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**158 Finchley Road, London, NW3  
5HL**

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Planning Statement



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## 1. Introduction

1.1 This statement has been prepared in support of a planning application at 158 Finchley Road, London, NW3 5HL. The site comprises the front blocks facing onto Finchley Road, consisting of Frognal Court, Warwick House and Midland House.

1.2 The proposed development comprises the following:

*“Single storey roof extension to Frognal Court, Warwick House and Midland House, to provide 8 new residential units (1 x one bed, 6 x two bed, 1 x three bed). Lift tower to the rear of Frognal Court”*

1.3 This report has been prepared following an examination of the site and surroundings, research into the planning history of the property, and an examination of relevant policy documents. A review of the pre-application submission and response has also been carried out in order to inform the preparation of the report.

1.4 This statement provides the background information on the site and an assessment of the proposals in relation to planning policy and other material considerations, and is set out under the following sections:

- **Section 2** outlines the site and its context within the surrounding area
- **Section 3** provides an overview of the planning history
- **Section 4** provides an outline of the proposals
- **Section 5** examines the main planning considerations
- **Section 6** draws our conclusions in respect of the proposals

## 2. Site and Surroundings

2.1 The site comprises a run of connected buildings fronting onto Finchley Road. These are made up of the following:

- 1-12 Frognal Court (4 storeys);
- Warwick House (4 storeys);
- Midland Court (3 storeys).



2.2 The properties are located along the eastern elevation of Finchley Road, near to its junction with Blackburn Road. The site benefits from an excellent PTAL rating of 6a, and is situated equidistant between Finchley Road and Frognal station, which is connected with the London Overground, and Finchley Road Underground station which is on the Jubilee and Metropolitan Lines.

2.3 The buildings range in height between three and four storeys with retail use and other A Class uses at ground floor level, and residential use above. To the immediate south of the site is the Holiday Inn Express which rises to seven storeys. Opposite the site across the junction between Finchley Road and Blackburn Road, is the O2 Shopping Centre. To the west of the site, on the opposite side of Finchley Road, are a row of buildings ranging in height between three and four storeys, comprising ground floor retail units.

2.4 Immediately behind the site on its eastern elevation, are two residential blocks of flats on Frognal Court which rise to five storeys. This block is at a slightly higher level due to the sloping of the land. Nos. 14-45 Frognal Court have extant planning permission for a mansard roof extension to provide 8 two bedroom flats (ref. 2014/0342/P).

2.5 Between the two blocks lies a courtyard area of tarmac used for car parking, which is privately owned.

2.6 According to the below proposals map extract, the only designation affecting the site is its location within a designated town centre.



Above. Camden Planning Proposals Map extract

## 3. Planning History

### *Planning Applications*

- 3.1 Planning permission was refused in July 2006 (ref. 2006/0967/P) for the erection of a 4th floor mansard roof extension over Frogmal Court and Warwick House to provide 6 flats and a 3rd floor plus 4th floor mansard roof extension over Midland Court to provide 4 flats, and the extension of all existing external fire escapes to the rear. Importantly, the permission was not refused on design or height/mass/bulk grounds, but rather was refused due to failing to comply with Lifetime Homes Standards. The other reasons for refusal related to a lack of a signed Section 106 Agreement.
- 3.2 A further planning application was submitted later in 2006 in order to overcome the above reasons for refusal (ref. 2006/3580/P). The application was recommended for approval in January 2007 subject to the signing of a Section 106 Agreement, however the agreement was not signed and the application was eventually withdrawn. This application does, however, establish the principle of a roof extension at this property.
- 3.3 Also of relevance is the planning permission issued in 2014 in relation to the rear block (Nos. 14-45 Frogmal Court) (ref. 2014/0342/P). This granted approval for the erection of a roof extension over this rear block, to provide 8 two bedroom flats. This permission remains extant.

### *Pre-application Discussions*

- 3.4 A pre-application proposal was submitted to the Council in Summer 2015 (ref. 2015/4146/PRE), which proposed a single storey extension to Frogmal Court and Warwick House, and a two storey extension on Midland Court, to create nine residential units.
- 3.5 A site visit was held with Zenab Haji-Ismael and the Council's design officer, following which written feedback was received in October 2015. The feedback confirmed that a high quality single storey extension to Frogmal Court and Warwick House would be considered acceptable, however a two storey extension on the existing 3 storey Midland Court was considered out of scale with the host building.
- 3.6 As a result, a second pre-application submission was made to the Council in March 2016. This proposed a single storey extension to Frogmal Court, Warwick House, and Midland Court, reducing the proposed number of units to 8. A meeting was held with Zenab Haji-Ismael and the Council's design officer, where the proposals were viewed positively and written feedback has subsequently been sent in email form by Zenab Haji-Ismael and Peter Kelly, which raised minor comments in regards to the scheme which have been addressed in this planning application. This will be discussed in the next Section of this Statement.

## 4. Proposals

4.1 In summary the proposals comprise the following:

- Addition of a flat roof extension at 3rd floor level to 1-4 Midland Court;
- Addition of a flat roof extension at 4th floor level to both 1-12 Froggnal Court and Warwick House;
- Creation of 8 self-contained residential units (1 x one bed, 6 x two bed, 1 x three bed);
- Extension of the existing external stairwells and a new wheelchair accessible lift tower to the rear elevation with external walkways at 3rd and 4th floor levels, and the provision of safe storage for a minimum of 16 bicycles.



*Above. Existing Front Elevation*



*Above. Proposed Front Elevation*







## 5. Planning Considerations

5.1 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications should be determined in accordance with the Development Plan for the area unless other material considerations indicate otherwise.

5.2 In this case the development plan comprises:

- *The London Plan (as amended since 2011, including by the Minor Alterations to the London Plan (MALP) published in March 2016);*
- *The London Borough of Camden Core Strategy and Development Policies (both adopted November 2010).*

5.3 We note that the Council have issued their Camden Local Plan to the Secretary of State. It is currently undergoing Examination in Public and therefore can be afforded some limited weight in decision-making.

5.4 Other documents of relevance to the application are:

- *The National Planning Policy Framework, adopted March 2012;*
- *The National Planning Practice Guidance, first published March 2014; and*
- *Various Camden Planning Guidance documents which offer more detailed advice with regard to specific aspects of development in the Borough.*

5.5 The development that is the subject of this application has been considered in light of the National Planning Policy Framework (NPPF), which provides a direction for planning on a national scale and the expectation that all local planning documents will be in general conformity with the NPPF.

5.6 With regard to decision-taking, the NPPF advises that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems. Decision-takers at every level should seek to approve applications for sustainable development where possible (paras. 186 and 187). The presumption in favour of sustainable development is the golden thread that runs through the NPPF. One of the core principles of the NPPF given in para. 17 is that planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places which people live their lives. The proposed development is in conformity with the NPPF's golden thread of a presumption in favour of sustainable development.

## Planning Considerations

5.7 The following section sets out the key considerations of the proposed development in relation to planning policy and guidance under the following headings:

- i) Principle of Residential Use*
- ii) Design of Roof Extension;*
- iii) Residential Amenity*
- iv) Parking and Highways*
- v) Landscaping*
- vi) Sustainability*

### ***Principle of Residential Use***

5.8 An increase in residential provision is a priority for Camden, as set out in Policy CS6 of the Core Strategy and DP2 of the Development Policies Document, which both state that housing is the priority land-use of Camden's Local Development Framework. This is reiterated in the draft Local Plan, which states in Policy H1 that the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households.

- 5.9 As such, the provision of 8 new residential units is a significant benefit of the scheme, helping to meet an identified need within the Borough.
- 5.10 Paragraph 6.39 of the Core Strategy identifies that the Council will seek a mix of unit sizes, as such it is considered that the proposed mix of unit sizes (1 x one bed, 6 x two bed, 1 x three bed) clearly meets the identified priorities within the Borough.
- 5.11 As set out within the accompanying Design Statement by Flower Michelin Architects, all units have been designed to accord with DCLG's Nationally Described Space Standards (March 2015). The Design Statement also confirms how the proposals will accord with Part M of the Building Regulations.
- 5.12 In accordance with the pre-application advice, adequate provision for refuse and recycling has been made, with ground level waste storage facilities being provided to the rear of Midland Court.
- 5.13 Development Policy DP24 on 'Securing high quality design' states that developments should incorporate provision of "appropriate amenity space". Terraces are proposed which will provide amenity space to each flat, in accordance with policy DP24.
- 5.14 In terms of affordable housing, the proposal does not incorporate 10 or more dwellings or more than 1,000sqm of floorspace, as such the proposed development is not required to make a contribution to the supply of affordable housing within the Borough.

### ***Design of Roof Extension***

- 5.15 The design of the proposed roof extension to the three blocks facing Finchley Road have been formed and development following detailed analysis of the planning history, surrounding context, and detailed pre-application discussions with the Council.

- 5.16 We would firstly highlight that the Council recommended the grant of planning permission in 2007 for a single storey extension to the three blocks, subject to the signing of a Section 106 Legal Agreement. This sets a relevant precedent for the principle of a roof extension at this location.
- 5.17 In terms of surrounding context, the site sits in a location which consists of a variety of building heights, with predominately 3-4 storeys to the north and 5-6 storey buildings to the south of the site. In particular, the property lies adjacent to the contemporary Holiday Express, which is two storeys taller in height than Midland Court. The addition of one storey to Midland Court would ensure that the property remains subservient to the larger Holiday Express to the north of the site.



- 5.18 The scheme has evolved following two rounds of pre-application discussions with the Council. Initially in 2015, one storey was proposed to Frogmal Court and Warwick House, and two storeys to Midland Court. The Council commented that

*“the principle of a 2 storey extension on the existing 3 storey Midland Court as currently presented is considered to be out of scale with the host building, and is not considered to be acceptable in its current form”*

- 5.19 As such, the proposals were revised to feature only one additional storey on Midland Court, reducing the proposed number of units from 9 to 8.

5.20 More specifically, the detailed feedback provided in 2015 stated the following:

*“Along Finchley Road – some of the more successful mansard type roof forms tend to be purpose built and the front façade is extended up beyond the parapet line adding a crown like top to the host building. The combination of an extended, well detailed front elevation and the setback roof behind add depth and character and sense of celebration. Some small attempts have been made in the later iterations of the design to connect with the building below; however it still has sense of roof form that is incongruous with the building below. There is clearly some work to do in refining the form and massing before a scheme could be supported and it goes without saying that any proposal would need to demonstrate high quality design in every aspect, including detailing and materials.”*

5.21 As a result, a further pre-application submission was prepared in early 2016, seeking to address the detailed design comments in order to overcome the above feedback. Specifically, attention has been paid to aligning the additional roof storey to the three distinct blocks, thereby emphasising the fact that the three blocks feature slightly differing design palettes. At the forefront of the design-thinking has been the need to ensure that the roof additions connect with the corresponding building below, whilst working well as a horizontal roof addition across all three blocks.



*Proposed front elevation*



*CGI showing proposed roof addition*

5.22 As shown in the images above, in order to relate to the distinct blocks below, the design of the roof addition has been developed as a vertical mansard, with openings and panels which correspond to the rhythm of the openings and fenestration below.

5.23 Whilst the general design approach for the roof addition across all three blocks is consistent, the different elements feature distinctive characteristics which allows the three blocks to continue to be read separately. Specifically, the roof addition on the middle block (Warwick House) has been raised by 500mm above the other two blocks, and the materials used across all three roof additions differ in tone. Additionally, the terraces at Frognal Court and Midland Court are open air and frameless, whilst those to Warwick House are framed.

5.24 The above design elements have been included in accordance with the pre-application advice received from the Council. The following sets out in full the Council's pre-application advice in relation to the emerging scheme, provided by email from Zenab Haji-Ismail in June 2016, and how we have responded to it:

- The proposal would need to create a clear definition between the three buildings that make up the site  
**See explanation above in terms of scheme evolution, and further detail contained within the accompanying Design Statement.**
- For the north and south building we prefer an option that sets the majority of the glazing /frontage behind open terraced leaving a minority of the frontage set forward creating vertical emphasis and rhythm at roof level

As shown in the drawings above, this has been incorporated into the scheme, and has helped to relate the roof addition vertically to the building below.

- Emphasis Warwick court with a little additional height, a change in parapet level and a more pronounced upper storey

Warwick House is now marginally (500mm) higher, as detailed above.

- In terms of colour, long dark roof levels are not characteristic of the street with brick usually used to conceal the upper storey. An overall lighter tone of material on the upper storey would be appropriate with perhaps a different colour being used to emphasise Warwick Court / the division between the buildings.

The accompanying Design Statement sets out in detail the rationale behind the material chosen for each roof element of the roof addition. In summary, a contemporary fiber cement panelling is proposed, which will vary slightly in tone across the three roof elements, with Warwick House featuring the darkest tone. We consider this successfully achieves the Council's preference that the material be lightweight, whilst emphasising the division between the buildings. Our client is happy for a condition to be added to the planning permission requiring the submission of material samples.

- Include façade cleaning, repairs, replacement street level doors/windows/ paint work etc to improve the rest of the building.

Upon completion of the development, the applicant will employ a cleaning team to conduct a high pressure water clean of the front and rear elevations, and any necessary repairs to the render will be carried out. All existing windows will be cleaned, new security doors will replace existing doors, and all gutters will be cleaned. The proposals also incorporate a landscaping which greatly enhances the rear of the building, as discussed later in this Statement.

- Consider how to improve the alley entrance

New outdoor LED lights with sensors will be installed and the walls and ceiling painted, in order to provide a more secure and attractive environment for this entrance.

- Give thought to the net / planting over the stair wells. For a long time there will only be a net which would make the stair wells feel enclosed. I would prefer to see planting opportunities on each floor or a much less intrusive structure for plants to climb. These stair wells feel attractive when well maintained and simple with green planters on each level, rather than shrouded in plants and nets.

Plant boxed are now proposed, in response to this feedback. This is discussed later in this Planning Statement.



5.25 The Council confirmed in July 2016 that the revised proposals were 'an improvement on the previous plans' in terms of the front elevation, and 'much improved' in relation to the back elevation. Further queries were raised in regards to the depth and materiality of the balcony insets and a request for street views. As a result, the accompanying Design Statement by Flower Michelin Architects sets out detailed dimensions of the proposed roof addition, including the depth of the insets.

5.26 Also provided are CGIs showing the proposed extension from a number of key viewpoints, as set out below.



Finchley Road (South)



Finchley Road (North)

5.27 The above views show that the proposed roof extension blends seamlessly into the existing built environment. The roof addition continues to be read in the context of the height and mass of the Holiday Inn to the south, remaining very much subservient to this building. The subservience of the additional massing is achieved through the use of lightweight materials, and the fact that it is set back from the parapet.



View from Blackburn Road

- 5.28 As shown in the CGI view above, the proposed roof extension provides an appropriate architectural finish to the current building blocks. Consideration has been paid to Camden's Design Guidance CPG1, which at paragraph 5.20 states that on some contemporary buildings, a less traditional form of roof addition may be appropriate.
- 5.29 In terms of the existing building, it is unusual for buildings to feature the sudden squaring off at its shoulder height. Historically buildings would feature a mansard roof (of varying forms) set back behind a strong parapet line. A more contemporary approach to this typical arrangement is more lightweight in appearance, but again is set back from the main parapet or shoulder height of the building.
- 5.30 The result is an existing building which, architecturally, appears to stop abruptly above fourth floor level, lacking an appearance that could be considered 'complete'. Considered together with the design and detailing of the ground floor level, the building appears somewhat top heavy in appearance, lacking the finesse of a finished architectural composition.
- 5.31 The principle of an additional storey will be a more fitting termination of the building. This traditional architectural approach, whether Victorian or modern, gives balance and rhythm to the buildings. It produces visual interest, is more fitting to the building, and ensures there is less abrupt termination than currently exhibited by the building.
- 5.32 As such, it is considered that the design of the roof addition has been carefully considered and evolved in line with detailed pre-application discussions with the Council, to result in a proposal which is sensitive to the host building and the surrounding context.
- 5.33 Other minor alterations are also proposed as part of the scheme, notably the provision of a lift tower to the rear of Frognaal Court which will be set away from the rear by 3.5m, thereby ensuring that none of the existing windows are affected (which in any case are mostly bathrooms). The existing staircases will also be extended upwards to serve the new residential units.

## *Amenity*

- 5.34 The proposals have been considered in accordance with Policies CS5 and DP26, as well as Planning Guidance CPG6 which sets out the Council's requirements in terms of residential amenity.
- 5.35 As shown in the image below, the rear of the property is some distance from the rear residential block, as such it is not considered that there is any potential for overlooking or impact on daylight/sunlight to the rear block.



*Image showing large distance between front and rear blocks*

- 5.36 To the south lies the Holiday Inn, which features obscured windows at the upper levels and as such there is no opportunity for impact on amenity in this regards. To the north, there are no residential windows which would be affected by the proposals. As shown in the image below, No. 162 features a blank flank wall with no windows, as such there is no opportunity for impact on residential amenity, both in terms of neighbours or the proposed new residential units.

Flank wall with no windows



5.37 The above conclusion is reflected in the pre-application advice, which states that “given the proximity of the site to the neighbouring properties, especially those located to the rear, the proposal is unlikely to result in overlooking or create a sense of enclosure”.

### **Parking and Highways**

5.38 With regards to car parking, the pre-application response states:

*“DP17 (Walking, cycling and public transport) seeks to promote sustainable travel options and Policy DP18 (Parking standards and limiting the availability of car parking) expects new developments to be car free. The site has a PTAL rating of 6a which is considered to be an excellent accessibility level. The applicant will be required to sign up to a car free clause in a S106 Agreement.”*

5.39 For the avoidance of doubt, the applicant is willing to enter in to a S106 Agreement to secure the residential units as car free development.

5.40 Turning to bicycle parking, the pre-application response continues:

*“The London Plan 2015 cycle parking standards (Table 6.3) require two cycles parking space for residential units with more than 1 bedroom. Storage for bicycles and prams should be provided located at ground floor and the lowest level of the dwelling.”*



5.41 Storage facilities for 16 bikes are proposed to be located at Lower Ground floor level at the rear of Frogal Court, and at parking level at Midland Court.

5.42 We also note that the pre-application advice requested a draft Construction Management Plan with any planning submission. As such, a CMP has been prepared by Motion transport consultants, setting out how the potential impacts of construction/delivery vehicles will be mitigated.

### ***Landscaping***

5.43 The pre-application advice requested that the proposals took the opportunity where possible to enhance the character of the rear of the block. As such, in consultation with the Council, the proposals now incorporate planting boxes to the rear staircase, and landscaping strips with new trees proposed within the car park. As shown in the image below, the proposed landscaping introduces a good amount of greenery to the rear and makes the area generally more welcoming and attractive for residents of both blocks.



### *Sustainability*

5.44 The Council have confirmed that the proposed development should be designed to achieve the following standards:

- CO2 reduction of 20% beyond part L of the 2013 Building Regulations
- 20% of the energy reduction should be from renewable sources

5.45 As such, an Energy & Sustainability Statement has been prepared by Mecserve confirming that the proposals demonstrate an overall reduction of 23.3%, with 20.1% savings achieved from renewable energy sources.



## 6. Conclusion

- 6.1 The proposals seek to add an additional storey to Frogmal Court, Midland Court and Warwick House, to create 8 residential units. Residential units are a priority land use in the Borough and it is considered that the provision of these units is a key benefit of the scheme.
- 6.2 The design of the roof addition has evolved following extensive pre-application discussions with the Council, and the resulting proposal is one which is of a high quality design, relating well to the blocks below and blending seamlessly with the surrounding built context. The proposals add an architectural finesse to the block of buildings.
- 6.3 The proposals should be considered within the context of the resolution to grant a roof extension in 2007, and the extant planning permission for an additional storey to the rear block.
- 6.4 In summary, the proposed extensions and alterations to the property would preserve and enhance the character and appearance of the building and wider area and would protect the living conditions of neighbouring occupants. The proposals are considered compliant with both local and national planning policy.