

## PLANNING STATEMENT

**SITE- BASEMENT AND GROUND FLOOR -162-164 FINCHLEY ROAD LONDON  
NW3 5HE**

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**PROPOSAL- SUBDIVISION OF EXISTING OFFICE CLASS E INTO TWO OFFICE  
UNITS CLASS E AND FORMATION OF NEW ENTRANCE**

## INTRODUCTION

The application relates to the Basement and Ground Floors of an existing four-storey building located on the corner of Finchley Road and Frognal.

The property is in mixed use as commercial and residential. The part of the building to which the proposal relates has a lawful use as a Class E offices and currently vacant.

The building is neither listed nor located within Conservation Area.

The area is characterised by a mix of commercial and residential uses, with one elevation facing a busy road and the other leading towards a residential area.



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## The Proposals

The application includes existing and proposed floorplans and elevations.

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The submitted drawings indicate the extent of the proposed work which comprises internal works, the only external alteration being the creation of a modest additional entrance to serve the 2<sup>nd</sup> of the two office units.

## The Lawfulness of The Proposed Development

Planning permission is only needed if the work being carried out meets the statutory definition of ‘development’ which is set out in section 55 of the Town and Country Planning Act 1990.

‘Development’ includes:

- building operations (eg structural alterations, construction, rebuilding, most demolition);
- material changes of use of land and buildings;
- engineering operations (eg groundworks);
- mining operations;
- other operations normally undertaken by a person carrying on a business as a builder.
- subdivision of a building (including any part it) used as a dwellinghouse for use as 2 or more separate dwelling houses

**The categories of work that do not amount to ‘development’ are set out in section 55(2) of the Town and Country Planning Act 1990.**

These include, but are not limited to the following:

- **interior alterations** (except mezzanine floors which increase the floorspace of retail premises by more than 200 square metres)
- **building operations which do not materially affect the external appearance of a building. The term ‘materially affect’ has no statutory definition but is linked to the significance of the change which is made to a building’s external appearance.**
- a change in the primary use of land or buildings, where the before and after use falls within the same use class.

The internal works involve general refurbishment, reconfiguration of the existing space including partitions and installation of a staircase to enable convenient connectivity between basement and ground floor for both office units.



The only external alteration relates to the formation of a modest entrance to serve Unit 2 which requires a minor adjustment to a small part of the existing shopfront.

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In our submission this alteration will be barely noticeable and will not materially affect the external appearance of the building.

Accordingly, we respectfully request the Certificate sought is issued confirming the proposed works do not constitute development.

**SJP/27/11/23**

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