



**317 FINCHLEY ROAD, CAMDEN**

**PLANNING AND REGENERATION STATEMENT**

**MAY 2016**

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## 1. INTRODUCTION

- 1.1. This Planning and Regeneration Statement has been prepared by DP9 Ltd (“DP9”) on behalf of 317 Finchley Road Ltd (“the Applicant”), to accompany a full planning application for the redevelopment of the site at 317 Finchley Road, Camden (herein referred to as ‘the Site’).

### **The Application**

- 1.2. The planning application seeks full planning permission for:

*“Demolition of existing building and associated structures to enable comprehensive redevelopment of site to provide a mixed-use building ranging from 6 to 9 upper storeys plus basement, lower ground and ground floors, comprising 22 residential units (Use Class C3) and flexible commercial floorspace (Use Classes A1/A2/A3); associated public realm improvements (including new footpath), landscaping and associated works.”*

- 1.3. The development proposal is referred to in this Statement as “the Development”. A full description of the Development is contained within Section 3 of this Statement.
- 1.4. This Statement assesses the key planning considerations associated with the Development and considers it in the context of relevant national, regional and local planning policy and guidance. Section 5 of this Statement provides an overview of the policy and guidance relevant to the determination of the Development.
- 1.5. This Statement should be read in conjunction with the documents, plans and technical studies submitted to accompany the planning application, as set out below.

### **Application Documents**

- Covering Letter;
- Planning Application Form, Land Ownership Certificate B and Agricultural Holdings Certificates;
- Community Infrastructure Levy (CIL) – Planning Application Additional Information Requirement Form;
- Site Location Plan;
- Existing and Proposed Plans/Elevations/Sections (including Demolition Plans);
- Design and Access Statement
- Landscape Statement;
- Affordable Housing Statement;
- Transport Statement (including Servicing and Waste Management);
- Residential Travel Plan;
- Framework Construction Logistics Plan;
- Noise and Vibration Assessment;

- Air Quality Assessment;
  - Sustainable Design and Construction Statement;
  - Energy Statement;
  - Daylight and Sunlight Report;
  - Statement of Community Involvement;
  - Basement Impact Assessment and Environmental Site Investigation;
  - Draft Demolition Management Plan; and
  - Draft Construction Management Plan.
- 1.6. The format of the planning application has been discussed and agreed with the London Borough of Camden (the “Council”) as part of the pre-application discussions, which are outlined in Section 4 of this Statement.

### **Structure of the Statement**

- 1.7. This document provides an overview of the Site and the Proposed Development and sets out a justification for the development. The Planning Statement takes the following form:
- Section 2 provides a description of the Site and surrounding context;
  - Section 3 sets out a summary of the proposed development;
  - Section 4 summarises the consultation process;
  - Section 5 summarises the relevant national, regional and local planning policy;
  - Section 6 assesses the proposals against relevant policy and guidance;
  - Section 7 sets out the Draft Section 106 Heads of Terms;
  - Section 8 sets out the overall conclusions.

## 2. SITE CONTEXT

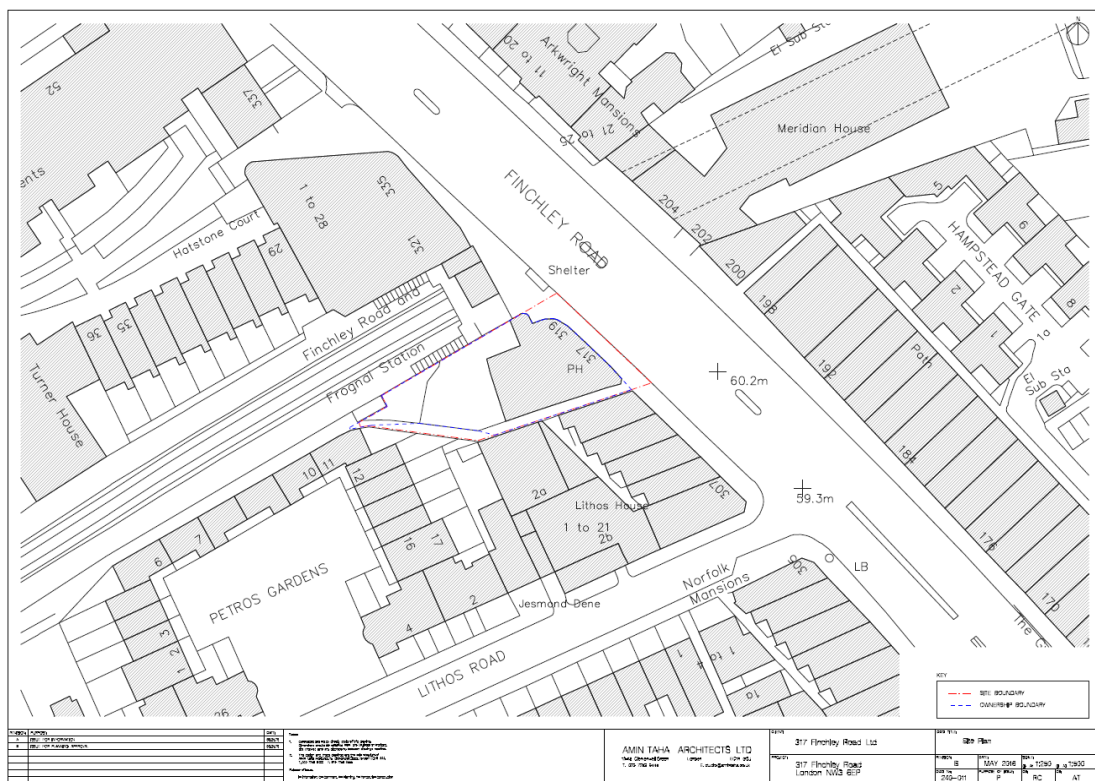
2.1. This section of the Statement provides details of the Site in its existing condition and the surrounding area.

### The Application Site

2.2. The Site is located on the west side of Finchley Road, within the administrative boundary of the London Borough of Camden. The Site is irregular in shape, occupies an area of approximately 0.07 hectares and is bounded by:

- Billy Fury Way, Lithos House and Petros Gardens to the south and west;
- Finchley Road & Frognal Overground Station and Railway Line to the north;
- and
- Finchley Road to the east.

2.3. The application boundary is defined as follows:



*Fig. 1 – Application Boundary*

2.4. In terms of its planning policy designations, the Site is located within the Finchley Road Town Centre boundary, and is therefore an ‘in-centre’ site based on the national policy definition, and as recognised in the London Plan (Swiss Cottage / Finchley Road). The Site is also within an Air Quality Management Area (AQMA). Finchley Road itself forms part of the Transport for London (TfL) Road Network.

- 2.5. The Site is not within a Conservation Area and does not comprise any listed buildings. The Site is located mainly within Flood Zone 1 (low risk) as defined by the Environment Agency online map.
- 2.6. The Site comprises a vacant three-storey building plus basement fronting Finchley Road (approx. 813sq.m GIA). The existing building was last used in 2010 as a Public House with ancillary residential accommodation above, plus beer garden to the rear (Class A4 Use). A small demised section of the building on its north elevation fronting the Overground Station (known as 319 Finchley Road) was last used as a flower shop (Class A1 Use). The building is of no architectural merit and is of poor appearance, continuing to suffer from dereliction, antisocial behaviour and lack of investment.
- 2.7. The topography of the site varies substantially, sloping from east to west. The Site's southern and western boundary is edged by Billy Fury Way, a pedestrian route from Finchley Road in the east to West Hampstead in the west. The site's main entrance and servicing route is from Finchley Road itself, which immediately adjacent to the Site comprises a bus stop, bus lane and loading bay to the south.
- 2.8. The accompanying Design and Access Statement includes further details of the existing site, its environs and surrounding townscape.



*Fig. 2 – Existing Building on the Site*

### **The Surrounding Area**

- 2.9. Finchley Road is a key arterial vehicular route into Central London and constitutes a defined town centre given its extensive retail and service offer, typified by ground floor units with road frontage, and its high transport accessibility. The road comprises two lanes in either direction (plus bus lanes), flanked largely by red brick Victorian terraced buildings, some larger mansion blocks and some taller contemporary buildings including 202 Finchley Road (opposite, east), 321 Finchley Road and Pulse

Apartments (Lymington Road) north of the railway line, and JW3 Community Centre situated further to the north.

- 2.10. The southern and southwestern aspects of the Site, beyond Billy Fury Way, face blank facades of 315 Finchley Road and Lithos House, with some residential elements located further beyond. To the west beyond Billy Fury Way is Petros Gardens, two to three storey residential properties. The Finchley Road & Frognal Station platforms and railway line are located beyond the northern boundary and retaining wall, with residential uses at 321 Finchley Road abutting the northern platform. To the east of the Site comprises the Finchley Road footway and highway, bus stop and circulation area outside the Overground Station. The opposite side of Finchley Road comprises 4 storey redbrick terraces, and larger mansion blocks, as well as more modern commercial/residential properties.
- 2.11. In terms of height of the surrounding built form, the traditional Victorian red brick buildings fronting Finchley Road are typically 4 storeys, with mansion blocks such as those opposite the Site being higher at 5 storeys. There are other elements of the built form that establish increased building heights, including north of the Site at 5-6 storeys (321 Finchley Road), the JW3 Community Centre at 9 storeys, and the adjacent Telephone Exchange building. It would be fair to say that the typical building heights south of Site are 4-5 storeys, but are higher as you move north along Finchley Road. The application Site provides an opportunity to introduce a building that acts as a transition between these two sections of Finchley Road, and importantly, providing a marker for the Overground Station which is set back from the highway.
- 2.12. There are a number of other land uses, together with transport infrastructure, that are also located within the vicinity of the Site. These include:
  - Retail and leisure uses, including Finchley Road's predominate retail frontages, the O2 Centre which comprises a Vue Cinema, Sainsbury's, comparison retail and food and beverage provision, as well as Swiss Cottage Leisure Centre, Library and Hampstead Theatre located further south.
  - Faith, Education, Community and Health facilities, including a number of churches and synagogues, junior schools, secondary schools and colleges including Quintin Kynaston School to the south, plus JW3 Community Centre and Camden Arts Centre to the north.
  - Open space and recreational areas can be found within walking distance, including Hampstead Heath to the east, Primrose Hill and Regent's Park to the south.

### **Transport and Accessibility**

- 2.13. A full analysis of the Site's transport and accessibility is included in Section 2 of the accompanying Transport Statement.

- 2.14. A Public Transport Accessibility Level (PTAL) assessment has been undertaken using the standard methodology issued by Transport for London (TfL) which concludes the Site has a PTAL rating range of 6a (on a scale of 1 to 6 where 1 is the lowest and 6 the highest). Clearly, the Site is very well connected by public transport given the adjacent Finchley Road & Frognal Overground Station, nearby Finchley Road Underground Station and frequency of bus services along Finchley Road.

*Underground, Overground and National Rail*

- 2.15. Finchley Road & Frognal Overground Station is located immediately to the north, whilst Finchley Road Underground Station is approximately 0.4km to the south of the Site. The nearest national rail station is West Hampstead (0.75km west) which provides Thameslink services running between Bedford and Brighton via Central London, as well as Luton and Gatwick Airports.

*Buses*

- 2.16. Finchley Road is a key vehicular route into Central London and comprises a number of bus stops and services. Bus routes 13, 82, 113, 187, 268, C11, N13 and N113 are all accessible from the Site, whilst there is an existing Bus Stop/Shelter directly adjacent to the Site and Overground Station. Provisions are being made to temporarily relocate the Bus Stop during construction works, with discussions ongoing with TfL.

*Cycling*

- 2.17. The nearest local cycle route runs parallel to the Site, and can be accessed via Arkwright Road, which joins the route on Lindfield Gardens. The route leads north towards Childs Hill and south towards Mayfair, where it also connects to other cycle routes. The proposed Cycle Superhighway route 11 is also planned to run along Finchley Road, passing across the site frontage.
- 2.18. Cycle parking is available within close proximity to the Site - sheffield stands are located approximately 55m south on Finchley Road, and are also provided at Finchley Road Underground Station. Dedicated cycle parking will be provided for new residents and employees.

**Planning History**

- 2.19. The most relevant planning history records relate to an October 2015 planning permission granted for redevelopment of the front part of the application Site. The decision granted permission for a 6 storey scheme comprising 9 residential units and ground floor commercial floorspace, subject to Section 106 Agreement (Camden ref. 2014/5208/P). The Section 106 Agreement included provision for a payment in-lieu of affordable housing.



- 2.20. Clearly this decision establishes the principle of a mixed-use scheme at this Site, comprising residential and commercial uses. However, the assembly of three individual land holdings to form a single larger development site by this Applicant presents a greater opportunity to deliver much needed new homes, a better sized commercial unit equipped for modern retailer requirements, and associated public realm improvements which will benefit the local community, particularly in relation to improvements to Billy Fury Way and the footway / pedestrian circulation areas on Finchley Road and adjacent to the Overground Station.

### 3. PROPOSED DEVELOPMENT

- 3.1. This section details what is being applied for in the detailed planning application.

#### **Description of Development**

- 3.2. This section should be read in conjunction with the proposed application drawings and Design and Access Statement which are submitted to accompany the application and describe the principal components of the Development.

- 3.3. The planning application seeks full planning permission for:

*“Demolition of existing building and associated structures to enable comprehensive redevelopment of site to provide a mixed-use building ranging from 6 to 9 upper storeys plus basement, lower ground and ground floors, comprising 22 residential units (Use Class C3) and flexible commercial floorspace (Use Classes A1/A2/A3); associated public realm improvements (including new footpath), landscaping and associated works.”*

- 3.4. The proposed Development will provide a sustainable scheme of high quality design that will complement and integrate with its surrounding context. The proposal seeks to accord with Camden’s development plan, and contribute towards the wider objectives of the Fortune Green & West Hampstead Neighbourhood Plan.

#### **The Proposed Development**

- 3.5. The proposed Development is a residential-led mixed use scheme comprising three interconnected buildings, fronting Finchley Road. The scheme comprises basement, lower ground and ground floors, with between six and nine upper floors. There are landscaped gardens to the rear, split for use between Units 1 and 2 (basement / lower ground). Roof gardens are proposed at fifth and seventh floor level, for shared and private use of the residents respectively.
- 3.6. The Development will involve highway and public realm works, including footway improvements and lighting along the existing Billy Fury Way route, as well as a new section of Billy Fury Way which will be integrated alongside the northern Network Rail boundary, accessed via two sets of ambulant-steps. The works will also include substantial tree planting, setback from and repaving of the Finchley Road frontage to create a more generous pedestrian experience, and greater circulation space adjacent to the Overground Station.
- 3.7. In total, the proposed Development will provide 22 residential units (Use Class C3) and 469sq.m (GIA) of commercial floorspace (flexible Use Classes A1/A2/A3), of which the 259sq.m (GIA) ground floor is anticipated to be used for sales. The Applicant is in advanced discussions with a well-known high street retailer to occupy

the unit, but has chosen to apply for a range of commercial use classes to ensure future flexibility, and to increase prospects of letting the unit upon completion.

- 3.8. The vision for the Site is to regenerate a poor quality, previously developed plot, to provide a high quality and sustainable development for people to live and work. The Development will integrate into its surrounding context and contribute towards meeting the objectives of national, regional, local and neighbourhood policy.
- 3.9. A detailed account of the proposed Development is contained within the accompanying Design and Access Statement.



*Fig. 3 – Illustration of the Proposed Development looking north along Finchley Road.*

## **Amount and Uses**

### ***Residential***

- 3.10. The Development proposes 22 residential units ranging in size from 1 to 3 bedroom apartments. The proposed residential mix is set out in the table below.

Unit Type	Number of Units	Percentage of Total
1-bed	4	18%
2-bed	17	77%
3-bed	1	5%
Total	22	100%

*Table 1: Proposed Residential Mix*

- 3.11. Access to the majority of residential units will be made via a dedicated foyer and core on the northern elevation, opening out into an improve area of public realm adjacent to

the Overground Station entrance. Access to Units 1 and 2 will be made via their private rear gardens, with secure entrances onto the new section of Billy Fury Way.

- 3.12. All new residential units have access to external space, either through private rear gardens, dedicated winter gardens (accessed internally), or the shared/private roof gardens.
- 3.13. The units have each been designed to comply with the latest relevant GLA housing design criteria, and will provide 10% wheelchair units.
- 3.14. The residential tenure of the proposed units will be discussed and agreed with Officers during the formal determination period, subject to discussions on deliverability and viability.

### ***Commercial***

- 3.15. The commercial floorspace is located at ground floor and basement level, fronting Finchley Road. The ground floor will comprise sales floorspace, whilst the lower ground and basement will be used for storage and plant requirements. In total, the Development delivers 469sq.m (GIA) of commercial floorspace (flexible Use Classes A1/A2/A3), of which the 259sq.m (GIA) ground floor is anticipated to be used for sales. Clearly the range of uses are appropriate in this defined town centre location, and based on average high street employment densities could create upwards of 15 jobs (FTE), whilst providing an additional service for the local community, in what is a highly sustainable location.

### ***Building Heights***

- 3.16. The building has been carefully designed to integrate into its surrounding context, both from a daylight/sunlight perspective to ensure no adverse impact on neighbours, but also in terms of street and townscape, with an emphasis on its location adjacent to a transport interchange. Scale, massing and overall heights have been an important part of the design and consultation process, having been discussed with Officers and local stakeholders during the pre-application stage.
- 3.17. The proposed Development is split between basement, lower ground, ground and ranges between six and nine upper storeys. The building extends to a maximum height of 29.9m when measured from ground level on Finchley Road (the highest point). Based on policy and guidance across the London, the development does not constitute a tall building. The rationale and justification for the scale, height and massing of the building is set out in the accompanying Design & Access Statement, as summarised later in this report.

### ***Car and Cycle Parking***

- 3.1. The Development is proposed as car-free given its sustainable location and very high level of transport accessibility (PTAL 6a). The proposed Development will provide a total of 48 cycle parking spaces for residential use located within the basement (accessible via lift). A further 2 spaces are allocated for residential visitors, 2 for commercial unit staff and 2 for customers (location to be agreed within the public realm area along Finchley Road). All cycle storage will be clearly identified, secure, adequately lit and in the case of the internal spaces, fully sheltered.
- 3.2. A draft Residential Travel Plan has been developed which will seek to minimise car use as much possible and promote green travel options such as cycling and walking.

### ***Public Realm & Landscaping***

- 3.3. The approach to public realm has been carefully considered as part of design and landscape concept evolution process, informed by technical highways, access, servicing and arboricultural assessments, as well as input from Officers and the local community during pre-application.
- 3.4. The public realm and landscaping proposals can be split into three main areas. Firstly Finchley Road and the building entrance / area adjacent to the Overground Station. Secondly, existing Billy Fury Way improvements and a new footway section adjacent to the northern boundary, and thirdly the rear garden area, outdoor living space which doubles as biodiverse roof gardens.



*Fig. 4 – Landscape Sketch Plan*

- 3.5. A conscious decision has been made to step the building back from the highway and existing footway to enable provision of a more generous area of public realm, both for pedestrian circulation and to provide tree planting. The setback will also allow an easier transition between the footway and Overground Station, the area outside of which will be greatly improved for use by residents and passing commuters. Five new mature trees will be introduced on the street frontage, providing a canopy at 1<sup>st</sup> floor level to assist residential privacy, and to generally improve streetscene appearance.
- 3.6. The building setback also creates a wider opening to the existing Billy Fury Way at the southeast corner of the Site. The building's southern ground floor frontage will be partly glazed between load-bearing masonry, thus creating greater overlooking from inside the retail unit, and to some degree light spill (within operating hours) to illuminate what is currently a dark and uninviting space. Billy Fury Way will also be subject to significant improvement works, including an upgraded footway, lighting and planting which forms part of the railed boundary treatment to the rear gardens. The approach to Billy Fury Way has been carefully considered in an attempt to create a safer and more secure route, overlooked by the new residential units, therefore encouraging its use as a connection to West Hampstead.
- 3.7. In addition, following feedback from LB Camden officers, the design team has been able to shift the northern building line back from its boundary with the Overground Station to provide an additional (new) section of Billy Fury Way. This new footpath will begin at the its highest point on Finchley Road, between the new building and Overground Station, and run westward to connect with the existing footpath beyond the new rear gardens. This 2m wide path will utilise two sections of ambulant steps and mid-landing area to counteract the steep change in levels from east to west. The ambulant steps will enable safe use by the majority of disabled users. A ramped solution has been investigated, but given the gradient, would not be compliant with current legislation. Notwithstanding this, the new section of footpath will provide a shorter and clearer route from Finchley Road onto the main stretch of Billy Fury Way, and the existing section of Billy Fury Way is retained and improved for wheelchair or parent/pram users. An additional route from Billy Fury Way to Finchley Road remains an option, via Lithos Road.





*Fig. 5 – Illustration of the Proposed Development looking west from Finchley Road (Overground Station indicative only).*

- 3.8. Within the Site, a new rear garden area will be created at lower ground floor level and will be shared by the 2 rear residential units. The garden will be bounded by substantial tree and shrub planting (15 mature trees and multi-stem specimens), as well as railings and temporary wicker to maintain privacy whilst the planting matures. The planting proposals continue up the building, forming a cascading garden from top to bottom. Green roofs will be created, as well private terraces and two shared/private roof gardens incorporating a further 15 ornamental tree specimens. Overall, 35 new trees are proposed on Site.
- 3.9. Further details of the proposed public realm and landscaping can be found in the accompanying Design and Access Statement and Landscape Design Statement.

## **4. CONSULTATION PROCESS**

- 4.1. This Section should be read in conjunction with the Statement of Community Involvement (SCI), which is submitted as a separate document to accompany the planning application. The SCI explains all public consultation carried out during the pre-application stage. This Section is primarily focussed on the formal pre-application process with the Council.

### **Pre-Application Discussions**

- 4.2. Formal pre-application discussions have been held with the Council on the evolving scheme since late 2015. The meetings have focussed on the following:
- Design, massing and height, townscape and local views;
  - Public realm and landscaping, including Billy Fury Way;
  - Housing mix, tenure, quality and affordable housing;
  - Transport and accessibility, including servicing and cycle parking;
  - Environmental considerations (including Energy, Sustainability, Noise, Air Quality, and Waste etc).
- 4.3. In addition, our technical team has been engaging with both Network Rail and TfL given their interest in the Overground Station immediately to the north, the adjacent Bus Stop and Red Route. This engagement has fed into the design process in terms of building lines, basement structure and retaining walls, windows to the north elevation and service/maintenance requirements. In addition, it has influenced our draft demolition/construction/logistics plans.

### **Public Consultation**

- 4.4. Public consultation is described in detail in the SCI that accompanies this planning application. In summary, a thorough process of consultation was undertaken to initiate a dialogue between the Applicant and the key stakeholders and local community in order to understand their objectives, aspirations and expectations for the Site, which have helped inform the evolution of the Development.
- 4.5. Key local stakeholders that we have engaged in pre-application discussions include Fortune Green & West Hampstead Neighbourhood Forum, Redington Frognal Neighbourhood Forum and West Hampstead Amenity & Transport (WHAT). In total, 16 groups and individuals were offered individual briefings, and a Development Management Forum was held in conjunction with Camden officers to enable a presentation and Q&A session on the emerging plans.



### **Key Themes from the Consultation Process**

- 4.6. The response from the local community has been broadly positive, with support for the principle of development, new homes, improved public realm, architectural approach and design. A range of themes have emerged through the consultation process, including:
- Support for redevelopment and regeneration;
  - Improvements to Billy Fury Way and Finchley Road frontage, including provision for cyclists;
  - New homes, including affordable, and a new retail store to provide jobs;
  - Design and appearance, including colour palette to complement the typically red Victorian streetscene.
  - The appropriateness of height and scale given committed and emerging proposals in the vicinity;
- 4.7. Throughout the consultation process, the scheme has evolved in line with the comments from Council officers, statutory consultees and the local community. Section 3.0 of the Design and Access Statement and the SCI set out the key areas where the design has changed, which include:
- A new section of Billy Fury Way;
  - Reduced building massing;
  - Façade design and architectural treatment;
  - Landscape and planting approach;
  - Demolition, construction and transport logistics plans;
  - Employment space and job prospects; and
  - Overground station connectivity.
- 4.8. Overall there was strong support for the principles of the scheme from the public consultation, with negative feedback largely limited to subjective detailed design and overall height of the scheme. The commercial element, type of operation and opportunity for local jobs were frequent comments. The individual stakeholder meetings raised a number of further detailed points, including general principles of development, anti-social behaviour, affordable housing, commercial space, access, deliveries and refuse, ecology and biodiversity, parking, trees, design and overlooking / privacy.

- 4.9. Following the submission of the planning application the Applicant remains committed to consulting and engaging with local residents, businesses and other stakeholders. The intention is to maintain the dialogue with those individuals and organisations who have expressed an interest in the scheme and to keep people up to date with the project through the website, newsletters, and meetings as required.

## **5. PLANNING POLICY**

- 5.1. The purpose of this Section is to identify the key national, regional and local planning policy and guidance relevant to the determination of the application for the Development, and against which the proposals have been considered during design development. An analysis of the key policies and tests relating to the principle of the Development is therefore included in the relevant sections of this Statement.
- 5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This requirement is reiterated in the National Planning Policy Framework (NPPF).

### **Development Plan**

- 5.3. The Development Plan for the Site comprises the following:
- The London Plan: Spatial Development Strategy for Greater London – Consolidated with Alterations Since 2011 (March 2015);
  - Camden Core Strategy (November 2010);
  - Camden Development Policies (November 2010);
  - Camden Site Allocations (September 2013); and
  - Fortune Green & West Hampstead Neighbourhood Plan (September 2015)
- 5.4. The Camden Site Allocations Plan is not relevant in this instance. However, of further note is the emerging draft Camden Local Plan which was consulted on in 2015 and is expected to undergo further public consultation in 2016 before submission for independent examination. This emerging policy document should be given due weight in decision making relative to its stage of progression, but is useful insofar as it indicates the Council's direction of travel in relation to a number of key policy areas.
- 5.5. In addition to the Development Plan, regard has been had to the following:

### **National Planning Policy and Guidance**

- The National Planning Policy Framework (March 2012); and
- National Planning Practice Guidance (NPPG, March 2014, as amended).
- Various Ministerial Statements on topic areas such as housing and viability.

### **Supplementary Planning Documents and Guidance**

- 5.6. In addition to the above, a range of supplementary planning documents and guidance are considered relevant to the proposed Development, both at regional and local level.

These documents comprise, but are not limited to the GLA's publications on Housing (2016) and Sustainable Design and Construction (2014), as well Camden's specific planning guidance on design, housing, sustainability, basements, amenity, transport and planning obligations.

## 6. PLANNING ASSESSMENT

- 6.1. This Section summarises the overriding priorities and strategic policy objectives which promote development in the area. It goes on to assess the proposed Development against relevant planning considerations, set out under specific topic headings.

### **Principle of Development**

- 6.2. It is clear that the Site is in need of comprehensive redevelopment and regeneration given its dilapidated state and long term vacancy. The principle of development, and in particular mixed-use comprising retail and residential elements, is established by the earlier 2015 planning permission, and was reiterated by officers as appropriate and much needed during pre-application discussions and public consultation.
- 6.3. Following recent land assembly, the Applicant is able to bring forward a larger Site for this much needed redevelopment than was subject of the 2015 consent (which related to a smaller portion of the site). The proposed scheme will deliver a comprehensive development, and comprise a greater number of new homes than the extant consent, a new retail unit fit for modern operator requirements, and substantial public realm enhancements.
- 6.4. Redevelopment of this previously developed brownfield site would contribute to meeting housing targets by adding 22 new residential units to the existing housing stock (an uplift from the 9 units consented in 2015). These homes will promote opportunity and choice for residents in ways that meet their needs and the strategic objectives for London and the Council.
- 6.5. The Development will also deliver high quality commercial floorspace, suitable for modern day operator requirements. The new floorspace will result in employment generation, presenting opportunities for local residents. The new commercial floorspace will improve overall viability of the scheme and encourage sustainable and inclusive communities.
- 6.6. The Site is within Finchley Road Town Centre, as such is an appropriate location for retail provision, whilst Camden policy also supports residential uses in such areas, referring to it as the Council's priority land use (Policy CS6). The proposal complies with Core Strategy Policy CS1, within which Finchley Road is identified for promotion of appropriate development (including making best efficient use of land), and CS3 which sets out this area as suitable for provision of homes and shops (including food and drink). DM Policy DP1 which sets out the Council's approach to mixed-use development is also complied with. The Development also contributes towards the objectives of Neighbourhood Plan Policies 1 (Housing) and 12 (Business. Commercial and Employment Premises and Sites).

- 6.7. For the reasons outlined above, the principle of the Development is consistent with the broad objectives of planning policy, and in accordance with the Government's overarching objectives for sustainable growth. The land uses remain in accord with the previous 2015 consent and current policy, and therefore the proposed Development is acceptable in principle and should be supported in this location.

### **Residential Mix, Quality & Density**

- 6.8. The proposed Development comprises 22 residential units located across the basement/lower ground, ground and nine upper floors. The new units will contribute towards London Plan and Camden's own policy targets for new homes. The proposed scheme has sought to maximise residential provision, subject to parameters linked to height, massing and scale particular. Overall, the scheme provides an appropriate level of residential floorspace in a very sustainable town centre location (PTAL 6a). The delivery of new homes, and the utilisation of a brownfield site contributes to compliance with Camden policies CS6 and DP2, as well as Neighbourhood Plan Policy 1, and wider London Plan policy which seeks to optimise housing delivery.
- 6.9. In terms of mix, the scheme will deliver a range of one to three bedroom units, suitable for occupation by single occupants, couples and families alike, therefore meeting varying needs for homes of different sizes.
- 6.10. Table 2 below sets out the accommodation schedule:

Unit Type	Number of Units	Percentage of Total
1-bed	4	18%
2-bed	17	77%
3-bed	1	5%
Total	22	100%

*Table 2: Proposed Residential Mix*

- 6.11. In designing the scheme, the architect and Applicant have been mindful of DM Policy DP5 which sets out Camden's dwelling size priorities. The policy prioritises 2-bed units within market residential schemes, with a 40% target. The residential tenure of the development will be discussed with officers during determination (in relation to affordable housing and viability), however, it is assumed that the development will comprise a majority of units for private market sale. On this basis, the scheme meets the only identified aim of the policy in respect of 2-bed units, yet also provides 4 x 1-bed units and a 3-bed unit to contribute towards wider needs.
- 6.12. It is relevant to note that DM Policy DP5 states that in considering the mix of dwelling sizes appropriate to a development, the Council will take into account *inter alia* the character of development, the site and area, site size and constraints, and economics and financial viability. Given the physical constraints of this site, the building envelope and 3-block structure (which itself has townscape and sustainability

benefits), coupled with the Applicant's economic and viability requirements, it has proved very challenging to provide any greater number of family sized units. It would further be reasonable to suggest that in any event, we would not consider family sized units necessarily suited to this particular town centre location, immediately adjacent to a major vehicular route.

- 6.13. In terms of housing quality, the architect has paid careful attention to providing high quality standards of accommodation that comply or exceed relevant guidance. All of the residential units meet the minimum space standards, amenity space thresholds (either through private gardens, private/shared roof gardens, or winter gardens), storage requirements, and the majority are dual aspect. There are no single aspect north facing units. Ceiling heights are proposed at 2.6m, above the guidance threshold. Three residential units have been designed as wheelchair adaptable in accordance with the latest Building Regulations Part M(4) requirement (which equates to 14% of units, exceeding the Camden DM Policy DP6 requirement). All units have dedicated cycle storage and waste refuse areas located in the basement, accessible by stairs and lift.
- 6.14. Furthermore, the technical consultant team has assessed noise, vibration and air quality conditions at this Site to inform the building and structural design. Glazing specifications have been recommended and incorporated into the design, whilst the winter gardens are positioned to act as a noise buffer between Finchley Road and the internal spaces. In terms of air quality, recommendations have been made and incorporated into the design to enable the ventilation of units fronting Finchley Road, in particular at 1<sup>st</sup> and 2<sup>nd</sup> floor level.
- 6.15. All of the proposed 22 units have been assessed from an internal daylight perspective, and comply or exceed the relevant BRE criteria. All units will benefit from adequate daylight and aspect.
- 6.16. From a density perspective, the 0.074ha Site delivers 22 units and 69 habitable rooms across basement, lower ground and nine upper storeys. When considered against the London Plan density matrix (Table 3.2), and bearing in mind the very high PTAL 6a rating and Central location, the Site should be capable of supporting up to 1,100 hr/ha. The scheme derives a residential density of 932 hr/ha, within the upper density threshold.
- 6.17. Overall, the proposed residential units quality comply with Camden Policy CS6, DP5 and DP6, as well as environmental and amenity policies DP17, DP28 and DP32. The Development further contributes towards the objectives of Neighbourhood Plan Policies 1 and relevant London Plan policy and guidance.

### **Affordable Housing**

- 6.18. The Applicant is aware of the Council's policy and guidance on affordable housing matters, and the need for new homes in the Borough. We have discussed this element

of the scheme with Officers, stakeholders and the local community during pre-application consultation.

- 6.19. Any potential affordable housing element of the Development will be subject to further discussion and negotiation with Officers during the determination of the planning application, taking into account financial viability and balance of scheme benefits. However, we should note that the scheme has been designed so that a certain quantum of residential floorspace can be accessed via a separate dedicated means of access which we understand to be a key requirement of Registered Providers.

### **Commercial Unit**

- 6.20. The Site is inherently an appropriate location for main town centre uses given its sits within the Finchley Road / Swiss Cottage Town Centre designation in the development plan. The sequential and impact tests are therefore not relevant, nor required in this instance. The proposed Class A1/A2/A3 use is acceptable in principle, and is comparable with the 2015 consent which comprised a retail unit at ground floor fronting Finchley Road. As noted above, the Applicant is in advanced discussions with a well-known high street retailer to occupy the unit, but has chosen to apply for a range of commercial use classes to ensure future flexibility, and to increase prospects of letting the unit upon completion.
- 6.21. The proposed commercial unit has been designed so that it delivers a balance between an adequate ground floor sales floorspace quantum, and lower ground back of house requirements to meet the operational needs of modern retailers. Plant and waste requirements are provided at basement level with access made possible to both lower levels by stair and goods lift. The space has been designed so that it can provide adequate mechanical, electrical and ventilation/extract requirements for all potential operators within Use Classes A1, A2 and A3.
- 6.22. Externally, the unit will generate active frontages to both Finchley Road, which comprises two entrances and shopfronts behind a colonnade, and the existing Billy Fury Way which will be largely glazed to ensure activity and overlooking to what is currently a badly lit pedestrian route, well known for anti-social behaviour. The unit has been designed to enable through circulation, with entrances at both of its southeast and northeast corners fronting Finchley Road. The shopfronts themselves will be of high design quality and finish to complement the overarching appearance of the building above. Level access is achieved in accordance with relevant legislation. Any signage associated with the future unit operator will be subject to subsequent applications, as required.
- 6.23. The unit will be serviced from the Finchley Road elevation, utilising an existing on-street loading bay, or an alternative on-street solution to be agreed with both LB Camden and TfL (consultations remain ongoing). Deliveries are proposed to be made to the unit via its entrance doors at ground, or via the goods lift entrance off the new



section of Billy Fury Way (north elevation). As above, the Site is subject to an extant consent for a retail unit that also required on-street servicing, whilst the former public house would have been subject to similar arrangements, with potentially heavy vehicle deliveries of barrels etc. The principle of servicing from this location has therefore been established, however we will continue to work with Camden and TfL's highways departments to secure a safe and suitable solution for this location. Further explanation of the existing/proposed servicing situation is set out in the accompanying Transport Statement.

- 6.24. The new unit will realise an employment opportunity for local residents, in the region of 30-35 jobs (or 15 full-time equivalent). The unit will clearly have wider economic benefits in terms reducing local unemployment and increasing locally available expenditure, as well as supply chain and business rates uplifts. The unit will provide a highly sustainable local service for residents and passers-by, in what is a location of high footfall adjacent to the Overground Station.
- 6.25. The commercial element of the scheme is compliant with relevant planning policy, including Camden Policy CS7 (Promoting Camden's centres and shops), and DP12. Relevant London Plan and NPPF policies are also complied with.

#### **Design, Layout, Height & Massing, Appearance**

- 6.26. A series of key urban design principles have shaped the approach to the Site in terms of overarching design, height, massing, layout, form and appearance. This principles include:
- Urban design and townscape analysis of existing local context;
  - Aspiration to create a 'marker' building to act as a signpost for the Station;
  - Neighbouring sunlight/daylight studies to ascertain developable footprint;
  - Public realm improvements and landscaping approach to Billy Fury Way;
  - Providing an active frontage along Finchley Road, yet allowing additional space for public realm enhancement and tree planting
  - Boundary treatment to the north to meet Network Rail's operational requirements; and
  - Creating a safe, secure and overlooked residential entrance.

#### *Layout*

- 6.27. Following footprint studies it was concluded that basement, lower ground and ground floors should be sensitively maximised (with due care taken on basement impact and structure), and to introduce 3 inter-connected buildings above that would break up massing in the street scene, generate sustainability and housing quality benefits,

respect neighbour amenity and yet provide adequate floorspace to deliver a viable quantum of floorspace.

- 6.28. The public realm objectives led to the Finchley Road frontage being pulled back, whilst the footprint being contained to enable upgrading of the existing Billy Fury Way route on the south elevation, and introduction of a new section of footway on the northern boundary. An opportunity was also realised to provide private gardens to Units 1 and 2 at lower ground floor / basement level, which in turn maintains acceptable proximity distances with neighbours given the building line setback.
- 6.29. The layout has allowed the building above to generate a strong marker element adjacent to the station (which covers just 15% of site area), a lower block adjacent to the Victorian terrace, and a further lower block to the rear. This layout has further enabled the provision of roof gardens, generous internal circulation space, aspect, outlook, light penetration and overall sustainability benefits, including ventilation.
- 6.30. The rationale for the proposed layout is further explained in detail in the accompanying Design and Access Statement.

#### *Height and Massing*

- 6.31. Scale, massing and overall height of the proposed Development has been carefully considered as part of the design process, both in respect of recent land assembly, existing locality and townscape, but also against a context of providing a marker for the adjacent station, delivered through high quality architecture.
- 6.32. Of particular contextual relevance are the instances of taller buildings along Finchley Road itself, including JW3 Community Centre and the Telephone Exchange to the north, and bulkier buildings such as 321 and 333-339 Finchley Road. The Allied Irish Bank building and Arkwright Mansions opposite the Site are also of greater scale than the typical built form further to the south. There are also instances of much taller existing (and consented) buildings to the south at Swiss Cottage, which sits within the same defined town centre area.
- 6.33. The architectural design team has utilised a number of townscape tools to assess the appropriate scale and height of the building, both in views along Finchley Road, and from the surrounding area, including the Redington and Frognal Conservation Area. The analysis shows that it becomes apparent that the massing of the scheme is largely unseen in views from around the surrounding area, until a point whereby you reach Finchley Road itself. Once on Finchley Road, this inherently provides you with the marker element that we consider is deserved of the location immediately adjacent to the Overground Station, within a defined town centre. These views are tested in the accompanying Design and Access Statement.
- 6.34. The highest point of the building is located at the northeast corner of the Site (tenth storey / 29.9m above Finchley Road ground level), nearest to the Overground Station

and Finchley Road frontage – this provides the transport node marker. The upper three storeys of the taller element are set back using a slight but gradual incline to reduce perceived massing on the street. The adjacent block steps down to seven storeys, in a sensitive effort to reduce scale to the neighbouring Victorian terraces. The five storey rear block is largely unseen from Finchley Road given the gradient changes, and considered an appropriate height given its position on the Site and outlook. Based on accepted policy and guidance across London, the proposed Development does not constitute a tall building.

- 6.35. Notwithstanding the transport node marker that is achieved, and the high quality design and architecture proposed, the Development and specifically its height can be said to be further offset by delivery of wider benefits. These importantly include significant investment in the public realm, both on the Finchley Road frontage and Billy Fury Way improvements (existing and new section of footway), the provision of much needed housing (at appropriately high density, and potentially including a quantum of affordable housing which is dependent on discussion/negotiation with Officers, in line with relevant policy and guidance), and job generation for local people.
- 6.36. The Development is considered to have a negligible impact on designated heritage assets, specifically the single listed building in the area located on Arkwright Road (Camden Arts Centre, Grade II), and the Redington and Frognal Conservation Area to the northeast, from within which the proposed building will be effectively unseen in public views. As noted above, we consider the Development's visibility, once on Finchley Road, to be an important townscape benefit to mark the Overground Station location.
- 6.37. Given the above, we consider the scale, massing and associated height of the proposed Development to be acceptable in this location.

#### Appearance

- 6.38. The architectural language, style, materiality and fenestration of the proposed Development are outlined in the accompanying Design and Access Statement. In summary, the Development take its cues from the local townscape and vernacular, utilise a traditional method of load bearing stone construction, and yet introduces contemporary design features that add interest and variety. These are hallmarks of Amin Taha's work, the principles of which were supported by LB Camden planning and design officers at pre-application stage.
- 6.39. In terms of materiality, it is proposed that high quality red/brown stone is used as a primary material. Feature stone panels will also be used to add interest on some of the elevations and to maintain residential amenity, whilst glazing is used generously to increase transparency of the building and soften its relationship with the roofscape at upper floors. Window frames are proposed in brass to add further quality and

traditional materials. The roof gardens will utilise glazed balustrades to add further transparency at higher points of the building. The final detail and specification of materials may be subject of an appropriately worded condition.

- 6.40. The appearance of the building is described in greater detail in the accompanying Design and Access Statement. However, overall the appearance of the proposed Development is considered very much appropriate for its location, showcasing high quality design and appearance in a location befitting of a sensitive, complementary yet statement piece of architecture.
- 6.41. Overall in terms of design, layout, height, massing and appearance, the proposal complies with Camden Policies CS14, CS15, DP24 and DP25, as well as Neighbourhood Plan Policy 2 (Design & Character).

### **Public Realm & Landscaping**

- 6.42. A positive approach has been taken to public realm and landscaping, as evidenced by the submitted Landscape Design scheme and plans prepared by TLG Landscape. Substantial areas of the Site under the Applicant's ownership are proposed to be given over to public use, both on Finchley Road itself and by way of a new section of Billy Fury Way adjacent to the northern Site boundary.
- 6.43. The Finchley Road frontage will be repaved in high quality materials and planted with 5 mature trees, whilst the new section of Billy Fury Way has been sensitively designed so that it comprises ambulant steps. The existing Billy Fury Way is maintained, improved and remains open for wheelchair and buggy use, whilst it will now be overlooked and effectively policed by the new ground floor commercial unit which is glazed to that southern elevation. The new rear garden will be treated with sensitive, defensive yet high quality boundaries in the form of railings, lighting and planting.
- 6.44. From a soft landscape perspective, in addition to the 5 new mature trees on Finchley Road, 15 mature trees and multi-stem specimens are proposed to be planted to the rear ground floor gardens, 15 ornamental tree specimens are proposed to be planted within the roof gardens, and over 100sq.m of planting beds are proposed across the private and communal garden spaces. Together these improvements will enhance the ecological richness of the Site through the introduction of both indigenous and wildlife encouraging plants. The external spaces, together with the proposed winter gardens, will provide future residents with high quality (policy compliant) levels of amenity space.
- 6.45. A sensitive lighting scheme will be developed that integrates the proposed landscaped and externally accessible areas, together with the new built form and its immediate town centre context.
- 6.46. Overall the approach to public realm and landscaping will improve pedestrian accessibility to and from the Site, including the adjacent Station and Bus Stop, will

improve the quality of streetscape, landscape provision and biodiversity, and should further assist in reducing anti-social behaviour. The proposals comply with Camden policies CS15, DP24 and DP31, as well as Neighbour Plan Policy 9 (Pavements & Pedestrians), 17 (Green/Open Space) and 18 (Trees).

### **Transport & Servicing**

- 6.47. The accompanying Transport Statement sets out the proposed Development in the context of its location, accessibility and anticipated trip generation from both residential and commercial elements.
- 6.48. By way of summary, the Development is proposed on a 'car-free' basis given its accessible and sustainable location. On this basis, zero car parking is provided on Site for residents, leading to a negligible associated impact on the local highway network. The vast majority of trips to and from the Development by its residents will be made on foot, public transport (train/tube or bus), or by cycle. Dedicated, policy compliant levels of cycle parking are provided at basement level, accessed via lift. A residential travel plan has also been submitted which will seek to encourage uptake of sustainable transport modes upon occupation. Servicing for the residential element will be undertaken by concierge, who on identified collection days will bring up waste bins from the basement and return them after collection. The concierge will also provide a front of house contact for any visitors or home deliveries.
- 6.49. Similarly, no car parking is provided for the commercial unit, with trips again expected to be made by sustainable modes given its well-connected town centre location. It is assumed that the vast majority of trips to and from the commercial unit will be pass-by, either by commuters using rail/tube or bus, or diverted pedestrians already on the high street. The commercial unit size does not warrant a standalone travel plan, however, as with many retailers, staff will be encouraged to use sustainable modes of travel to and from work. The commercial unit will be serviced from on-street using an existing loading bay (as was the previous public house), with details subject to further discussion and agreement with TfL. It is anticipated that deliveries will be taken either through the main shopfront entrances on Finchley Road, or via the dedicated goods lift entrance accessed via the new section of Billy Fury Way (north elevation).
- 6.50. Existing public transport capacity in the locality is considered sufficient to serve the Development, whilst the enlarged area of public realm on the Finchley Road frontage will assist in making it a safer and more enjoyable pedestrian environment. The new section of Billy Fury Way further provides pedestrian connectivity improvements.
- 6.51. Details of the anticipated demolition and construction programme, as well as a separate framework construction logistics plan, have been submitted in draft as part of the planning application. The effects associated with a temporary increase in traffic resulting from demolition/construction activity will be mitigated by means of

managing vehicle arrival and departure times, to achieve an even spread of movements during the working day. These proposals will be further developed and refined with Camden and TfL, and secured by way of an appropriately worded planning condition.

- 6.52. Overall, the scheme is considered to promote sustainable transport choices given its location, car-free nature, provision of dedicated cycle parking, residential travel plan and public realm improvements. The commercial element will be carefully controlled in terms of servicing and waste to ensure there are no adverse impacts on the local highway network or residential amenity, as will temporary demolition and construction activity. The proposal complies with relevant Camden policies CS11, DP16 and DP17, as well as contributing towards the objectives of Neighbourhood Plan Policies 7 (Sustainable Transport) and 8 (Cycling).

### **Energy & Sustainability**

- 6.53. Energy efficiency and sustainability considerations have been an important element of the planning and design process for the Development. They will continue to underpin any further details reserved by condition for subsequent approval, as well as considerations during the construction and operational periods of the Development. The accompanying Energy Statement and Sustainable Design & Construction Statement both prepared by MLM identify how the Development addresses relevant policy.
- 6.54. The scheme follows the GLA Energy Hierarchy, Be Lean, Be Clean, Be Green. Energy efficiency measures have been incorporated to improve the building fabric and services performance (e.g. U-values, air tightness, thermal junctions ventilation, heating/cooling, domestic hot water and lighting), and a combined heat and power (CHP) system has been incorporated to deliver approximately 60% of heating and hot water demand, whilst air source heat pumps have also been identified as suitable for the Development.
- 6.55. Overall, the Development achieves a 32.37% improvement in carbon emissions over the Building Regulations 2013 requirements. Further measures to improve performance have been investigated and exhausted in the context of this Site and Development's physical constraints, which included any opportunity to connect to communal heat networks, however none are present locally. We will discuss energy matters further with Camden officers during determination, with particular reference to any need for a carbon off set payment to bring the Development in line with the current 35% carbon emission improvement targets.
- 6.56. From a sustainability perspective, the Development has been optimised in line with relevant policy and guidance by:
- Minimising the need to travel by car (the Development is 'car free', and is located in an area of very high transport accessibility);

- Re-use of previously developed land and buildings (an existing, derelict site is to be redeveloped);
- Minimising carbon emissions (as outlined above, 32.37% improvement with an option to supplement this with a carbon offset payment);
- Reducing water consumption, introducing a drainage strategy and mitigating against flood risk;
- Promoting resource efficiency during construction and operational periods; and
- Developing a strategy to mitigate against air quality impacts on future residents, and minimise emissions through management plans during demolition and construction.

6.57. In addition, the Development significantly enhances local ecology and biodiversity through tree planting, rear gardens and roof gardens, with 50 new mature and ornamental species provides, and 100sq.m of planting beds.

6.58. Aside from the comments on energy and carbon emission reduction above, the Development complies with relevant policy and guidance, in particular Camden policies CS13, DP22, DP23, and relevant London Plan Policies.

### **Noise & Vibration**

6.59. The planning application is accompanied by a Noise and Vibration Survey & Assessment prepared by Philip Acoustics. The report surveys both the immediate noise climate for day and night periods (e.g. from road traffic or trains) and a calculation of noise exposure to the proposed Development. It further assesses vibration derived from the adjacent railway line.

6.60. From this exercise, the report recommends façade/building sound insulation (i.e. window specification and acoustic ventilation, generally to the Finchley Road elevation) to ensure future residents are not adversely affected by noise pollution. The proposed mitigation measures and acoustic performance will ensure residents are not exposed to adverse levels of noise pollution, in accord with Policy DP28. The glazing specifications are capable of being incorporated at the detailed design stage of Development, whilst ventilation measures are addressed in greater detail in the accompanying Air Quality Assessment (and subsection below), and can again be incorporated.

6.61. The survey considers ground-borne vibration from nearby railway activity i.e. the nearby Overground line. This work is based on a vibration measurement survey, following which an impact assessment has been completed. The assessment concludes that vibration would be below the range where there is a low probability of adverse comment. Mitigation measures would therefore not be necessary in order to ensure

that noise from the passage of trains does not give rise to significant annoyance to future occupants of the proposed development. No vibration mitigation measures are required specifically in relation to structure of the proposed building.

- 6.62. Overall, it is considered that the Development accords with Camden Policy DP28 and London Plan Policy 7.15.

### **Air Quality**

- 6.63. The Site is located within an area identified by LB Camden as experiencing elevated pollutant concentrations, as such Developments within this area have the potential to introduce future users to poor air quality. Additionally, the Development has the potential to cause impacts during construction and operation. Given the above, a detailed Air Quality Assessment has been prepared by REC Ltd to accompany the planning application.
- 6.64. Potential construction phase air quality impacts were assessed as a result of fugitive dust emissions from demolition, earthworks, and construction / trackout activities. It is considered that the use of good practice control measures would provide suitable mitigation for a development of this size and nature, and reduce potential impacts to an acceptable level. Draft demolition, construction management and logistics plans have been submitted alongside the application which detail how this may be addressed in practice.
- 6.65. Dispersion modelling was undertaken in order to quantify pollutant concentrations at the Site and assess the potential for future residents to be exposed to poor air quality. The results indicated high pollutant concentrations at the ground, first and second floor of the Development. In order to reduce future exposure of residents to poor air quality, suitable mitigation for inclusion within the Development was identified. This included a mechanical ventilation system to supply clean air to specified areas. These mitigation measures have been considered and assessed by the design team, and are capable of being incorporated into the Development at detailed design stage.
- 6.66. Screening of potential impacts during the operational phase of the Development (i.e. primarily residential occupation, but also the commercial unit) were undertaken to determine the potential for trips generated by the development to affect local air quality. This indicated that impacts were not anticipated to be significant, in line with conclusions of the Transport Statement that the vast majority of trips would be made via sustainable transport modes, including train/tube, bus, walking and cycling.
- 6.67. Based on the assessment results the Site is considered suitable for the proposed residential end use, subject to the inclusion of relevant mitigation measures. The proposed Development complies with Camden Policy DP32 and London Plan Policy 7.14, as well as relevant legislation.



**Sunlight, Daylight & Overshadowing**

- 6.68. A Daylight and Sunlight Report to Neighbouring Buildings and Proposed Accommodation has been prepared by Brooke Vincent & Partners (BVP) to accompany the planning application. The report analyses daylight and sunlight to surrounding properties, and to the new 22 residential units within the Development. The report has been drafted with reference to the relevant Building Research Establishment (BRE) guidance, LB Camden's planning policy and London Plan / GLA Housing SPD. Importantly, the report also comprises a review of the consented scheme at this Site and an appropriate comparison with the proposed Development.
- 6.69. The analysis of daylight and sunlight to neighbouring residential buildings confirms there would be little or no variation in the daylight and sunlight received by neighbouring buildings, when compared between the consented and proposed Development. Where variances with the consented scheme do occur, they are minor, with particular reference to:
- Parts of 321 Finchley Road which are already inhibited by a lightwell on its southern elevation fronting the railway (whilst it remains unclear whether the rooms with windows in this location are in fact habitable);
  - 307 Finchley Road which already experiences poor performance as a result of its change of use from office to residential via Permitted Development Rights (ref. 2013/5640/P), as part of which, assessment of internal daylight was not required to be considered; and
  - 1-17 Petros Gardens, which is subject to marginal non-compliances in the main due to the presence of building overhangs.
- 6.70. Together, BVP and the architect have developed the internal layouts of proposed residential units to ensure that good levels of daylight would be provided to all habitable accommodation. The results confirm that all daylight values would be above the minimum recommended by BRE and mostly substantially in excess of the recommended values. Sunlight to the proposed accommodation inevitably reflects location and the local urban grain. A review of internal layout confirms that all living rooms are either south facing as recommended by BRE, or are served by winter gardens which include a south facing aspect. Every flat satisfies the recommendation of the London Plan Housing SPG. In summary, the availability of sunlight to the proposed accommodation is a significant improvement on the consented Development.

**Basement Impact, Structure & Site Investigation**

- 6.71. The Site comprises an existing basement which served the public house building. The proposed Development seeks to lower the existing basement floor level and extend it to the rear (west) of the site where it will open out into the new garden area, taking into account the change in gradient. The current basement area extends to

approximately 210sq.m and 3m in depth below ground. The proposed Development will enable provision of lower ground and basement floors to 7m below ground.

- 6.72. As shown on the submitted plans, the lower ground will be used as retail back of house, and for the upper floors of residential Units 1 and 2. The basement will be used for Units 1 and 2 lower floors (opening out onto their private gardens), plus the cycle store, waste store and plant room which is accessed via stairs and lift.
- 6.73. Notwithstanding the existing basement, a detailed Basement Impact Assessment (BIA) has been prepared by Webb Yates and is submitted alongside the planning application. The BIA includes all relevant Stages required by relevant Camden guidance CPG4: Screening, Scoping, Site Investigation and Study, Impact Assessment and Conclusion. The various appendices include a comprehensive Site Investigation report, structural designs and calculations, and Drainage Strategy. Overall they provide a robust evidence base from which to assess the proposed Development.
- 6.74. The BIA Screening and Scoping stages derived a number of areas where further detailed work was required, including subterranean groundwater flow, slope stability and surface flow and flooding (see below). Two subsequent phases of site investigations were carried out, including five boreholes, window samples and trial pits, all of which were supplemented with laboratory testing to develop conceptual ground and hydrological models.

#### *Subterranean Groundwater Flow*

- 6.75. The site investigation identified some perched water in one location, at a shallow depth above the London Clay. No further groundwater was found within the depth of the piled foundations. Due to the localised nature of the perched groundwater and the minimal intrusion into it by the proposed structure, the proposed basement will have minimal impact on the groundwater flow. Groundwater monitoring is proposed during construction with contingency plans in place should the conditions vary from those expected.

#### *Slope Stability*

- 6.76. The underlying ground conditions and existing foundations at the Site have been confirmed and the foundations and construction methodology specified and designed to minimise any impacts. The predicted ground displacements have been determined, resulting in negligible to very slight superficial impacts. A comprehensive monitoring scheme has been proposed to survey displacements during construction, and appropriate contingency plans have been proposed. The proposed construction sequence minimises the anticipated displacements. Deep piled foundations and a Cellform formwork have been used to mitigate the effects of heave behaviour of the clay due to removal of trees.

*Surface Flow and Flooding*

- 6.77. The basement was determined to have no impact on the surface water run off by designing drainage to discharge to a combined sewer at Finchley Road. An attenuation tank has been included below the rear garden area (as shown in the Drainage Strategy) to provide a betterment of greater than 50% runoff from the existing Site, whilst the roof gardens also increase the interception storage available for the Site via increased evapotranspiration.
- 6.78. The Site was identified as being in Flood Zone 1 (low risk), and the basement has been designed with a drained cavity system and structurally integral waterproofing with reinforced concrete walls to provide flood resilience, considering the risks of climate change and surface water/sewer flooding. Two egress routes are available from basement level units in the instance of flooding.
- 6.79. The proposed structural design has been considered carefully given the physical constraints of this Site, in particular its proximity to Finchley Road and the Overground Station. Network Rail have been consulted in respect of the proposed structural designs.

*Site Investigation*

- 6.80. In terms of the Site Investigation, the majority of the chemical determinands analysed recorded levels below the relevant screening criteria for a residential end use, with the exception of chromium and lead. The report states that in areas that will be covered by hardstanding, the pathway for lead and chromium contamination to come into contact with human health receptors will be removed, and thus no viable pollutant linkage will be present. It goes on to state that in areas where landscaping or gardens are proposed as part of the development, then these areas will need some remedial action undertaking. A suitable remedial option would comprise the placement of a suitable capping layer within landscaped or garden areas comprising 'clean' imported soils. A likely suitable thickness within landscaped areas would be 450mm and within private garden areas a thickness of 600mm.
- 6.81. In line with legislative requirements, the mitigation measures outlined above and in the accompanying technical documentation will ensure that the potential risk of harm to human health and the wider environment will be minimised so as not to cause an unacceptable contamination risk.
- 6.82. When taken together with the BIA work which confirms the proposed Development will have no adverse impacts, the application proposal accords with London Plan Policy 5.21, Camden Policy DP27 and guidance contained within CPG2.

**Demolition & Construction Management**

- 6.83. As referenced above, draft Demolition and Construction Management Plans have been prepared to accompany this application, together with a Framework Construction Logistics Plan. The Applicant is mindful of the physical constraints this Site presents when coming forward for redevelopment. We have therefore sought to develop appropriate mitigation measures and plans to minimise potential environmental, amenity and highway impacts.
- 6.84. These plans remain in draft, and will be developed further with input from LB Camden officers, TfL and Network Rail during the determination of the application and beyond, with the expectation of suitably worded planning conditions being attached to a future decision. However, at this stage we are confident that adequate measures can be put in place to mitigate against any potential impacts derived from demolition and construction, including noise, dust, vibration and highway movements.

## 7. DRAFT SECTION 106 HEADS OF TERMS

7.1. This section summarises the draft Heads of Terms for the Development, and identifies where financial contributions could be made and where works ‘in kind’ are proposed in lieu of payment. The draft Heads of Terms have been considered in relation to LB Camden’s Planning Obligations guidance (CPG8), and relevant Community Infrastructure Levy arrangements. It is envisaged that discussions relating to the following draft Heads of Terms and any Section 106 Agreement will continue with LB Camden during the determination of the planning application.

- Amenity – to be addressed via Demolition and Construction Management Plans secured by planning conditions (drafts submitted), plus measures to mitigate against potentially contaminated land.
- Community Facilities – not required given the scale of the scheme, existing provision of local facilities and the scheme CIL contribution.
- Design – in-kind provision of soft landscaping to support ecology/biodiversity; hard landscaping, highway, street and significant public realm works on the Finchley Road frontage and existing/new Billy Fury Way which will improve safety; There is no material impact on heritage assets.
- Affordable Housing – to be discussed with officers during the determination period.
- Sustainability – not required as policy requirements are met subject to potential carbon offset contribution.
- Employment and Business Support – to be discussed with officers during the determination period.
- Flexible Shops and Business Space – not applicable given flexible Class A1/A2/A3 space is proposed, within a defined town centre location.
- Transport – in-kind provision given the proposal is car free, residential travel plan, dedicated on-site cycle parking, public realm improvements and scheme CIL contribution.
- Public Open Space – in-kind given the significant public realm improvements and net increase in public areas, as well as high quality amenity space provided for residents (private rear gardens and winter gardens, private/communal roof gardens).

7.2. The Development will be liable for CIL contributions under both the Mayor of London (£50 p/sq.m) and Camden CIL Charging Schedules (£250 p/sq.m residential and £25 p/sq.m retail).

## **8. CONCLUSIONS**

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the NPPF requires proposals to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 8.2. This Statement assesses the Development against the Camden Development Plan and other relevant national, regional and local planning policy and guidance. The Statement also considers the relevant policies contained within the Fortune Green & West Hampstead Neighbourhood Plan.
- 8.3. The Development has been the subject of extensive consultation with the Council, key local stakeholders, the local community and public. This has resulted in changes to the proposed Development to take into account the comments received. This process of consultation and engagement is on-going.
- 8.4. Redevelopment of this brownfield site would contribute to meeting housing targets by adding 22 new residential units to the existing housing stock. These homes will promote opportunity and choice for residents in ways that meet their needs and the strategic objectives for London and the Council. Affordable housing will be discussed and agreed with Council officers in line with adopted policy and guidance.
- 8.5. The proposed Development has been carefully considered in terms of residential provision, density and quality, as well as design (scale, massing, height, layout and appearance, including materiality related to the existing townscape). In addition, technical studies have informed the design evolution, including basement impact and site investigations, landscaping and transport, air quality, noise and vibration, energy and sustainability. Draft demolition and construction management plans have been developed. All other development management and environmental planning issues have been considered and are compliant with relevant planning policy at national, regional and local level.
- 8.6. The Applicant has assembled land to enable delivery of more comprehensive and beneficial scheme when compared to the existing consent at the Site. The Development accords with current and emerging planning policy which seeks the provision of much needed new homes, as well as provision of commercial floorspace to support town centre vitality and viability, including through the creation of jobs. The proposal is also considered to comply with the general principles, aspirations and objectives of the Neighbourhood Plan.
- 8.7. For the reasons outlined above, the principle of the Development is consistent with the objectives of planning policy and in accordance with the Government's overarching objectives for sustainable growth. Detailed planning and development management considerations are also acceptable. The proposed Development is acceptable and should be supported in this location.