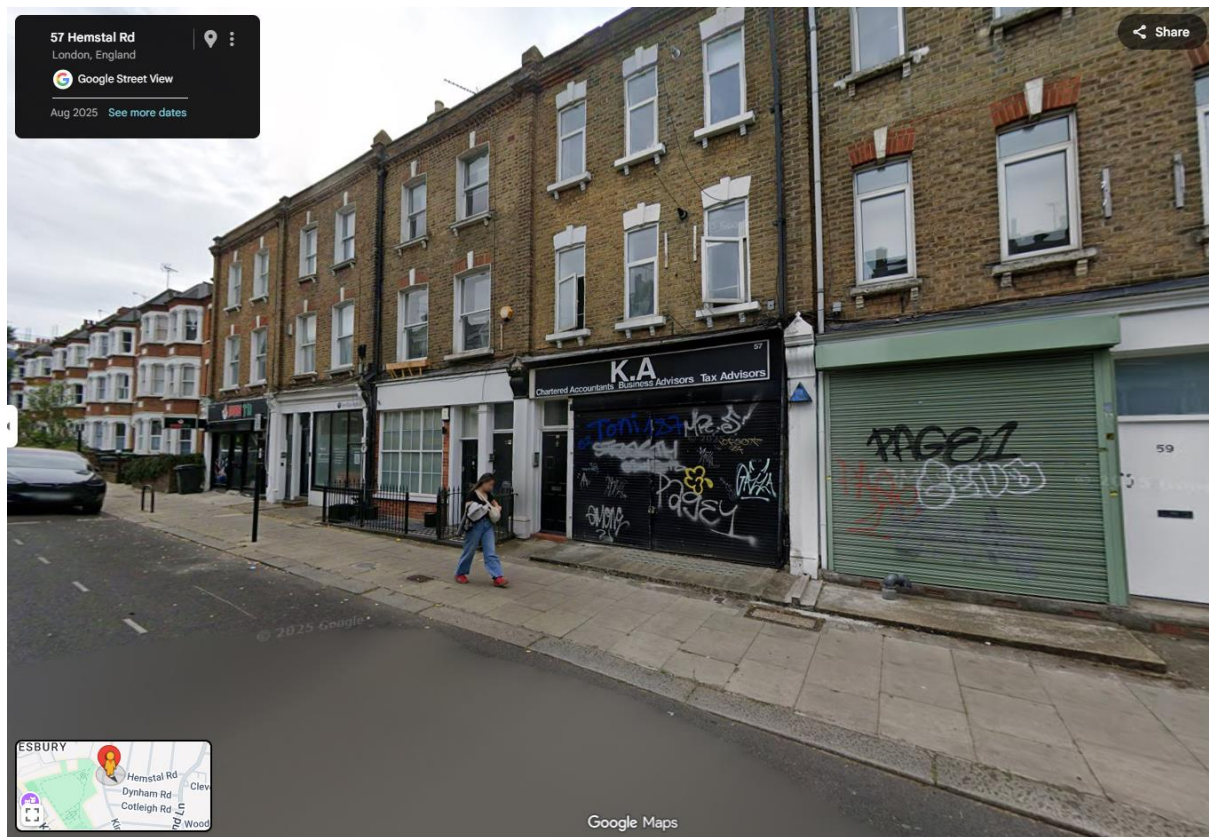


Figure 4. Streetview of existing commercial unit and surrounding streetscene

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		24/10/2025			
		N/A		<b>Consultation Expiry Date:</b>		04/10/2025			
<b>Officer</b>					<b>Application Number</b>				
Sarah White					2025/3654/P				
<b>Application Address</b>					<b>Drawing Numbers</b>				
57 Hemstal Road London NW6 2AD					See draft decision notice				
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>			
<b>Proposal(s)</b>									
Change of use of part of ground floor from Class E to Class C3 and amalgamation with the existing lower ground and ground floor residential unit and associated external alterations to front elevation and installation of front boundary treatment.									
<b>Recommendation:</b>		Grant conditional planning permission							
<b>Application Type:</b>		Full Planning Application							
<b>Conditions</b>		Refer to Draft Decision Notice							
<b>Informatives:</b>									
<b>Consultations</b>									
<b>Summary of consultation:</b>		A site notice was displayed near to the site on 10/09/2025 (consultation end date 04/10/2025).							
<b>Adjoining Occupiers:</b>		No. of responses		00		No. of objections		00	
		No responses were received from adjoining occupiers.							
<b>Fortune Green and West Hampstead Neighbourhood Forum</b>		<p>The Fortune Green and West Hampstead Neighbourhood Forum objected to the proposal as follows:</p> <ol style="list-style-type: none"> <li>Application reference of a similar application is provided within the design and access statement is incorrect.</li> <li>The Neighbourhood Plan seeks to retain existing employment sites, and the Neighbourhood Forum is aware of the continued danger of</li> </ol>							

losing local shops in ground floor premises as the loss of commercial premise is never likely to be reversed.

3. There are a mix of commercial, shops, services and residential units at ground floor level along this parade.

Officers' response:

1. *This error is noted.*
2. *Refer to section 3 'Principle of development'*
3. *Officers are aware of the varied uses at ground floor level along this parade.*

## Site Description

The application site is located on the southern side of Hemstal Road, near the intersection with Kingsgate Road. The site comprises a three-storey over basement mid-terrace property, with a commercial unit at the front of the ground floor level, and the remainder of the property in residential use.

The site is not located within a conservation area, nor is it listed or locally listed. The site is located within the Fortune Green and West Hampstead Neighbourhood Plan area.

The site forms part of a small parade of ground floor commercial units, some of which have been converted to residential units, with residential units on the upper floors.

## Relevant History

### Application site

**2018/0090/P** – Erection of rear extension at lower ground and ground floor level. **Granted** on 13/03/2018.

**2017/4933/P** – Proposed erection of part two storey and part single storey ground floor and lower ground floor rear extension including rear roof terrace. **Refused** on 01/12/2017 for the following reasons:

1. *The proposed rear extensions at ground and lower floor level, by reason of their scale, massing, siting and detailed design, would fail to appear as subordinate additions to the host building, harming the character and appearance of the host building and surrounding area, contrary to policy D1 of the Camden Local Plan 2017 and policy 2 of the Fortune Green & West Hampstead Neighbourhood Plan 2015.*
2. *The proposed development, by reason of the siting and scale of the rear extension and terrace, would appear as a visually obtrusive and prominent addition to the property which would result in an increased sense of enclosure, loss of light and overlooking of the adjacent properties to the detriment of their residential amenity contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.*

### Neighbouring sites

#### *55 Hemstal Road*

**2013/1319/P** – Alterations to shopfront and enlargement of front lightwell in association with the change of use of the basement and ground floors from shop (Class A1) to two-bedroom flat (Class C3). **Granted** on 14/08/2013.

**2013/6559/P** – Change of use of retail unit (Class A1) to 1 x 2 bed unit (Class C3) at ground and basement level, together with single storey rear infill extension with terrace above, enlargement of front lightwell with railings and alterations to shop front. **Granted** on 11/04/2014.

*59 Hemstal Road*

**2024/4161/P** – Proposed change of use of ground floor commercial unit from (Class E) to residential (Class C3); associated alterations to shopfront. **Refused** on 11/06/2025 for the following reasons:

1. *The proposed development involves the loss of an existing viable business use contrary to Policy E2 (Employment premises and sites) of the Camden Local Plan 2017.*
2. *The proposed new residential unit, lacking clarity on the unit size and GIA, is considered to provide poor quality of accommodation for future occupiers, contrary to Policies D1 (Design) and H6 (Housing choice and mix) of the Camden Local Plan 2017.*
3. *The proposed development, in the absence of a legal agreement securing car-free housing, would contribute to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*
4. *The proposed development, in the absence of a legal agreement securing cycle parking contribution £720 towards the provision of 1 spaces in a bike hanger to be provided within the vicinity of the site, would fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*

*Dismissed at appeal on 04/11/2025.*

*63 Hemstal Road*

**2012/3071/P** - Use of lower ground and ground floor unit as self-contained flat (Class C3). **Granted** on 21/08/2012.

*65 Hemstal Road*

**2011/2102/P** – Erection of roof extension, alterations to windows and doors at ground floor level onto Kingsgate Road and Hemstal Road, new railings to lightwell on Hemstal Road, new window at rear second floor level and works of conversion in connection with change of use from offices and 2 x 2-bedroom flats to 4 x 2-bedroom flats over basement to third floor level (Class C3). **Allowed on appeal** on 06/01/2012.

## **Relevant policies**

### **National Planning Policy Framework (2024)**

### **The London Plan (2021)**

### **Camden Local Plan (2017)**

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

### **Fortune Green and West Hampstead Neighbourhood Plan**

- 2 Design and character
- 12 Business, commercial and employment premises and sites



## **Camden Planning Guidance:**

- CPG Amenity (2021)
- CPG Design (2021)

## **Draft Camden Local Plan**

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The Proposed Submission Draft Camden Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector.

Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.

The Proposed Submission Draft Local Plan is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

## **Assessment**

### **1. The Proposal**

- 1.1. The application seeks planning permission for the change of use of the ground floor front unit from Class E to Class C3 and the subsequent amalgamation with the existing lower ground and ground floor residential unit.
- 1.2. The Class E unit has a GIA of 29.2 sqm and is currently vacant. The unit has experienced long periods of vacancy over the last 10 years, with the following occupancy record confirmed by Council's Business Rates team:
  - Vacant: 26 May 2025 to present (late November 2025)
  - Occupied: 27 January 2021 to 25 May 2024 - the unit was occupied by an online-only sweet shop with no walk-in customers.
  - Vacant: 30 December 2015 to 26 January 2021
  - Occupied: Pre-30 December 2015 the unit was occupied by an accountancy / tax advisory business
- 1.3. The existing residential unit comprises a bedroom, kitchen, lounge and bathroom at lower ground floor level and another bedroom with an ensuite at the rear of the ground floor level. The Class E unit would be converted to an additional bedroom with an ensuite and amalgamated with the existing residential unit.
- 1.4. The proposal also includes external alterations to the shopfront comprising the replacement of the existing door and windows with new windows. It is also proposed to install a new black metal fence along the front boundary of the site.

### **2. Assessment**

- 2.1. The principal considerations material to the determination of this application are as follows:
  - Principle of development
  - Design
  - Standard of accommodation
  - Neighbouring Amenity

- Transport
- Biodiversity Net Gain (BNG)

### **3. Principle of Development**

- 3.1. The use of the application site has varied over the past 10 years, and it has experienced extended periods of vacancy as noted above. Its most recent use was by an online-only sweet shop with no walk-in customers and before this, it was occupied by an accountancy/ tax advisory business. Therefore, whilst it is now a Class E unit, it would have historically operated primarily as an A2 use (financial and professional services) and has not been used as a shop (A1) or traditional offices (B1a) for over 10 years.
- 3.2. Paragraph 5.5 of the Local Plan makes it clear that the business and employment policies refer to the following use classes: B1, B2, B8 and other unclassified uses of similar nature, such as depots or building merchants (classed as Sui Generis). Therefore, policies E1 and E2 would not be applicable in this context.
- 3.3. The Town Centre policies within the Local Plan apply to various uses inside and outside of town centres. The application site is not located within any town, local or neighbourhood centre or along any identified frontage. Policy TC3 relates to shops outside of centres, however this primarily relates to historically A1 uses (shops), which is not applicable in this instance.
- 3.4. Therefore, the policy of most relevance would be Policy 12 of the Fortune Green and West Hampstead Neighbourhood Plan which relates to business, commercial and employment premises and sites. The policy outlines a presumption in favour of retaining existing employment sites.
- 3.5. As evidenced by the vacancy history of the site, the applicant has struggled to retain the site in employment use. The site has only been occupied for just over 3 years over the past 10-year period. The Marketing Report submitted in support of the application clearly demonstrates that demand for a small unit in this location is limited and long-term commercial prospects for this property as a retail unit are constrained. This is primarily due to the location away from main roads and other commercial area, and the limited space within the unit.
- 3.6. Given that the retention of the unit for a business use has clearly been shown to be unviable, officers consider the conversion of the commercial unit into additional residential space to be acceptable in this instance.

### **4. Design**

- 4.1. Policy D1 states that Council will seek to secure high quality design in development. The Council will require that development respects local context and character and comprises details and materials that are of high quality and complement the local character. Policy D3 expects a high standard of design in altered shopfronts.
- 4.2. The proposed changes to the shopfront include replacement of the existing windows and door with new windows, with the retention of the existing fascia, corbels and pilasters. The treatment of shopfronts along this short parade is varied and the proposal would largely match the neighbouring unit at No.55 Hemstal Road. The changes would create a more residential appearance on this front façade, with smaller windows which would be obscured to increase privacy for occupants. Overall, the changes are considered acceptable in the context of the existing streetscene. No details of the windows have been provided and therefore a condition has been included to require submission of these details prior to commencement of works, to ensure that they are sympathetic to the host property and character of the streetscene.
- 4.3. The installation of a small black metal boundary railing would also match the neighbouring site at No.55 and thus would not appear out of context with the streetscene.

- 4.4. In summary, with the submission of further design details, the proposed changes to the front elevation are considered acceptable and would not cause harm to the character or appearance of the host property or wider streetscape.

## **5. Standard of accommodation**

- 5.1. Policy D1 expects developments to provide a high standard of accommodation. Policy D6 of the London Plan sets out a range of housing quality standards, in addition to minimum space standards. The amalgamated residential unit would comprise x1 double bedroom and x2 single bedrooms across two levels and therefore would be required to have a minimum GIA of 84 sqm. The proposed unit would have a GIA of approximately 90 sqm and would meet all of the other spatial requirements in terms of size and dimensions of bedrooms, built-in storage and minimum floor to ceiling heights. The additional bedroom would be provided with adequate levels of light and outlook, being dual aspect. Overall, the amalgamated unit would provide an acceptable standard of accommodation.

## **6. Neighbouring Amenity**

- 6.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for 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.
- 6.2. The proposal does not include any extensions, with the only external works proposed being those to the shopfront elevation and the boundary treatment. These works would not result in any amenity impacts for adjoining occupiers. Additionally, the proposal would create additional space within an existing residential unit, thus there would be no increased noise and disturbance impacts from the proposed change in use.

## **7. Transport**

- 7.1. The proposal would not result in an additional dwelling, but rather an increase in size of the existing, thus it is not necessary to secure additional cycle parking or a car-free development. Additionally, as construction works would be limited to the internal fit out and shopfront elevation, there is no requirement for a construction management plan to be submitted and approved.

## **8. Biodiversity Net Gain (BNG) requirements**

- 8.1. Biodiversity Net Gain (BNG) requirements came into effect for small sites on 02 April 2024. It is important to note that this development is not subject to Biodiversity Net Gain (BNG) requirements as it is below the de minimis threshold. An informative has been added to the decision notice in relation to Biodiversity Net Gain and the Applicant's obligations.

## **9. Recommendation**

- 9.1. Grant planning permission subject to conditions.

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15<sup>th</sup> December 2025, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.*

Application ref: 2025/3654/P  
Contact: Sarah White  
Tel: 020 7974 5213  
Email: [sarah.white@camden.gov.uk](mailto:sarah.white@camden.gov.uk)  
Date: 8 December 2025

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

Phone: 020 7974 4444

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[www.camden.gov.uk](http://www.camden.gov.uk)

HOMZ UK  
170 Kennington Lane  
London  
SE11 5DP

# DRAFT

Dear Sir/Madam,

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**57 Hemstal Road**  
**London**  
**NW6 2AD**

Proposal: Change of use of part of ground floor from Class E to Class C3 and amalgamation with the existing lower ground and ground floor residential unit and associated external alterations to front elevation and installation of front boundary treatment.

Drawing Nos: H-0340-01 V2; H-0340-02 V2; H-0340-03 V2; H-0340-04 V2; H-0340-05 V2;  
Design, Access and Planning Statement (Homz, 06/08/2025); Marketing and Viability  
Statement (Homz, 06/08/2025); Marketing Report (Samson Consultants, 12/11/2025);  
Existing site photographs.

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:

H-0340-01 V2; H-0340-02 V2; H-0340-03 V2; H-0340-04 V2; H-0340-05 V2.

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

- 3 Before the relevant part of the work is begun, detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

#### Informative(s):

- 1 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.
- 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 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](http://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.

4 Biodiversity Net Gain (BNG) Informative (1/3):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

5 Biodiversity Net Gain (BNG) Informative (2/3):

+ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
  - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
  - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
  - The application is a Householder Application.
  - It is for development of a "Biodiversity Gain Site".
  - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
  - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (3/3):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

+ The effect of section 73(2D) of the Town & Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

+ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer