

Planning, Design and Access Statement

On behalf of:
Hawthorn Leisure Limited

Proposal:
Demolition of the former 3one7 Bar/Finchley Bell (A4) and erection of a mixed use six storey development incorporating 9 flats (C3) (2no. 1 bed, 6no. 2 bed and 1no. 3 bed) with a roof terrace, over a retail (A1) ground floor unit

Development Site:
317 Finchley Road, Hampstead, London NW3 6EP

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- G PTAL Assessment
- H Flood Risk Assessment by AAH Planning

Site •

317 Finchley Road, Hampstead, London, NW3 6EP

Report for •

Hawthorn Leisure Limited

Document revisions •

No.	Details	By	Date
CC/1583/8	Planning Submission	James Sturgess	July 2014

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1.0 Introduction

- 1.1 This document has been prepared on behalf of our clients, Hawthorn Leisure Acquisitions Limited, in relation to their Full Planning Application for the demolition of the existing building, the 3one7 Bar, and the erection of nine flats over a ground floor retail unit.
- 1.2 This statement includes a description of the development site and planning history, an evaluation of the context of the site, and an appraisal of all relevant planning policies within the Camden Borough Council Core Strategy and Development Policies, both of which were adopted in 2010 and are supported by a range of topic based Camden Planning Guidance Notes published in 2011. Further consideration will need to be given to the London Plan which was published in 2011.
- 1.3 This planning statement should be read in conjunction with the proposed drawings and is accompanied by the following documents
- 1744-01
 - 1744-09
 - 1744-10
 - 1744-11
 - 1744-12
 - 1744-13
 - 1744-14
 - Sketches of the development from three angles
 - Title Plans
 - Topographic and Measured Building Surveys
 - Noise and Vibration Assessment by Hepworth Acoustics
 - Contaminated Land Survey by Opus International
 - Sustainability, Energy and Environmental Report by Eco Energy and Environmental Ltd.
 - Air Quality Assessment by Resource and Environmental Consultants Ltd
 - Marketing Summary by Christie & Co
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 - PTAL assessment
 - Flood Risk Assessment by AAH Planning

2.0 Site and Surroundings

- 2.1 The existing building is located on a busy commercial part of the main arterial route, the A41 Finchley Road into London, immediately south east of Finchley Road and Frognal station, a station on the London Overground.
- 2.2 The building is not listed, is not designated of local interest and is not within a conservation area.



Image 001 – The 3one7 Bar/Finchley Bell Public House

- 2.3 The existing building is unusually shaped and is at present vacant but formerly ran as the 3one7 Bar and the Finchley Bell Public House. The building is currently boarded up and has been closed for over three years.
- 2.4 The application site currently comprises of a building of four storeys with the former pub/bar operating over three of the four floors. A manager's residential unit is located on the top floor. There is also an unused basement. The pub has its main entrance/exit points onto Finchley Road.
- 2.5 At the rear of the building a small hard surfaced trade area can be found. To the left side of the property a public passageway, Billy Fury Way, runs along the boundary wall of the pub towards the railway lines of Finchley Road and Frognal Station.
- 2.6 Finchley Road station, on the Metropolitan and Jubilee Lines is approximately 0.3 miles to the south or a 10 minute walk. Adjacent to Finchley Road Underground Station is the O2 Centre NW3. This contains a variety of units, such as a Sainsbury's, a Vue Cinema, a variety of A3 units and a Wetherspoon's. These can be seen in images 002 and 003.



Images 002 and 003 – The O2 Centre which also contains a Wetherspoons

- 2.7 Between Finchley Road station and Finchley Road and Frognal station there are several terraced rows of ground floor retail units with three floors of residential units above. The retail units vary from restaurants to estate agents, and hair dressers to electrical shops.



Image 004 – Finchley Road, showing examples of mixed use developments of residential over retail units

- 2.8 Directly opposite the application site and at sites to the north of Finchley Road and Frognal Station are five storey high buildings, either with retail at ground floor and residential above or just comprising of residential units. The residential units opposite the application site also have balcony amenity areas fronting the highway, as shown in images 005 and 006.



Images 005 and 006 – Examples of two buildings opposite the site which have balconies fronting onto Finchley Road

Planning History

2.9 There have been several planning applications at the application site for advertisements in the form of internally and externally illuminated signs as well as extensions to the building between 1965 and 2005 as indicated in the following table.

Application number	Development Description	Date Registered	Decision
E6/8/2/981	Erection of first floor extension at the rear and a single storey shop unit on the adjoining vacant site.	29.10.1965	Conditional
CTP/E6/8/2/7498	The erection of a two storey extension comprising store and staff rooms and the formation of a new exit in the boundary wall at 317 Finchley Road, Camden.	04.08.1969	Conditional
CTP/E6/8/2/32168	The erection of a single storey rear extension to provide toilet accommodation.	23.03.1981	Permission
E6/8/2/32462	Alterations and additions to existing public house including a two storey roof extension to provide two flats for staff use.	01.06.1981	Conditional
E6/8/2/36716	Erection of first floor extension at the rear and a single storey shop unit on the adjoining vacant site.	27.07.1983	Permission
8500843	Alterations to the elevations of the development by letter dated 24th October 1983 for the erection of a first floor rear extension; and the erection of a single-storey ground floor glazed extension at the front of an existing public house as shown on drawings No.	05.06.1985	Grant Full or Outline Planning Permission
8600797	Installation of a ventilation duct as shown on drawing nos. 8503/105B and 112B.	09.05.1986	Grant Full or Outline Permission with Conditions
P9603139R2	The erection of a three storey side extension, remodelling of rear and front elevations in connection with refurbishment and internal rearrangements of the public house; as shown on drawing numbers 397-(01-B), (S-02A), (P-02B), (P03B), (P04B), (P05B) and (P06C).	14.03.1997	Refuse Planning Permission
PW9802544R1	Alterations to front and rear elevations and erection of fire escapes to the rear, as shown on drawing numbers; 397-S001; 730-03; 04; 18; 19.	08.09.1998	Grant Full Planning Permission (conds)
PW9802904	The provision of windows in the mock tower/panel on the elevation facing the station, additional plant on the roof at second floor level, fire exit doors on the left hand side of the elevation to Finchley Road and the insertion of a door and window at second and third floor levels to the new staircase on the rear elevation as an amendment to the scheme approved 26th October 1998 (Ref:PW9802544R1) for alterations to front and rear elevations and the erection of fire escapes to the rear. As shown on drawing numbers 730.14c; 17b; 18b; 19b; 132 and 133.	27.11.1998	Grant Full Planning Permission (conds)
AW9802662R2	The display of illuminated advertisements on the front and side elevations of the building, as shown on drawing numbers; 3 X A3 sheets all numbered 10462/C.	25.01.1999	Grant Approval for Advertisement
2005/4152/P	Change of use from vacant ground floor shop, (Class A1) to a mixed use comprising of a restaurant use (Class A3), and hot food take away (Use Class A5), to operate in connection with the existing public house in the adjoining property (Class A4).	20.10.2005	Refused

- 2.10 The various extensions to the building have given it its unusual form and design, which does not lend itself to being in keeping with the characteristics of the locality.
- 2.11 In addition to the above determined applications, a planning application was submitted for the redevelopment of the site in April 2013, but was made invalid, reference 2013/2172/INVALID. The application was withdrawn prior to being formally validated.
- 2.12 A further planning application was submitted to the Council in December 2013 and validated in January 2014. This application, 2014/0152/P, was withdrawn in April 2014.

3.0 Proposed Development

- 3.1 This application seeks Full Planning Permission for the demolition of the former public house and the erection of a six storey building that incorporates retail use and cycle and bin stores at ground floor with five floors of residential above.

- 3.2 The existing building has the following floor areas:

Floor	Gross External Floor Area (Sqm)
Basement	258 sqm
Ground	258 sqm
First	256 sqm
Second	109 sqm
Third	99 sqm

- 3.3 The ground floor would provide 149 square metres of retail area, which space for a bin store, cycle store, and a toilet. The ground floor will also accommodate the bin store and the access to the lift and stairwell for the residential units and the basement.
- 3.4 The basement, which is already *in situ* and is being incorporated into the proposed scheme, will contain a further 11 cycle spaces for the residents, the plant room and a harvest tank to collect rainwater and aid with drainage of the site into the existing drainage systems. As the basement is currently *in situ*, there will be no additional excavation required at the site. The existing Gross External Area of the basement is 258sqm and the proposed is 120.4sqm. The majority of this space is unusable due to changing in levels and low head heights. The drawings for the application show the level of the existing basement and confirm that it is not being altered in any way for the proposed development, other than to accommodate the above.

- 3.5 The residential units would comprise of nine flats, of which there will be: 2no. 1 bed flats at first floor level; 6no. 2 bed flats on the second, third and fourth floors and a 3 bed flat on the fifth floor. The roof will provide space for a communal roof terrace.
- 3.6 All of the flats will benefit from having an open plan kitchen/sitting/dining area, as well as private balcony areas on the front and rear elevations.
- 3.7 The two bedroom and three bedroom flats benefit from one of the rooms having an ensuite, whilst also having a separate bathroom.
- 3.8 For the redevelopment of the site the floor areas of each proposed floor would be as follows:

Floor	Use type on floor	Gross External Floor Area (Sqm)
Basement	Cycle Store, plant room, lift and stairs, and harvest tank	120.4
Ground	Retail (including toilet), Residential Access, Cycle and Bin Stores, and lift and stairs	223.9
First	Residential and lift and stairs	230.9 + 18.5 for balconies
Second	Residential and lift and stairs	230.9 + 18.5 for balconies
Third	Residential and lift and stairs	230.9 + 18.5 for balconies
Fourth	Residential and lift and stairs	230.9 + 18.5 for balconies
Fifth	Residential and lift and stairs	149.7 + 13.9 for balconies

- 3.9 The proposed floor areas of each unit will be as follows:

Floor	Unit/Use type on floor	Gross Internal Floor Area (Sqm)
Basement	Cycle Store, plant room, and harvest tank	76.5
Ground	Retail (including toilet)	149
First	1	74 + 7 for balconies
First	2	89.5 + 11.5 for balconies
Second	3	80.5 + 7 for balconies
Second	4	93 + 11.5 for balconies
Third	5	80.5 + 7 for balconies
Third	6	93 + 11.5 for balconies
Fourth	7	80.5 + 7 for balconies
Fourth	8	93 + 11.5 for balconies
Fifth	9	104.5 + 13.9 for balconies

4.0 Planning, Design and Access Statement

Planning Policy Context

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and provides the Government's framework for delivering sustainable development and facilitating economic growth through the planning process. Planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The introduction of the NPPF is a material consideration in planning decisions.
- 4.2 The Development Plan for Camden Borough Council will continue to include the Saved Policies of the London Plan published 2011, The Camden Core Strategy adopted 2010 and the Camden Development Policies adopted 2010, which are supported by a range of topic based Camden Planning Guidance Notes published in 2011.
- 4.3 Annex 1 of the NPPF sets out guidance on the implementation on the NPPF and reinforces the importance of up to date plans. Paragraph 214 states that decision takers may continue to give full weight to relevant policies adopted since 2004, in accordance with the Planning and Compulsory Purchase Act 2004, for 12 months from the date of the publication of the NPPF, even if there is a limited degree of conflict with the NPPF. Paragraph 215 clarifies that in other cases and following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 4.4 Since the 12 month period has now passed the policies contained within the Development Plan may only be given 'due weight', according to their degree of consistency with the NPPF as they were originally adopted in prior to the publication of the NPPF.

Planning Analysis

- 4.5 The site is located within the Urban Area and is within the Finchley Road / Swiss Cottage Town Centre. Furthermore, the site is defined as a Secondary Shopping Frontage within Camden Planning Guidance 5.
- 4.6 Strategically, the London Plan designates 'Swiss Cottage / Finchley Road' as a 'District Centre'. The Centre has been identified with potential for 'Medium Growth' (Policy A2.6 refers) where Policy 2.15 seeks to direct new commercial, retail and leisure development and intensification, including residential development, to sustain and enhance the vitality and viability of the centre. Furthermore, it is designated as a Centre that is highly accessible in policy CS3 of the Camden Core Strategy.
- 4.7 Two previous applications have been submitted to the Council in April 2013 and December 2013, however, the applications have been withdrawn. Following discussions with the Council, in particular the planning officer – Seonaid Carr -

and the urban design officer, revisions have been made to the scheme, and where necessary the surveys supporting the planning application have been amended to reflect the revisions.

- 4.8 The revisions reflect the comments and steer that the officers made at a meeting attended at the Council Offices on 11th April 2014. The officers advised that the principle of the development was acceptable, but that the design should reflect a more modern design in keeping with the newer buildings within the locality.
- 4.9 Having regard to the Development Plan which, as stated above, designates this part of Finchley Road as District Centre with potential for medium growth, where the principle of development would be acceptable, the key planning considerations for this Full Planning Application are:
- i. Loss of the Public House;
 - ii. Provision of a Mixed Use Scheme
 - iii. Pollution, including Noise and Vibration Assessment, Air Quality Assessment and Contaminated Land Survey;
 - iv. Retail and Residential Amenity and Density;
 - v. Impact on neighbouring sites;
 - vi. Access and Transport Links;
 - vii. Other Material Considerations

i) Loss of the Public House

- 4.10 In respect of the protection afforded to the existing public house, Paragraph 70 of the National Planning Policy Framework (NPPF) remains a material planning consideration and can be taken into account when determining a change of use proposal.
- 4.11 The NPPF allows Local Planning Authorities to guard against the unnecessary loss of valued facilities and services, including public houses, particularly where this would reduce the community's ability to meet its day-to-day needs. It also advises established facilities and services are retained for the benefit of the community.
- 4.12 However, while the site contains a drinking establishment under Class A4 of the Use Classes Order, it falls within a secondary shopping frontage. Policy DP12 and the Camden Planning Guidance 5 protect ground floor frontages for retail purposes. Therefore, it is considered that the introduction of a new Use Class A1 unit in this Secondary Frontage will therefore comply with the relevant policies and thus the loss of public house is offset by the compliance with the policies contained within the Development Plan.
- 4.13 Further to this, and contained in the marketing summary provided by Christie and Co, evidence is provided that shows that the value the property was marketed at was at an appropriate market value as 17 bids were put forward by 18th May

2011. The property had only been on the market since April 2011 after its closure in 2010.
- 4.14 However, due to leasehold, title and ownership issues, the successful bid failed to exchange and subsequently further bids, even at increased offers have also failed to progress.
- 4.15 Christie and Co advised that the parties who wished to purchase the site did so with a view to redeveloping the site, in particular mixed use development.
- 4.16 Consequently, following the issues referred to in the statement by Christie and Co, we were previously instructed by the administrators of the site to submit a planning application.
- 4.17 Since the last application was withdrawn the site has been bought as part of a portfolio that was under the management of administrators, but having undertaken their due diligence on the site it was still considered unviable to attempt to re-start the business. This, together with the comments that have been provided from the planning officer during application 2014/0152/P, whereby the principle of development on the site was considered acceptable, they have instructed Caldecotte Consultants to resubmit a new planning application taking into account the comments raised in respect to the previous application.
- 4.18 However, it is still important to note that the former public house could be converted from A4 to an A1 retail use without planning permission being sought.
- 4.19 In addition to this, there are a number of licensed cafes and restaurants, as well as public houses within a 10 minute walk, which is a time frame considered to be easy walking distance from the application site. Therefore, the loss of a drinking establishment would not adversely impact on the locality.
- ii) Provision of a Mixed Use Scheme**
- 4.20 The proposed scheme would comply with policies CS1 points (a), (d) and (h) and CS3 of the Council's Core Strategy, as it would provide appropriate development at a highly accessible location, which takes into account the full use of the site providing appropriate amenity levels.
- 4.21 In addition to this the site is very accessible to transport connections, with the application site being located on main road into London, as well as the London Overground, Finchley Road and Frognal station, immediately adjacent to the site, while Finchley Road Underground station is no more than a 10 minute walk to the south east. Finchley Road Underground station is serviced by the Metropolitan and Jubilee lines.

- 4.22 The application proposes a mixed use scheme in keeping with the locality, as referred to in paragraph 2.7, where the majority of established and/or new developments provide retail A1 use at ground floor level, with residential units on the upper floors. Thus, the scheme as proposed would be in accordance with Policy DP1 of the Development Policies.
- 4.23 The scheme, in line with Policy CS7 of the Core Strategy and Policy DP12 of the Development Policies, would protect and enhance one of Camden's Town Centres by re-introducing a retail unit, where there was once a flower shop, but by ensuring that the unit is in keeping with the size and scale of other units within the locality, with specific examples being to the north of the application site at Natuzzi and rochebobois Paris, as can be viewed in images 007 and 008. The retail unit would provide the opportunity to promote small and independent businesses as set out in Policy DP10 of the Development Policies.



Image 007 and 008 showing more modern developments with retail units below residential units

- 4.24 It is therefore considered that this proposal would comply with the Council's overall approach to growth and development by providing homes and jobs near transport hubs, as it focuses' growth in places that can support higher density developments in line with policies CS14 and DP24.

iii) Pollution, including Noise and Vibration Assessment, Air Quality Assessment and Contaminated Land Survey

Noise and Vibration Assessment

- 4.25 As has already been established, the application site is adjacent to the London Overground railway line, which also carries freight trains, while the site also fronts Finchley Road, A41.
- 4.26 A noise and vibration assessment was undertaken at the site to establish existing noise levels. The report, 31392.2v1 by Hepworth Acoustics, is included as part of the planning application in Appendix A. Whilst the scheme has seen minor changes since the report was initially instructed in respect to design, the principles have remained the same, and as such the report has not been required to be updated.
- 4.27 The report concludes that appropriate noise mitigation measures, as outlined in section 5 of their report, can be implemented into the proposed residential units which will ensure that internal and external noise levels will meet the recommended acoustic criteria based on the guidelines set out in BS 8233:1999.
- 4.28 Further to this, it has been demonstrated that vibration levels at the most exposed parts of the proposed development will be below the threshold levels for which the London Borough of Camden will grant planning permission.
- 4.29 Therefore, the design and layout of the proposed scheme with the appropriate attenuation measures would comply with Policy DP28 on Noise and Vibration.

Air Quality Assessment

- 4.30 The development site is located within an area identified as experiencing elevated pollutant concentrations. As such, consideration has been given to Policy DP32 of the Development Policies and an Air Quality Assessment has been undertaken to determine baseline conditions, assess site suitability for the proposed end-use as well as considering the potential impacts as a result of the proposed scheme.
- 4.31 Although the scheme has seen minor changes since the report was undertaken, an update based on the changes made was not considered necessary. Therefore the report, 33433r2 undertaken by REC Ltd, still identifies suitable mitigation measures to be carried out during the construction phase as well as the operational phase, which includes providing mechanical ventilation on specified units within the development in order to reduce the potential for exposure of future residents to elevated NO₂ concentrations.

- 4.32 Details of the mitigation measures are outlined in detail in the report, which can be found in Appendix B.
- 4.33 In addition to this, the scheme has been designed to assist in improving Camden's health and well-being in line with Core Strategy Policy CS16 and promotes sustainable and efficient travel, by proposing cycle storage areas not only for the residential units but for the retail unit as well.

Contaminated Land

- 4.34 A contaminated land study was undertaken by Opus International Consultants. The report did not require updating following the amendments made to the previous application. The full report can be viewed in Appendix C, but a summary of the report is as follows:

The following on site sources of ground contamination have been identified:

- Potential Made Ground present at the site, contaminants may include heavy metals, sulphates, polyaromatic and total petroleum hydrocarbons, asbestos etc.
- Potential for spillage and leakage of petroleum hydrocarbons and surfactants from parked cars.

The following off site sources of ground contamination have not been identified:

- Ground gas from historical landfill within 250m.

The level of contamination on site is currently considered likely to be negligible to low.

With regard to foundations:

- No radon protective measures are required.
- Traditional strip/trench footings are anticipated to be suitable.

- 4.35 The report advises of various mitigation procedures to ensure that development at the site is undertaken in a safe and satisfactory manner.

Design and Layout

iv) Retail and Residential Amenity and Density

- 4.36 The building as previously stated is of an unusual design. It does not lend itself to conversion to residential or any other use including retail due to its internal layout. Therefore the demolition of the existing building and its replacement with a new build, which meets with the Council's Code for Sustainable Home standards, would ensure the most sustainable and appropriate development of the site. A site which has been confirmed as being previously developed land in a Borough of London where development land is in short supply.
- 4.37 The application proposes a mixed-use development in line with the requirements of Development Policy DP1. The retail unit would provide an active frontage that would help to promote street activity and natural surveillance where community safety concerns are raised by local characteristics.
- 4.38 The scheme submitted with application 2014/0152/P proposed recessed balconies, and it was considered that these would restrict light into the habitable rooms. However, following discussions with the planning officer, the revision to the proposed development provides defined open balcony areas with useable floor space for each unit, which enable natural light to fill the habitable rooms. In addition to this, a communal roof terrace is proposed to provide further amenity provisions for the flats.
- 4.39 As referred to in paragraph 3.6 of this report, the residential units will also have a good sized open plan sitting room/dining area and kitchen, the benefit of an en-suite and/or a separate bathroom, and an entrance hall. The floor areas which have been referred to in the table in paragraph 3.9 would comply with the amenity standards as referred to in policy 3.5 of the London Plan and relevant Camden Planning Guidance Notes.
- 4.40 Furthermore, the internal layout of the units would provide high quality living standards for future residents of these units. Accordingly the design and range of self-contained homes of different sizes would comply with Policy DP5 and would therefore fulfil the topics raised in Core Strategy Policy 6 of providing quality homes.
- 4.41 Additionally, at the initial assessment stage, it was established that any new development would require good design consideration in line with Camden's saved policies; Quality of Development: SDP 1 and Policy CS17 which states that the Council will require development to demonstrate that design principles which contribute to community safety are incorporated into any new development.
- 4.42 It has been noted that overall recorded crime levels in Camden have been falling in recent years but are still above the average for London. Therefore,

consideration was given to the great importance of the design in respect of the built environment, its impact on securing crime prevention, and where good design is a key aspect of sustainable development which is indivisible from good planning. This scheme has therefore been designed to contribute positively to making places better for people.

- 4.43 In addition to this, the scheme 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. It also establishes a strong sense of place, proposing retail use at ground floor level together with an appropriate mix of new residential development on the upper floors to create an attractive and comfortable place to live, work and visit. The potential of the site has been optimised to accommodate development, to create and sustain an appropriate mix of uses as well as supporting local facilities and transport networks.
- 4.44 The design has responded to local character, reflecting the identity of local surroundings and materials, whilst incorporating contemporary features to add architectural finesse. Furthermore, the scheme has been designed so as to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 4.45 Replacing the closed public house with a development overlooking the street will reduce crime and anti-social behaviour. The proposed active frontage at ground floor level will boost the street-scene.
- 4.46 Policies 3.3 and 3.4 of the London Plan and Core Strategy Policy CS6 identify that a key part of boosting the supply of housing will be to make optimum use of previously developed land in accessible locations, particularly through the effective use of upper floors within town centres.
- 4.47 In this urban location, the London Plan advises a density of between 200-700 habitable rooms per hectare (45-260 units per hectare) is likely to be appropriate. Based on the 0.024 hectare site area, the proposed development of 9 units falls within this broad density range.
- 4.48 In accordance with Part M of the Building Regulations, level access thresholds will be provided at ground floor for the retail unit, as well as the main entrance to the entrance hall for the access up to the residential units. Within the building, all requirements of Part M of the Building Regulations will be met, and in addition to the internal stairwell, a lift will also provide access to all the residential units on the upper floors, as well as the basement level.
- 4.49 However, the proposal can go further than simply complying with Part M of the Building Regulations, as can be seen by the proposed plans submitted.
- 4.50 The scheme sets an objective for all residential units to be designed to comply with Lifetime Homes Standards as much as is relevant to the flatted development.

4.51 The following principles have been incorporated into the design to ensure that the scheme complies with all the requirements:

- The entrances to all areas are user friendly and car free
- Pedestrian routes are as level as possible, uncluttered and generous in width to allow for the intensity of use. Any external slopes would comply with Approved Document Part M
- Level access to the entrances and the commercial unit
- Entrance areas are well lit with plenty of circulation space and are free of obstructions
- All lifts have been designed to comply with Approved Document Part M
- All lifts to the accommodation have been designed to Lifetime Homes Standards

4.52 The proposals have been prepared taking into account the legislative provisions, regulations, policies and guidance contained in the:

- Disability Discrimination Act (1995)
- The requirements of Part M of the Building Regulations in respect of accessibility of the site and internal arrangements of the buildings, and which provides for health, safety and convenience of disabled people
- The requirements of Part B of the Building Regulations, and BS 9999 for the non-residential buildings, in respect of evacuation in the event of a fire
- British Standards BS8300, Access for Disabled People
- Camden Council UDP (2001)
- The London Plan (2011)
- The Mayor's Supplementary Planning Guidance - Accessible London: Achieving an Inclusive Environment (2004)
- Reducing Mobility Handicaps, Published by the Institution of Highways and Transportation

4.53 Lifetime Home Standards go beyond the requirements of Part M of the Building Regulations to provide specific design features which further benefit all, but in particular old people, children and their carers and people with physical impairments. The standards ensure that future adaptations can be made to living space without great expense.

4.54 Meeting Lifetime Home Standards is a cost effective way of ensuring that the development will provide living space that is adaptable, flexible, convenient and appropriate to changing needs and is therefore sustainable. The rooms are all of a generous size for the size of units proposed, with good light levels in all rooms. The floor areas of the units, as previously stated within this report, all meet with the requirements of the London Plan and guidance within Camden's Planning Guidance Notes.

4.55 Listed below is a brief report on how the application satisfies the 16 points of Lifetime Homes design criteria:

- 1a – On site car parking: not relevant – this is a car free scheme
- 1b – Communal or shared parking: not relevant – this is a car free scheme
- 2 – Approach to dwelling from parking: not relevant – this is a car free scheme
- 3 – Approach to all entrances: compliant
- 4 – Entrances: compliant
- 5 – Communal stairs and lifts: compliant
- 6 – Internal doorways and hallways: compliant
- 7 – Circulation space: compliant
- 8 – Entrance – level living: compliant
- 9 – Potential for entrance – level bed-space: compliant
- 10 – Entrance – level WC and shower drainage: this can be compliant. The shower/bath shown in the plans is indicative to show that a bath fits into the space for the bathroom. Ultimately it will be down to the developer as to whether the units will have a bath or shower.
- 11 – WC and bathroom walls: can be achieved
- 12 – Stairs and potential through floor lift: not relevant
- 13 – Potential for fitting of hoists and bedroom / bathroom: is achievable
- 14 – Bathrooms: this can be compliant as the layout of the bathroom is shown indicatively, and will be decided by the developer prior to construction
- 15 – Glazing and window handle heights : can be achieved
- 16 – Location of service controls: can be achieved

4.56 It is important to note that while some of the requirements are not shown on the drawings, the scheme has in fact been designed with the intention of being able to implement the relevant requirements.

4.57 Provisions have been made within the site for waste and recycling bin storage at ground level. The areas designated for the bin stores have clearly been identified on the submitted plans. These waste storage areas are within acceptable carrying distance of the waste to the highway for kerbside collection. This would apply for the residential units and the commercial unit and as such would comply with Policy CS18 of the Core Strategy.

v) Impact on neighbouring sites

4.58 The application site has residential and retail units to the south-east, while the railway line is to the north-west. Beyond the station is another development with retail at ground floor and residential above. There are residential units to the rear of the application site.

4.59 The main concerns would be that the new development would be overbearing and result in loss of privacy and light to the nearest building. While there are residential units at the upper floors of the building to the south-east, they do not have flank elevation windows. Moreover, the addition of a fourth and fifth floor to make a six storey high building would not exacerbate the existing relationship with the neighbouring building even though it would be taller.

4.60 As the distance between the residential properties to the rear of the application site and the proposed building will not change, it is not considered that there would be an unacceptable increase in levels of overlooking or loss of light, and while the scheme proposes a taller building, it will not appear overbearing.

4.61 Furthermore, a daylight, sunlight and overshadowing assessment has been undertaken, and it concludes that there were no sensitive locations in the vicinity of the site that would be adversely affected by the proposed development.

4.62 The full report can be found in Appendix F of this statement, and it provides a clear explanation of how the assessment was carried out and how the conclusions were formed.

4.63 It is noted that a more uniform design, scale and height of buildings can be viewed when heading in a north-western direction from Finchley Road Station to the application site. However, beyond Finchley Road and Frognal Station the mixed use developments are of a modern design and set five storey buildings adjacent to three storey buildings. This form of relationship between buildings is evident in images 009 and 010 below.



Image 009 – example of a recent development that is two stories taller than the neighbouring building



Image 010 – street scene showing the precedent of differing heights of new and existing buildings

- 4.64 This relationship between the two buildings also shows that the new flatted development protrudes forward of the building line, as well as showing that the three storey building is enclosed by taller buildings.
- 4.65 However, the proposed scheme at the application site, while being detached from the neighbouring buildings, would continue the established building line of the existing retail and residential units to the south west, and not change the building line of this part of Finchley Road.

- 4.66 Consideration has been given as to the positioning and design of the balconies which are proposed to front onto Finchley Road, They are proposed to minimise overlooking. As there is a precedent for balconies to front onto Finchley Road, the design and positioning of the balconies are not considered out of keeping with the locality. In addition to this, the views into the nearest windows for habitable rooms are separated by the A41 Finchley Road. The properties directly opposite are shown in images 005 and 006 in paragraph 2.8 of this statement.
- 4.67 The rear balconies for the each unit would not give rise to any unnecessary forms of overlooking or loss of privacy to the neighbouring buildings immediately adjacent to the proposed development.
- 4.68 Given the foregoing, the proposed development would be in accordance with Camden's Development Policies Policy DP26, as there would be negligible impact on any of the neighbouring buildings which contain both residential and retail units. In addition to this the standard of accommodation has been designed to a high level, providing appropriate amenity areas for future residents as well as providing the appropriate levels of storage space for recycling, waste and bicycles.

vi) Access and Transport Links

- 4.69 Policy 3.4 of the London Plan requires new housing to take into account local context, design principles and public transport accessibility in optimising housing.
- 4.70 The application site is within a Public Transport Accessibility Level (PTAL) rating of 6a indicating that it has 'excellent' links to public transport. A summary of the rating can be found in Appendix G of this statement.
- 4.71 The public transport links include the London Overground being located immediately adjacent to the application site. Bus stops are located at regular intervals along Finchley Road, which itself is a designated Red Route and as such forms part of Transport for London's Road Network (TLRN). The site is also within easy walking distance of Finchley Road and West Hampstead tube stations on the London Underground.
- 4.72 Given the above, and the acknowledgments within the Lifetime Homes Assessments, it is clear that this development is very much suited to being a car free scheme, and even more so given that the sites use as a former Public House had no provisions for parking.
- 4.73 The development would therefore, by virtue of its location, be very sustainable from a transport point of view, where potential residents, employees and visitors to the commercial unit would all be able to utilise the public transport provisions that are immediately adjacent to this site. Additionally, as previously mentioned, cycle storage areas are provided at both ground and basement level for both the residential and retail units, which helps promote sustainable development and travel in accordance with Policy CS11 of the Core Strategy

- 4.74 At this stage of the application we are not in a position to confirm as to what retail service is to be provided as there have been no negotiations with any potential operators or tenants. Therefore, confirmation as to how the retail unit will be serviced cannot be provided. However, given the buildings former use as a public house, one would expect that the proposed retail unit would be serviced in a similar way from Finchley Road.
- 4.75 Furthermore, it has been apparent when visiting the site that all of the existing retail units located along this part of Finchley Road are serviced by delivery vehicles making use of the Red Route Loading Bays along Finchley Road. A time limitation for deliveries could be conditioned so that no loading takes place during peak hours.
- 4.76 As mentioned in paragraphs 4.47 to 4.54, all entrance points into the building are at level access thresholds at ground floor level.
- 4.77 Therefore, this would meet with the wording within Policies DP16, DP17 and DP18 of the Council's Development Policies. It is not considered appropriate in this locality to provide parking provisions when space for development is limited.



Image 011 – Local transport links and Red Route immediately adjacent to the site

vii) Other Material Considerations

- 4.78 Throughout this statement reference has been made to the retail unit proposed at ground floor level, which will result in the development being of mixed use. However, as has been referred to in paragraph 4.72, it is not known at this stage as to who the proposed operators or tenants will be. Therefore it is not possible to confirm as to whether any air conditioning, ventilation equipment or additional plant equipment will be required. However, it is our opinion that a condition can be attached to any planning permission, should it be forthcoming, requiring the specifications of such equipment together with any additional surveys that may be required prior to implementation.
- 4.79 With respect to the construction of the site, it is envisaged that the development would take places in a single continuous phase and that a Construction Management Plan will be prepared to ensure an acceptable programming of the works in relation to the effect on maintaining a working railway network, highways network and on the wider area in general. During the previous application, TfL confirmed that details of Construction Method Statement, Construction Management Plan and Construction Logistics Plan, could be conditioned as a pre-commencement condition.
- 4.80 A Flood Risk Assessment has been undertaken to provide details of potential impacts on the drainage at the application site.
- 4.81 Advice was given that the site falls within an area of extreme stress on the Thames Water system, where it should be demonstrated that steps are being made to get to a 50% reduction in surface water runoff as per Policy CPG3.
- 4.82 On discussions with Enzygo Environmental Consultants, they advised that a rain water harvest tank would be the most appropriate solution to achieving the requirements outlined in Policy CPG3. Therefore on drawing 1744-11 an indicative position for the rain water harvest tank has been shown.

5.0 Code for Sustainable Homes and BREEAM

- 5.1 In following the London Plan Policy 5.2 – Minimising Carbon Dioxide Emissions – Camden Council require that development proposals use the three step energy hierarchy. This is where consideration needs to be given as to new developments being Lean, Clean and Green.
- 5.2 To accompany this application a Code for Sustainable Homes assessment and a BREEAM assessment were undertaken, in the form of a Sustainability, Energy and Environmental Report, B0771 Rev C, by Eco Energy and Environmental Ltd.
- 5.3 The development needs to achieve not only a reduction in carbon emissions to meet the requirements of the council, but also to achieve a Code for Sustainable

Homes Level 4 rating for the flats, and a BREEAM rating of Excellent; in order to achieve these ratings it is necessary to design the development with a focus on significantly reducing energy demand and carbon emissions.

- 5.4 More importantly the report refers to pre-assessment estimations which have been prepared for the flats (Code for Sustainable Homes). The report shows a 37.45% reduction (total) in CO2 emission rates against the baseline development target rate. Of that contribution 20.04% is from renewables and 21.76% is through energy efficient design.
- 5.5 The report concludes that while it is not possible to include energy sources outlined in Step 2 of the Energy Hierarchy, efforts have been made to mitigate this to design a scheme that is efficient as possible and feasible in Step 1 and Step 3 (commercial) of the Hierarchy. This will include not only excellent fabric characteristics, but also the incorporation of an Air Source Heat Pump which will provide heating and cooling for the retail unit and Mechanical Ventilation with Heat recovery in the flats.
- 5.6 The report continues to conclude that renewable technologies were limited in feasibility, but as the scheme provides a fairly large roof area, it would enable the inclusion of highly efficient Photovoltaic panels. These panels can feed to both the residential and retail areas, thereby resulting in an energy and emissions savings that will enable the proposed development to meet the requirements of the London Plan, Camden's sustainability plans and Policies CS13 and DP22, as well as the wording within paragraphs 95-97 of the Framework.
- 5.7 Relevant appendices have been included with the report providing the justifications as to the acceptability of the scheme with regard to Code for Sustainable Homes and BREEAM.

6.0 Planning Obligations

- 6.1 This proposal is for the demolition of a former public house and the erection of 1 retail unit with 9 residential units on the floors above and as such would not trigger any affordable housing contributions.
- 6.2 The applicant is aware that contributions may be required for education, community facilities, provision of open space and Sustainability – Decentralised Energy Networks, in accordance with the CPG8 Planning Obligations document.
- 6.3 However, my client would only agree to enter into a s106 should it be viable to do so and following the presentation of evidence at the time of the application to demonstrate any financial contribution sought was directly related to the proposed development and accords with the other planning obligation tests outlined in clause 122 of the Community Infrastructure Regulations 2010. The applicant requests that any financial contribution secured under s106 is payable only upon commencement of the development, defined as a material operation by s56 of the Town & Country Planning Act 1990.
- 6.4 In addition to this my client is aware that the proposed development is liable to CIL charges and the appropriate form has been completed and included with this planning application.

7.0 Conclusion

- 7.1 This Full Planning Application for the demolition of the former 3one7 Bar (A4) and erection of a six storey development incorporating 9 flats (C3) over a retail (A1) ground floor unit has been demonstrated to accord with the London Plan and Camden Borough Council's Development Plan and other material considerations.
- 7.2 The property has been disused for over three years and developing this previously developed land for mixed A1 and C3 uses so as to maximise the limited land available for development within the Borough of Camden would result in a more sustainable and effective use of the land, rather than it sitting as an underused non-operational former public house.
- 7.3 The scheme has been developed to meet with Council's requirements for Code for Sustainable Homes, and BREEAM standards.
- 7.4 In view of the above, the proposal comprises 'Sustainable Development' in line with paragraph 14 of the NPPF and the application should be recommended for approval, subject to appropriate conditions.

Appendix A

Noise and Vibration Assessment

Appendix B

Air Quality Assessment

Appendix C

Contaminated Land Survey

Appendix D

Sustainability, Energy and Environmental Report

Appendix E

Marketing Summary

Appendix F

Daylight, Sunlight and Overshadowing Assessment

Appendix G

PTAL Assessment

Appendix H

Flood Risk Assessment