353-359 Finchley Road NW3 6ET 2024/0819/P



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Site photos & Plans - 353-359 Finchley Road - 2024/0819/P



Figure 1: Application site showing the southern elevation where the proposal is located.



Figure 2: Application site showing the southern elevation where the proposal is located in the view of a road user travelling north being hindered by the mature street tree.



Figure 3: Application site showing the southern elevation where the proposal is located in the view of a road user travelling north being hindered by the two mature street trees.



Figure 4: Long distance view of the application site in the view of a road user travelling north.



Figure 5: Flank elevation viewed from the application site.

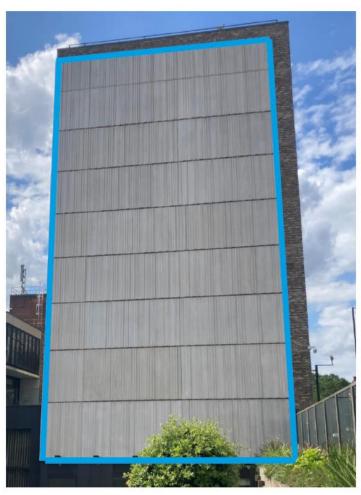


Figure 6: Blue outline demonstrating location of proposed works.

The scope of the works is the Installation of a, key-clamp system, and banner 26,400 x 14,200mm

Frame: Fixings- base plates fixed with M12 resin bolts (fig 1), steel tubing and key clamp couplers (fig 2): Comprises of scaffold tube & closed couplings, Frame extends 300mm out from the building & must be braced every 2m. A wire rope will be installed around the perimeter of the frame through the base plates as shown in (fig 3) Banner will be fitted to wire rope using 10mm shock cord bungee and carbines.

Cutting of framework will be onsite using a Cordless Reciprocating Saw fittings will be fixed using battery operated drills attached to lanyards.





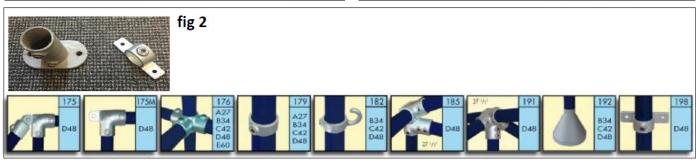


Figure 7: Description of proposed works.



Figure 8: Mock up of what the proposal may appear as on the flank elevation.

Delegated Report	Analysis sheet N/A / attached		Expiry Date:	25/04/2024	
(Members Briefing)			Consultation Expiry Date:	01/06/2024	
Officer		App	lication Number	r(s)	
Alex Kresovic		2024/0819/P			
Application Address		Drawing Numbers			
353-359 Finchley Road London NW3 6ET		See draft decision notice			
PO 3/4 Area Team Signature C&UD		Authorised Officer Signature			
Proposal(s)					
Erection of permanent metal frame	e adjacent to tower for the d	lisplay (of temporary artw	vork.	
Recommendation(s): Grant Conditional Planning Permission					
pplication Type: Full Planning Permission					

Conditions or Reasons for Refusal:						
In f a man a three a	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. of responses	06	No. of objections	05		
	Site Notice: displayed 08/05/2024, expired 01/06/2024.					
	Five (5) objections were received from neighbouring occupiers. Concerns arising from the objections are summarised below:					
Summary of consultation responses:	 Applicant has had pre-application advice for this. Why is the report not available to the public in the website documents? This would be an enormous lit distraction to the neighbours of JW3 who would have to put up with the illumination, into our flats, and of course a huge distraction to motorists driving along both Finchley Road and Arkwright Road. A smaller advert application was refused in 2018. This is a residential area, and we should not be submitted to huge and unsightly hoardings. The site borders onto a conservation area. The wall that they propose to use is on a very lovely and aesthetically pleasing building. This would be a disaster for the building and its surroundings. Hideous intrusion of our outlook from our upmarket apartments. This is neither a Las Vegas strip nor a shopping mall and will greatly impose and detract from the nature of our residential living. 					
	 A pre application was submitted under ref: 2022/0337/INVALID for the 'installation of a digital outdoor EMPENA billboard 6x3m attached to the building at 353-359 Finchley Road', however this application was made invalid and then withdrawn. No advice was provided. The application is for the 'Erection of permanent metal frame adjacent to tower for the display of temporary artwork'. The application artwork will not be lit, and this will be secured by way of a planning condition. The application is not for an advert. The refused application related to an illuminated advert screen, which is not being proposed as part of this application. The proposal would be located approximately 60 metres from the nearest habitable room windows of the Pulse Apartment development directly to the south. The Redington Frognal Conservation Area is located on the eastern side of Finchley Road, therefore not directly bordering the application site. The flank elevation wall is bland and provides no visual interest to the building nor to the aesthetic of the building. The proposal would provide decorative artwork and would enhance the visual interest to the building. The proposal would provide decorative artwork and would enhance the visual interest to the building. The proposal would be located approximately 60 metres from the 					

directly to the south.

An objection was received by the Fortune Green & West Hampstead Neighbourhood Forum. The objection is summarised below:

- The site abuts the West End Green Conservation Area, and we believe that it would contravene Policy 3 of the Neighbourhood Plan and would also impinge on the Redington and Frognal Conservation area immediately on the other side of Finchley Road.
- The size of the proposed display adds very substantially to the negative impact to the Conservation areas and other areas outside the Conservation area, even if it was not advertising.
- If moving images were displayed it would be a significant distraction to drivers on the Finchley Road.

Officers Response:

- The West End Green Conservation Area is located approximately 400m away from the application site and would therefore not be visible from the West End Green Conservation Area. Policy 3 of the Fortune Green and West Hampstead (FGWH) Neighbourhood refers to the safeguarding and enhancing of conservation areas and heritage assets. With the West End Green Conservation Area located approximately 400m away, it is considered the proposal would not be in contrary with policy 3. The proposal would provide decorative artwork and would enhance the visual interest to the building and therefore would not impinge on the Redington and Frognal Conservation Area.
- The proposal would provide decorative artwork and would enhance the visual interest to the building and therefore would not impinge on the Conservation Areas and Heritage Assets.
- The application is for the 'Erection of permanent metal frame adjacent to tower for the display of temporary artwork'. The application artwork will not be lit, nor will it be 'moving', and this will be secured by way of a planning condition. The permanent metal frame would not be located within 20 metres of a junction or pedestrian crossing controlled by traffic signals. The proposal would not obscure visibility to any traffic signs or traffic signals, however the proposal would be somewhat obscured by two mature street trees when in leaf to northbound commuters. The proposal is therefore not considered to pose a risk to the safety of road users.

Fortune Green & West Hampstead Neighbourhood Forum:

Site Description

The application site is a modern 9 storey building forming part of the Jewish Community Centre complex located on the west side of Finchley Road, slightly to the north of the junction with Arkwright Road and Lymington Road.

The building is neither listed nor located within a conservation area. The Redington Frognal Conservation Area is located on the eastern side of Finchley Road.

Relevant History

2018/0744/A – (refused on 15/05/2018 ref: 2018/0744/A) - Display of 1 x internally illuminated wall-mounted advertisement screen on south facing flank elevation.

2013/7024/A – (refused on 03/01/2014 and dismissed on appeal on 27/06/2014 ref: APP/X5210/H/14/2213739) - Installation of a free standing LED internally illuminated public information display sign.

2011/6020/A – (refused on 26/01/2012 with warning of enforcement action) - Display of 2 x internally illuminated hoarding sign fronting Finchley Road for a temporary period of 9 months. (Retrospective).

2011/4804/A – (refused on 09/11/2011 with warning of enforcement action but allowed on appeal on 06/07/2011 ref: APP/X5210/H/11/2164839) - Display of 2 x internally illuminated hoarding signs fronting Finchley Road for a temporary period of 9 months. (Retrospective)

Relevant policies

The National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the Impact of Development

D1 Design

D2 Heritage

Camden Planning Guidance

Amenity CPG (2021)

Design CPG (2021)

Artworks, statues and memorials CPG (2019)

Fortune Green and West Hampstead (FGWH) Neighbourhood Plan (September 2015)

Policy 2 Design and Character

Policy 3 Safeguarding and enhancing Conservation Areas & Heritage Assets

Artworks and memorials in parks, open spaces and the public realm in Camden

Redington and Frognal Conservation Area Appraisal (January 2003)

Assessment

1. Proposal

- 1.1 The application proposes the 'Erection of permanent metal frame adjacent to tower for the display of temporary artwork'.
- 1.2 The permanent metal frame would measure 26,400mm(h) x 14,200mm(w) x 150mm(d) and would be installed via a key-clamp system.
- 1.3 The artwork will be displayed on a banner and will not be illuminated.

2. Design

- 2.1 Policy D1 'Design' states that the Council will seek to secure high quality design in all cases whilst encouraging the provision of high quality public art in development where appropriate. This policy states that in order to assess applications for artworks, statues and memorials the Council will consider the number of artworks, statues, or memorials already in the area, whether the proposal meets the Council's corporate guidance on artworks, statues and memorials, and whether the proposal has contextual and historic connections to the site. Policy D2 'Heritage' states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 2,2 Artworks, statues and memorials CPG reiterates that proposals must; have a clear historical or conceptual connection to the proposed location; should not be sited in spaces which already have a high concentration of other artworks, statues or memorials; be of the highest quality; initiatives that recognise the variety of experiences and cultures the borough enjoys and that have important

connections to the local community; should have the support of the landowners, as well as a demonstrated support of the wider community; and should have robust maintenance arrangements to ensure they can be managed and maintained for as long as they are in place. This is then echoed in the corporate guidance entitled 'Artworks and memorials in parks, open spaces and the public realm in Camden'.

- 2.3 A walking survey was undertaken along Finchley Road within the vicinity of the application site to determine the number of artworks, statues, or memorials already in the area. No sites within vicinity of the application site were identified to having any such artworks, statues, or memorials. Notwithstanding, three flank elevations were identified as having potential scope for artworks, the sites being 279B Finchley Road NW3 6LT, 321 Finchley Road NW3 6EP, and 353-359 Finchley Road NW3 6ET (application site). Additionally, the Council is preparing a map showing areas of high and low saturation. Finchley Road is being identified as a low saturation area and therefore, an artwork on the flank elevation of the application site could be considered.
- 2.4 The temporary artwork would be painted on a PVC banner and would be attached to a permanent metal frame installed via a key-clamp system which is completely removable. The contents of the artwork are temporary in nature and is therefore interchangeable. The artwork and future artworks would all celebrate London's Jewish life. The proposed art work is not to be illuminated in any way. The application site houses the Jewish Museum; therefore, the artwork and future artworks would have a direct correlation to the site. This will be secured by a planning condition.
- 2.5 The overall size and scale of the proposal (26,400mm(h) x 14,200mm(w) x 150mm(d)), whilst large, is considered to have an acceptable impact on the character and setting of the host building and the surrounds including the neighbouring Redington Frognal Conservation Area to the east of Finchley Road and the Grade II listed Camden Arts Centre, without having a detrimental impact to public safety to road users due to the artwork not being illuminated, which will be secured by a planning condition.
- 2.6 Overall, it is considered that the proposals would not result in a detrimental impact upon the character and appearance of the host property and would preserve the special character of the nearby Redington Frognal Conservation Area. The proposals would be in accordance with policies D1 and D2 of the Camden Local Plan 2017, Design CPG (2021), and Artworks, statues, and memorials CPG (2019).

3. Neighbouring Amenity

- 3.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.
- 3.2 The temporary artwork, which is to be attached to a permanent metal frame on the south facing fank elevation, will not be illuminated and is located approximately 60 metres from the nearest habitable room windows of the Pulse Apartment development directly to the south. Officers note that objections have been received from neighbouring residents with regard to the proposal, however, it is not considered that any such artwork attached to a permanent metal frame would have any adverse impact to the quality of life of occupiers and neighbours, nor will the proposal result in the loss of light, outlook, or privacy as a result of the proposal. It is considered that the proposal would provide decorative artwork/s and would therefore enhance the visual interest to the building, which will only benefit neighbours.
- 3.3 It is considered that the proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with policy A1 and A4 of the Camden Local Plan 2017.

4. Transport and public safety

- 4.1 Policy D4 of the Local Plan states that advertisements will not be considered acceptable where they impact upon public safety, including when they distract road users because of their unusual nature. It is noted that policy D4 refers to advertisements only, however the artwork would not be an advertisement as defined under the Town and Country Planning Act 1990. However, due to the proposal being of similar nature to any such advertisement and having a similar impact upon public safety, the policy is to then be considered as guidance.
- 4.2 The proposal relates to the erection of a permanent metal frame which would involve the attachment of a large nonilluminated artwork on the south facing façade of the property at 353-359 Finchley Road. The proposal would be visible to northbound vehicular traffic in the nearside view (i.e. slightly off to the left as a driver or cyclist looks ahead). In addition, the temporary artwork, which is to be attached to a permanent metal frame would not be located within 20 metres of a junction or pedestrian crossing controlled by traffic signals. The proposal would not obscure visibility to any traffic signs or traffic signals, however the proposal would be somewhat obscured by two mature street trees when in leaf to northbound commuters. The proposal is therefore not considered to pose a risk to the safety of road users and pedestrians, in accordance with policies A1 and D4 of the Camden Local Plan 2017.

5. Recommendation

5.1 Grant conditional Planning Permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17th June 2024, 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: 2024/0819/P Contact: Alex Kresovic Tel: 020 7974 3134

Email: Alex.Kresovic@camden.gov.uk

Date: 4 June 2024

Katie Burse JW3 341-351 Finchley Road London NW3 6ET United Kingdom



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



Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

353-359 Finchley Road

London NW3 6ET

DECISION AND A STATE OF THE STA

Proposal: Erection of permanent metal frame adjacent to tower for the display of temporary artwork.

Drawing Nos: JW3 Banner & Proposal prepared by Service Graphics, Landmark Artwork for JW3: Jewish London, R0171 dated 04.05.2013.

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:
 - JW3 Banner & Proposal prepared by Service Graphics, Landmark Artwork for JW3: Jewish London, R0171 dated 04.05.2013.

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

Any such artwork attached to the permanent metal structure on the flank elevation (south elevation) shall not be illuminated.

Reason: To protect the amenity of the neighbouring occupiers and the public safety of commuters travelling northbound in accordance with the requirements of policies A1 and D4 of the London Borough of Camden Local Plan 2017.

4 Any such artwork attached to the permanent metal structure shall not be an advertisement in any way and should always have a direct correlation with the application site, that being the Jewish Museum.

Reason: To ensure the artwork has a direct correlation with the application site in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017 and Artworks, statues and memorials CPG 2019.

Informative(s):

- 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).
- 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.
- 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.

The display of an advertisement without consent is a criminal offence under Section 224(3) of the Town and Country Planning Act 1990. Under Section 225 of the Town and Country Planning Act, Section 10 of the London Local Authorities Act 1995 and Section 11 of the London Local Authorities Act 1995 the Council has powers to enter the land and remove the display. As such, the Council will commence prosecution to secure the removal of any such advertisement placed on the permanent structure attached to the south evlevation flank wall.

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 2023.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer



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