



DESIGN / PLANNING / TECHNICAL

SUPPORTING STATEMENT

JANUARY 2024, REF:2472/SS

CLIENT:

3 Oceans Ltd

SITE ADDRESS:

106 Finchley Road

London NW3 5JJ

AUTHOR:

William Pottinger

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REVISIONS:

None

1. Introduction

1.1. This statement has been prepared on behalf of 3 Oceans Ltd, in support of the notification of prior approval for the change of use of the first floor at No.106 Finchley Road to form 2x residential dwellings, under Class G of The General Permitted Development Order, 2015, (the "GPDO") for the change of use; "from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats".

2. Site

- 2.1. The application site is located on the northern side of Finchley Road, occupying a corner plot at the junction of Trinity Walk.
- 2.2. The existing property has a GIA of ~690sqm and comprises the basement, ground and first floors of a former Natwest Bank, use Class E, with storage at basement, shop floor at ground and office premises at first. The building also has a second storey which is under separate ownership.
- 2.3. The property is not statutorily listed but is locally listed, described by Camden as contributing "to the historic setting of Fitzjohns Netherhall Conservation Area to the east".
- 2.4. The site is not subject to any Article 4 Directions that remove permitted development rights for change of use under Class G of the GPDO.



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Figure 1. Location plan. North to top. Do not scale.



Figure 2. View of existing property from Finchley Road (Google).

3. Proposal

3.1. It is proposed to convert ~278sqm of the first floor to provide 2x 2 bedroom dwellings, leaving the ground floor and basement as commercial space.

3.2. No external alterations are proposed.

4. Assessment under Class G of the GPDO

4.1. Development under Class G is permitted subject to the following conditions:

4.2. Table 1. Class G Criteria:

| Development is permitted by Class G; | Comments |
|---|----------|
| (a) some or all of the parts of the building used for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat; | Complies |
| (b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat; | Complies |
| (c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)— (i) by a single person or by people living together as a family, or (ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents) | Complies |

4.3. In addition, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to;

(i) contamination risks in relation to the building;

(ii) flooding risks in relation to the building;

(iii) impacts of noise from commercial premises on the intended occupiers of the development;

(iv) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

(v) arrangements required for the storage and management of domestic waste.

4.4. These conditions are assessed, where applicable, under the following paragraphs 5-9.

5. Contamination Risks

5.1. The historic commercial use of the property poses no known contamination risk.

6. Flood Risk

6.1. The site is located within an area designated as “Flood Zone 1”, with a low probability of flooding from rivers and sea. Further checks of the .Gov’s long term flood risk service also highlight a low probability of surface water flooding.

7. Impacts of Noise from Commercial Premises

7.1. There are no existing commercial uses in proximity to the application site that might lead to undue noise disturbance for future inhabitants.

7.2. The general layout of the proposed flats has been designed so that areas most sensitive to sound transmission (the principle habitable rooms) are separated from common parts by non-habitable areas, such as hallways and bathrooms.

7.3. The retained ground commercial area shall be separated from the proposed flats and the flats from each other with suitable sound proofing details to the dividing walls and ceiling/floor zone, constructed in accordance with Part E of the building regulations; Resistance to Sound.

7.4. The existing glazing, to be retained, is double glazed.

7.5. Future inhabitants will therefore not suffer from undue noise disturbance.

8. Provision of Natural Light within Habitable Rooms

8.1. Good levels of natural light shall be provided in all proposed habitable rooms, as evidenced by the accompanying BRE Daylight & Sunlight Assessment.

9. Refuse Storage

9.1. An area to the front of the property is provided for the storage of refuse on the day of collection (in accordance with Camden’s recommendations for residential properties on Finchley Road).

10. Internal Space Standards

10.1. The proposed dwellings meet all requirements of the Nationally Described Space Standards, 2015.

11. Conclusion

- 11.1. It is concluded that the proposal complies with the requirements of Class G of the GPDO, for the reasons set out in this statement.
- 11.2. If further information is required to assist in processing this application, please contact me directly at this office and I shall assist without delay.

A handwritten signature in black ink, appearing to read 'W Pottinger', is written over a light grey rectangular background.

William Pottinger, Savage & Pottinger Design (SPD), January 2024