

307 FINCHLEY ROAD, NW3 6EF AND 309 FINCHLEY ROAD, NW3 6EH

PLANNING STATEMENT MIXED USE DEVELOPMENT

Prepared By

NICHOLAS TAYLOR + ASSOCIATES

31 WINDMILL STREET, LONDON W1T 2JN

020 7636 3961

WWW.NTAPLANNING.CO.UK

INFO@NTAPLANNING.CO.UK

NTA+

June 2017

Our Ref: 702-16



CONTENTS

	Page No.
1. INTRODUCTION	3
2. DESCRIPTION OF THE SITE AND SURROUNDING AREA	6
3. PLANNING HISTORY	9
4. PRE-APPLICATION CONSULTATION	11
5. THE PROPOSED DEVELOPMENT	15
6. THE PLANNING FRAMEWORK	16
7. PLANNING ASSESSMENT	17
a. Land Use	17
b. Design and Heritage	20
c. Residential Amenity/ Quality of Housing	21
d. Neighbour Amenity	21
e. Transport	21
f. Sustainability	22
g. Waste	22
h. Construction Management	22
i. S106 Obligations	22
j. Community Infrastructure Levy (CIL)	22
8. SUMMARY AND CONCLUSIONS	23

APPENDICES

1. AGENTS PARTICULARS (NIGHTCLUB/BAR/RESTUARANT)	25
2. CAMDEN PRE-APPLICATION ADVICE REPORT DATED 13 APRIL 2017	28

1.0 INTRODUCTION

- 1.1 This statement has been prepared on behalf of The Carltone Group, and accompanies their planning application in respect of proposed works at 307 and 309 Finchley Road, Camden NW3.
- 1.2 The applicants own no.307 which occupies the corner of Finchley Road and Lithos Road. It is not within a conservation area but does form part of a group of Locally Listed Buildings (nos.289-315 Finchley Road). The local listing notes that no.307 retains a good original shopfront at the corner with Lithos Road. The rear part of no.307 fronts Lithos Road, is much more utilitarian, detracting from the locally listed host. This rear part has clearly been added to over the years, resulting in a largely ad-hoc modern/ post war addition of commercial/office appearance. Of particular note are large expanses of curtain glazing and corrugated metal sheeting at second and third floor levels, which are now failing. No.307 accommodates retail and office floorspace at ground floor, with self contained flats over upper floors.
- 1.3 No.309 is in separate ownership (Chamberlain Investments Ltd). The applicants are prospective purchasers of this property. No.309 is a 4 storey Victorian property, of a consistent aesthetic to its neighbour at no.307. The property lawfully last accommodated the Secrets Strip Club (Sui Generis) which includes the basement level under no.309 as well as no.307. Upper floors are in residential use.
- 1.4 The strip club use has caused many issues over the years and its unsavoury history has been well documented in the press. The use has generally attracted anti-social behaviour, noise and disturbance and the expense of local residents.
- 1.5 More recently, the current owners of no.309 sought consent to use the former strip club as a night club (Sui generis). However for the reasons stated above (anti-social behaviour, noise and disturbance etc), the application was refused.
- 1.6 Given the applicants neighbouring ownership, which primarily accommodates self contained flats, they are keen see the strip use concluded as in practice, the ground and basement floors could reopen as a strip club without the need for any prior consents, reintroducing the above amenity issues.



307 AND 309 FINCHLEY ROAD

- 1.7 Accordingly, the applicants have agreed subject to planning consent, to purchase no.309.
- 1.8 To extinguish the Strip Club use, the applicants seek to create value by extending, converting and refurbishing both properties, improving their use, function and efficiently. Moreover, it is sought to improve the buildings overall external appearance, particularly the relationship between the locally listed buildings and the more unfitting post-war addition to the rear (see existing image of Lithos Road frontage below).



REAR OF 307 FINCHLEY ROAD (FRONTING LITHOS ROAD)

- 1.9 In order to viably achieve the above, the applicants seek the following works;
- Remove the strip club use, replacing it in part with B1 floorspace at ground and lower ground levels, returning an active frontage to Finchley Road;
 - Create 4 x duplex studios units over ground and basement levels for short lets. A further short let studio is provided at ground floor level (along Lithos Road) by relocating and enlarging the existing bike store to the rear of no.309.
 - Provide two new lightwells along Lithos Road, activating the extensive basement area
 - More efficiently use the upper floor of no.309 Finchley Road by creating 1 x studio and 1 x 1 bed flat, whilst maintaining a 1 x 2 bed and 1 x 3 bed in situ.
 - Erect a new part fourth floor comprising 2 x studio flats, 1 x 1 bed and 1 x 2 bed flats.
 - Re-elevate the Lithos Road elevation with a more in-keeping and respectful facade to the locally listed host
- 1.10 This statement first provides a description of the site and surrounding area (section 2), followed by a summary of relevant planning history (section 3).
- 1.11 Prior to the submission of this planning application, the applicants have sought pre-application advice from officers at LB Camden. In section 4 of this statement we provide a summary of the pre-application advice received and how those comments have influenced the final proposals for which planning permission is now sought.

- 1.12 Section 5 provides a description of the proposed development.
- 1.13 In section 6 we identify the relevant planning policy framework; section 7 provides an appraisal of the development proposals against current policy and other material planning considerations.
- 1.14 The following reports are submitted as part of the planning application and should be read alongside this planning statement;

Title

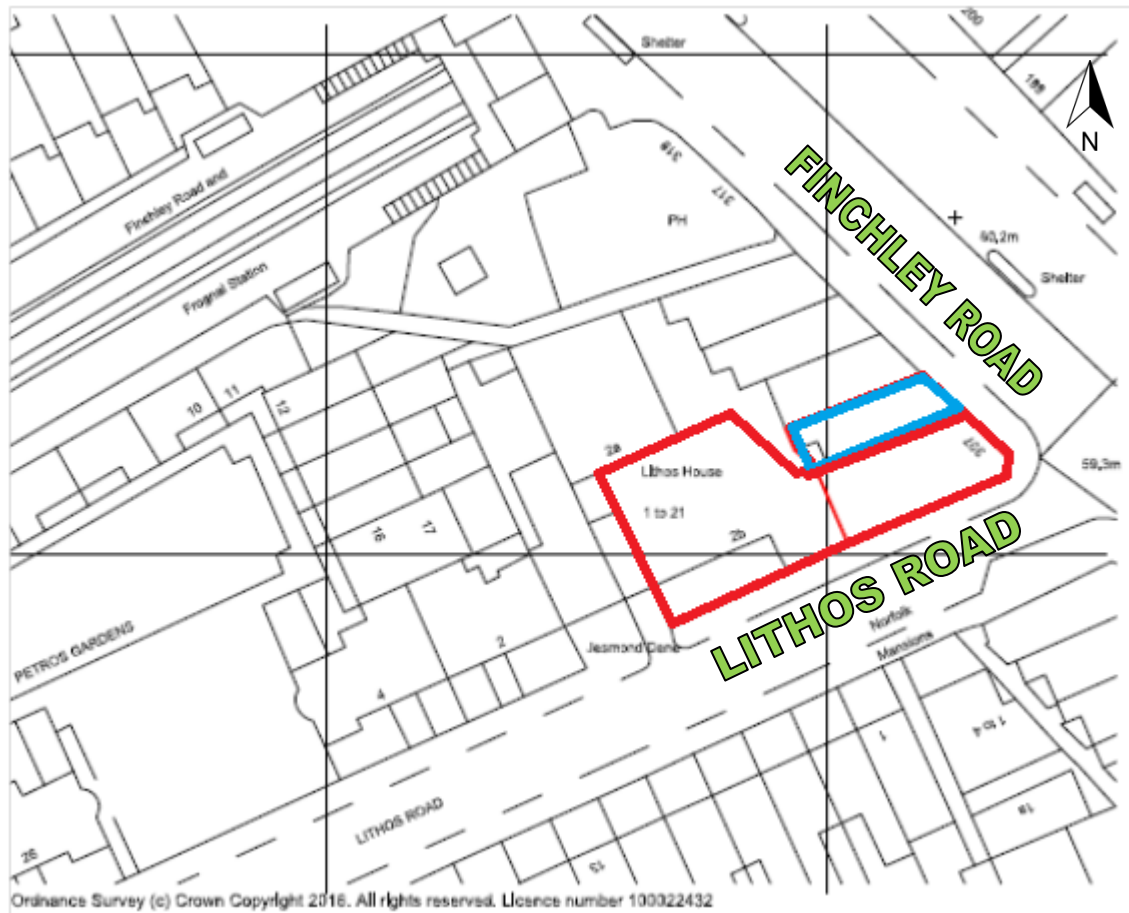
Design and Access Statement
Sustainability Statement (within DAS)
Daylight/Sunlight Assessment
Heritage Statement
Construction Management Plan

Author

AD Design Concepts
AD Design Concepts
Jessop Associates
Built Heritage
Train and Kemp

2.0 DESCRIPTION OF THE SITE AND SURROUNDING AREA

- 2.1 Nos.307 and 309 Finchley Road occupy the junction of Finchley Road and Lithos Road (307 edged red, 309 edged blue, on plan below).



SITE LOCATION PLAN (307 EDGED RED, 309 EDGED BLUE)

- 2.2 The frontage of no.307 Finchley Road, also known as Carltone House, comprises a Victorian (c.1891) red brick building with grey painted base, formed of 3 floors with highly articulated and decorative elevations together with elaborate pediment detail at roof level. This property is locally listed, identified as a building of Townscape Merit.



307 FINCHLEY ROAD

- 2.3 The rear part of no.307 (known as Lithos House) comprises a largely modern part 3, part 4 storey addition. The extension is formed of red brick, with large areas of fenestration at second floor level, corrugated metal third floor, and a large, projecting glass atrium/core feature further along Lithos Road. The extension is not considered to respect the host or setting. The glazed areas, particularly at second floor level, are failing and require complete replacement.

- 2.4 At ground floor level, no.307 accommodates an estate agent (Use Class A2) at the junction with Lithos Road. Office space (Use Class B1a) occupies the majority of the ground floor fronting Lithos Road, together with bike store and ancillary site management office. Upper floors accommodate self-contained apartments (Use Class C3). Unusually, the basement level under no.307 forms part of its neighbour, no.309 Finchley Road.

- 2.5 No. 309 last accommodated Secrets Strip Club (Sui Generis) at ground floor and basement level, which as referred to above, extends beneath no.307. The Strip Club is currently vacant but is being actively marketed for re-use as a strip club/ nightclub (see Appendix 1) by the current owners.

- 2.6 Upper floors are vacant in part, accommodating 2 self-contained apartments (Use Class C3), although investment is required to bring them back to a good state of repair. The flats are accessed via an existing doorway along the Finchley Road frontage (see right).



309 FINCHLEY ROAD FRONTAGE (CENTRE)

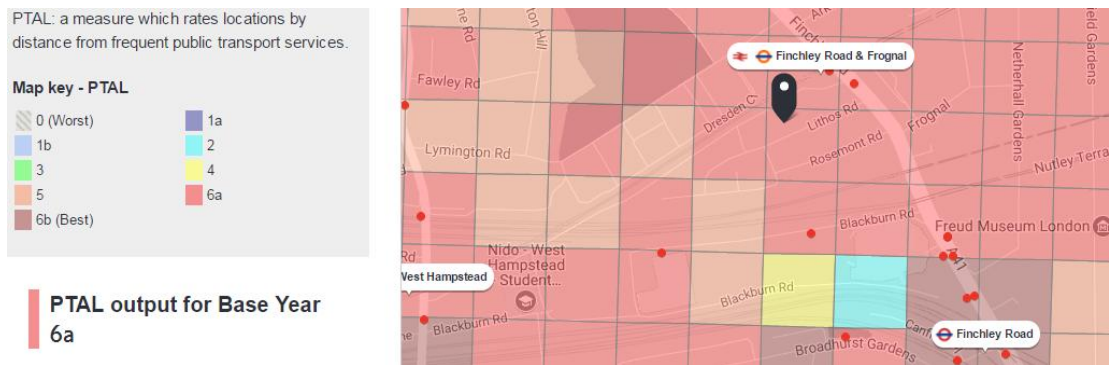
- 2.7 The character and appearance of the surrounding area is mixed. Finchley Road accommodates predominantly 4 storey buildings, largely Victorian albeit with some modern infill's. Ground floor levels accommodate a range of commercial uses including retail, restaurant and business uses, upper floors typically accommodate residential uses.



FINCHLEY ROAD (307-309 FINCHLEY ROAD ON LEFT)

- 2.8 Lithos Road is more residential in both character and appearance, characterised by 3-4 storey terraces, largely Victorian, also with some modern infill developments to the northern side of the Road. Further west along Lithos Road the scale of development increases, accommodating buildings of up to 7 storeys in height.

- 2.9 The site has a confirmed Public Transport Accessibility Level (PTAL) of 6; on a scale where 1 is the worst and 6 is the best, making it one of the most accessible and sustainable locations in London.



PTAL MAP (SOURCE: TFL WEBCAT 2017)

3.0 PLANNING HISTORY

3.1 The sites have a long planning history. We provide a summary of the more recent and relevant applications below:

2015/0544/P

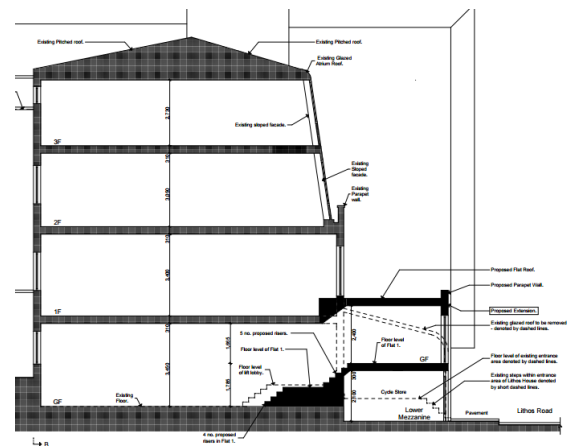
3.2 In 2015, permission was sought to change of use of basement of nos. 307-309 and ground floor of no. 309 from a strip club (Sui Generis) to a Night Club (Sui Generis).

3.3 Whilst the application sought a reduction in operating hours overall, it sought to extend the closing time from 3am to 4am.

3.4 Officers considered that the 100% increase in the potential capacity of the venue, the nature of the use, the impact of music within the site, and the lack of ability to control movements to, from and outside the site, would have an unacceptable impact on the amenity of the adjoining and nearby occupiers. The application was therefore refused.

2014/5665/P

3.5 Planning permission was granted for the extension of the front elevation of Lithos House (307) at lower mezzanine and ground level, together with the relocation of a bicycle store. This extension has been implemented.



APPROVED SECTION (EXTENSION EDGED BLACK)

2013/5640/P

3.6 In 2013, planning permission was granted for the change of use of the ground (part), 1st, 2nd and 3rd floor of 307 Lithos Road, from offices (Class B1) to provide residential units (C3). This consent has been implemented.

2012/6592/P

3.7 Permission was sought for the change of use of the second floor level of Carltone House from residential (C3) to office (B1), change of use at 2nd floor of Lithos House from offices (B1) to residential (C3), together with erection of a fourth floor extension to create 4 flats (3 x 3 bed and 1 x studio) was proposed under application 2012/6592/P. This application was refused.

2012/5202/P

3.8 Under application 2012/5202/P, permission was sought to change the use of 307 from retail shop (Class A1) to a drinking establishment (Class A4).

3.9 The loss of a retail unit and the further concentration of non-retail uses within a Secondary Retail Frontage, was considered to be detrimental to the character, function, vitality and viability of the town

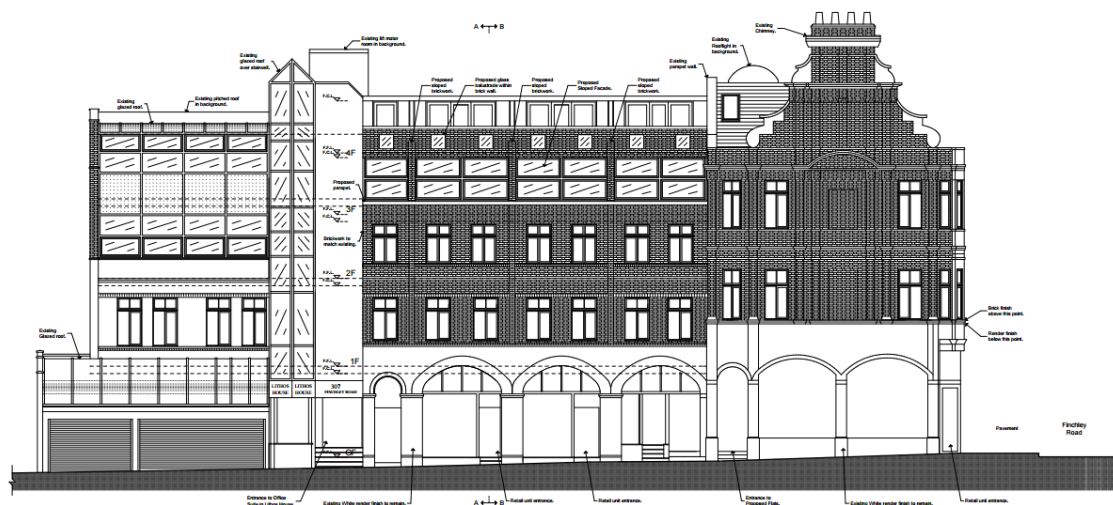
centre. Moreover, the proposed change of use, by reason of its size, proximity to existing entertainment, food, and drink establishments and its proximity to existing and potential residential premises was considered to have the potential to harm the amenities of local residents. The application was refused.

2012/1375/P

- 3.10 Planning permission was granted in 2012 for the change of use of the 2nd and 3rd floors of Lithos House (307) from offices (B1) to 2 x 2 bed flats and erection of an infill side extension at ground and first floors level, alterations at ground floor including the removal of a garage door and creation of a ramp.

2011/4759/P

- 3.11 Perhaps of most relevance, in 2011, planning permission sought the erection of an additional storey and creation of roof terraces at fourth floor level together with extensions and alterations to the existing 3-storey elevation facing Lithos Road associated, with the change of use from offices (B1a) at second and third floor levels to create 1 x studio, 2 x 2 beds and 1 x 3 bed flats.
- 3.12 Planning permission was granted.
- 3.13 Whilst the consent granted the erection of an additional floor – similar to what is now being sought – the proposals did not improve the Lithos Road elevation. The applicants ultimately decided not to pursue this development as the Lithos Road elevation remained in its current, ad-hoc aesthetic. The consent has now expired.



APPROVED LITHOS ROAD FRONTAGE – NOT IMPLEMENTED

4.0 PRE-APPLICATION CONSULTATION

- 4.1 In April 2016, the applicant together with their architects (AD Design Concepts) submitted draft proposals for the closure of the strip club, partly converting it into restaurant / wine bar use. To enable the change, they also sought to change the use of the three small office units (B1a) facing Lithos Road into residential use by creating three duplex, “Manhattan loft style” residential dwellings. Three new residential units would also utilise some of the existing night club basement area, facilitated by a new lightwell along Lithos Road. The main façade elements (arches and columns) were proposed to remain intact. (LPA Ref: 2016/1927/PRE).
- 4.2 Written advice was received from Camden officers (Mr Fergus Freeney) on 09 June 2016. We provide a summary below:
- There are 5 commercial units within the parade, 3x Sui Generis Use (including 309) 1x A1 use and 1x A2 use (307 Finchley Road). CPG5 advises that there should be a minimum of 50% retail in secondary frontages. No further loss of shop (A1/A2) uses will be permitted in these frontages.
 - **There are no policies aimed at protecting the existing Club use at 309 Finchley Road. It is considered that a change of use away from a Sui Generis nightclub to either an A3 Restaurant or A4 Wine Bar could be considered acceptable**
 - Policy DP13 resists the loss of B1a office space, as the current office space is let it is considered that there would be no justification to support the loss of these facilities. Were its loss considered acceptable it would need to be demonstrated that the site has been vacant for 2 years.
 - **The corner unit at 307 would remain an A2 Use Class unit, which is welcomed.**
 - Housing is a priority where it can be demonstrated that there would be no harm to existing business function; there would be no harm to amenity of existing residential units; the proposed units are acceptable in terms of amenity; and the scheme is of an acceptable design.
 - 2x residential units would be created spanning the entire basement and ground floor levels. To the rear of 309 another flat would be created, also at basement and ground floor level. Concerns were raised with regard to the amenity of all of the proposed flats. Permanent residential dwellings were considered to be unacceptable; **however there was potential that the proposal could look to provide short stay accommodation (short-term and temporary accommodation).**
 - **Policy DP14 states that smaller scale accommodation is considered suitable in the town centres of...Finchley Road/Swiss Cottage where they can be easily reached by public transport. However, the development must not harm the balance and mix of uses in the area.**
 - **Alterations in Lithos Road to create lightwells (retaining the arches that are characteristic of the building) likely to be acceptable provided the treatment is of a high quality.** The proposed balustrades should be carefully selected to respect the host building – dark painted metal likely to be most appropriate).
 - At 309 Finchley Road, a traditional style shopfront design should front onto Finchley Road.
- 4.3 Having regard to the above comments (particularly those items **highlighted**), the applicants sought further advice on a more holistic view of the assets, looking at ways to improve the buildings appearance, functionality and efficiency as a whole. Accordingly, in February 2017, the applicants submitted revised proposals for the development of both 307 and 309 Finchley Road, which proposed the following;

- Change of use of the existing strip club (sui generis) to part commercial (A1/A2) and part HMO or short term let flats at ground and lower ground levels; together with replacement of existing office floorspace from the rear of No.307 to basement and part ground floors of 307 and 309, comprising A2 or B1 floorspace space.
- Alterations and extensions to the facade of No.307 fronting Lithos Road, together with the erection of an additional, fourth floor, at roof level.
- Reconfiguration and extension of existing residential units.

4.4 We provide a summary of the pre-app advice received from officers below (highlighted green), together with commentary on how the applicants have taken that advice on board.

Land Use

Basement and ground floor levels

4.5 *There are no policies aimed at protecting the existing Club use within the basement of 307 and 309 Finchley Road. Therefore no objection would be raised to its loss.*

4.6 The main focus of the application remains to ensure that the strip club use is concluded.

4.7 *The proposal would result in an uplift of 45sqm of B1a use, such an uplift is welcomed.*

4.8 For reasons set out further below (see paragraphs 4.12), the uplift in proposed B1a floorspace has increased even further to 187m² from 84m², an increase of 103m².

4.9 *The A2 use appears to be reducing from 59.2sqm to 54sqm...the Council would seek to retain the existing commercial floorspace to contribute to the vitality and viability of the Town Centre.*

4.10 The corner A2 use is being retained. The c.5m² loss in floor area relates to a corridor and WC which is proposed to make way for additional circulation required, servicing the wider improvement works to the building. A replacement WC can be more efficiently be re-provided within the remaining space (i.e. without the need for a corridor). Overall there is no significant loss in A2 floorspace.

4.11 *It is then proposed to introduce 11 HMO rooms across the basement and ground floors. I would strongly advise against the use of this space. It would be more appropriate for at least the basement area to be a commercial use be it retail or business.*

4.12 It is no longer proposed to incorporate 11 HMO units in the basement/ground. As referred to in paragraph 4.8 above, the majority of the basement now accommodates uplift in B1a floorspace.

Upper Levels

4.13 *First floor above 309 is an existing 2 bed unit which you are proposing to change into 2 studio units. I do not support this change.... Above 309 you are proposing to change the existing 3 bed unit which extends over the second and third floors into 3 studios and a 1 bed unit, I would strongly advise against this form of development. It would result in the loss of a 3 bed unit which is in high demand. I consider all units would be sub standard.*

4.14 Above no.309 it is now sought to re-provide the 1 x 3 bed and 1 x 2 bed units, together with the provision of an additional 1 bed flats and 1 x studio flat.

Fourth Floor

4.15 *It is proposed to provide 3 x 2 bed units plus the upper level of the 1 bed Duplex. In terms of Flat 1, it would be of a suitable size, but it would be single aspect with the exception of a small window facing into the rear courtyard. However the main windows to the unit would be south facing, therefore maximising the amount of light into the unit. However the bathroom arrangement feels contrived. Flat 3*

appears as though it would provide a good standard of unit. Flat 4 is slightly undersized which would be acceptable if all other elements of amenity were of a suitable standard. However the windows within the living/kitchen area would appear to have very little outlook as would the windows to the bedrooms. I therefore do not consider that this would be a suitable unit.

- 4.16 The proposed fourth floor extension has been reworked, comprising 2 x studios, 1 x 1 bed and 1 x 2 bed. All 4 flats meet internal size requirements, are dual aspect and achieve good outlook and amenity.

Design and Heritage

- 4.17 *No external changes are proposed to the locally listed element of the site on the corner of Finchley Road and Lithos Road, which is welcomed.*

- 4.18 *With regard to the building lines, for the element of the building to the right of the central stair on Lithos Road, it is proposed to bring the building line forward at second and third levels, for the area to the left of the central stair the building line would also be brought forward at first floor level. It is acknowledged that the building lines have been set back further than in the initial submission, however it is considered this level of set-back is insufficient to protect the character and views of the locally listed corner building. The junction of the new building and the existing appears slightly awkward and not well considered. The building line to the right of the central stair should be set back further to improve the relationship with the existing building and retain the prominence of the return cornice detail of the locally listed building. The building lines of the two elements either side of the Lithos Road stair are proposed to be set at slightly different levels, these should be set to the same level to ensure some consistency. It is appreciated that the western most part of the building has been set in line with the adjoining neighbour at Lithos Road which is welcomed.*

- 4.19 The set-back of the proposed building line has been increased further to protect the character and views of the locally listed corner building. The increased set-back provides an improved junction between the new building and the existing. Moreover, the building line to either side of the Lithos Road stair is set to the same level to ensure consistency. The western most part of the building remains set back in line with the adjoining neighbour at Lithos Road.

- 4.20 *The proposed roof extension at 4th floor level is not supported due to its massing and prominence in wider views. For the 4th floor to be considered acceptable it would need to be set further back from the front and western elevations, this would reduce the number of units that you could provide at this level.*

- 4.21 The proposed fourth floor is now set further back, together with altered parapets serving the floor below. The result is a much more sympathetic and unassuming extension, which will not be largely visible from surrounding views. See D+A for further information.

- 4.22 *In terms of the window arrangements and reveals, the proposals are considered an improvement on the initial submission. The lower parapet height shown is considered to result in a better relationship with the locally listed building and is supported subject to a further increase in the set-back of the building line. This parapet height should also be applied to the element on the other side of the stair core to balance the overall design.*

- 4.23 The parapet height has been adjusted to accord with the more favoured option, and in a consistent manner across the Lithos Road elevation, together with increased set-back fourth floor extension. See drawing 69-200.

Transport

- 4.24 *In terms of car parking, we welcome the provision of a car free development which would be secured via Section 106 legal agreement.*

- 4.25 The proposed development remains car free and can be secured by way of legal agreement.

4.26 *...cycle parking we would expect a provision in line with the London Plan standards. The cycle parking provision should be designed in line with the Camden Planning Guidance 7 (Transport) section 9.*

4.27 Cycle parking is provided in accordance with relevant standards within a new, secure and enclosed cycle store(s) to the rear of no.309. See D+A statement for further details.

4.28 *A draft construction management plan (CMP) should be submitted in support of any subsequent planning application. The Council's CMP pro-forma should be used.*

4.29 A draft CMP has been prepared by Train and Kemp, submitted as part of this application.

Sustainability

4.30 *The Council would require development to incorporate sustainable design and construction measures. You are advised to submit a statement demonstrating how relevant measures have been incorporated into the design and proposed implementation as per Policy DP22 and CPG 3 (Sustainability). You are also required to include the use of renewables within your development.*

4.31 Please see sustainability statement prepared by AD Design Concepts, contained with the Design and Access Statement.

Impact on neighbouring amenity

4.32 *I am concerned in how the additional storey would impact on the residential units neighbouring the site to the rear. Any impact on neighbouring resident's amenity should be demonstrated in any future submissions.*

4.33 A daylight/sunlight assessment has been prepared by Jessop Associates, submitted as part of this application, which confirms that the development is appropriately, designed avoiding potential impact on neighbours. Moreover, the report confirms that the proposed accommodation will also achieve good levels of light amenity.

4.34 Conversely, the removal of the strip greatly increases the potential amenity benefit for neighbouring residents.

Accessibility

4.35 *Policy CS14 and DP29 expects development to provide fair access and to remove the barriers that prevent people from accessing buildings. It is expected that any form of development provides access to all.*

4.36 Given the nature of the existing building, alterations to allow full access are not possible, however where possible the development has sought to provide good and level access. See Design and Access Statement for further information.

Waste

4.37 *The Council will seek to ensure development includes facilities for storage and collection of waste and recycling, in accordance with Policies CS18 and DP26.*

4.38 A waste store is incorporated at ground floor level. There is potential for further stores within each of the commercial units at G/B levels. All refuse collection will be undertaken by private contract, which is already in operation at the site.

5.0 THE PROPOSED DEVELOPMENT

- 5.1 Taking on board the above pre-application advice, the final application proposals comprise the following;
- 5.2 The former strip club use over ground and lower ground floors is proposed to be replaced with new office floorspace (class B1a). The new office will accommodate the street frontage at no.309, the basement level, together with the front half of the basement beneath no.307. This basement space is proposed to be activated through provision of 2 new discreet lightwells along Lithos Road.
- 5.3 The new office floorspace comprises a total of 187m² floorspace, a net increase of 103m² over the existing office floorspace along Lithos Road that is displaced.
- 5.4 The remaining basement and ground floor levels fronting Lithos Road accommodate 4 duplex studio flats. The principal living spaces are accommodated at ground floor, with the non-habitable spaces including bathroom, kitchen and storage provided at basement level. These units are proposed to be operated as short let units (not permanent residential).
- 5.5 An additional short-let studio is provided at ground level along Lithos Road, displacing the existing cycle store. An enlarged replacement cycle store is proposed to be accommodated to the rear of no.309 Finchley Road.
- 5.6 Above no.309 Finchley Road it is proposed to re-provide the existing 1 x 2 bed and 1 x 3 bed flats in situ, together with the addition of 1 x studio and 1 x 1 bed flat, an uplift of 2 units.
- 5.7 At no.307, the junction of Finchley Road and Lithos Road is proposed to retain the in situ estate agent (use class A2) at ground floor.
- 5.8 To the rear of No.307, first, second and third floor levels see little change internally. The main change relates to their external appearance. The Lithos Road elevation is proposed to be transformed; removing the drab and ad-hoc appearance of the existing elevation with a new, consolidated and contextual facade – see CGI views below. The improvements to the facade result in nominal uplift of floor area to some of the existing flats in upper floors, the number of flats in this part of the building however remain unchanged.



EXISTING VIEW FROM FINCHLEY ROAD



PROPOSED VIEW FROM FINCHLEY ROAD

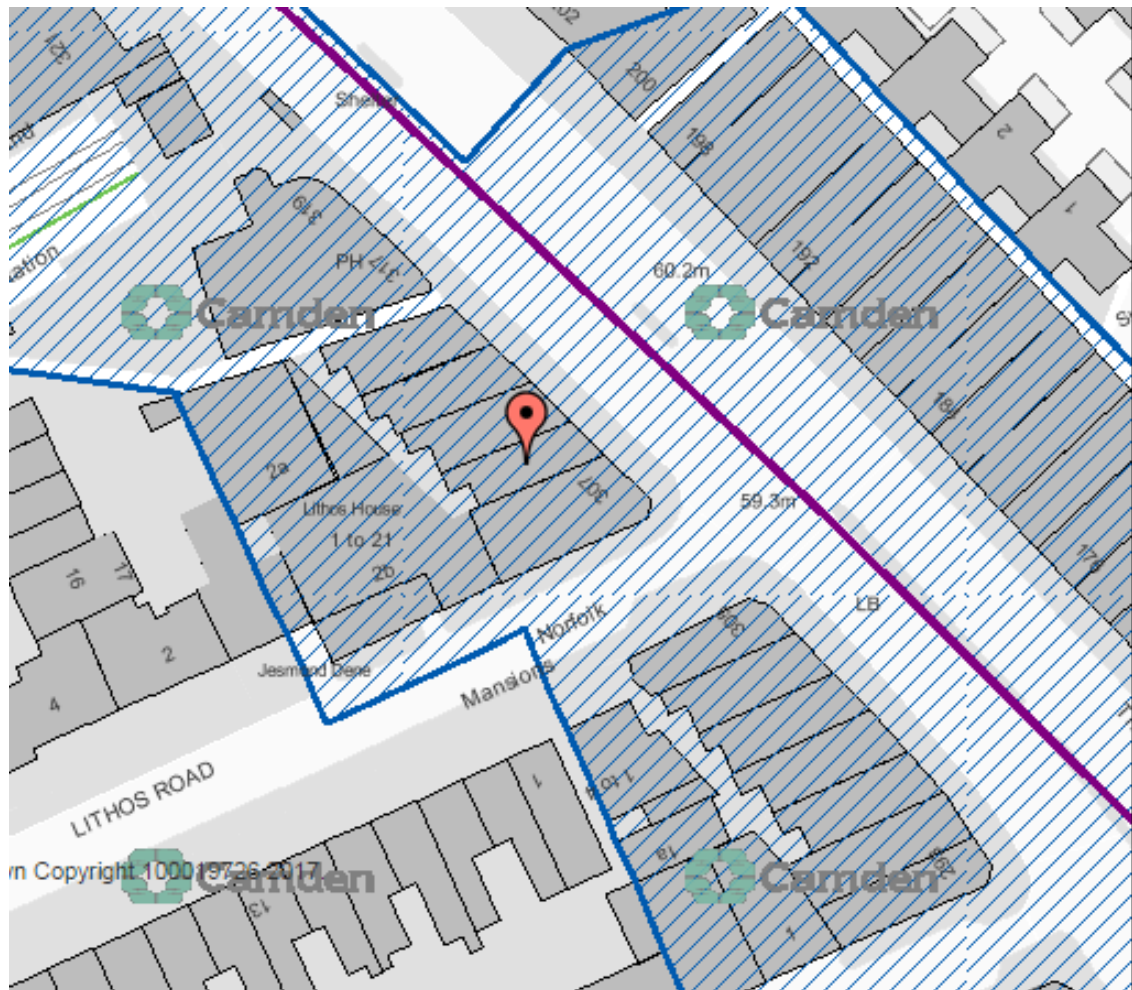
- 5.9 Above no.307, it is proposed to erect a new fourth floor extension. The extension builds on the principles of the pre-app submission; it is set-back from the Lithos Road frontage below, elevated in a contrasting metal cladding. The material palette ensures subservience to the host. See Design and Access Statement, and Heritage Statement for further information.
- 5.10 The fourth floor extension comprises 2 x studio flats, 1 x 1 bed and 1 x 2 bed flats. All 4 flats are dual aspect and achieve required space standards and amenity areas.
- 5.11 All new units created will be delivered as car/permit free. Cycle parking is proposed within a two new stores to the rear of no.309 Finchley Road.

6.0 THE PLANNING FRAMEWORK

6.1 Pre-Application advice received from officers confirms that the policy context for the proposal is provided by the following:

- LDF Core Strategy
- LDF Development Policies
- Camden Planning Guidance

6.2 The Proposals Map confirms that the application site falls within a Town Centre location. The site is also noted to fall within the Fortune Green and West Hampstead Neighbourhood Plan area, for which a Neighbourhood Plan was adopted in 2014.



CAMDEN PROPOSALS MAP EXTRACT

6.3 The London Plan (2016) and the NPPF (2012) are also material planning considerations at regional and national levels respectively.

7.0 PLANNING ASSESSMENT

7.1 Having regard to officer pre-application advice, the main planning matters are considered to be;

- Land Use:
 - Loss of Strip Club
 - Replacement B1a
 - New Residential Accommodation (including short-term/temp accommodation)
 - Affordable Housing
 - Housing Mix
- Design and Heritage
- Residential Amenity/Quality of Housing
- Neighbour Amenity
- Transport
- Sustainability
- Waste
- Construction Management
- S106 Obligations
- Community Infrastructure Levy

a. Land Use

7.2 The property accommodates 3 commercial uses at ground/basement levels, comprising Estates Agent (Class A2), Office (Class B1a) and Strip Club (Sui Generis).

Loss of Strip Club

7.3 There are no policies aimed at protecting the existing Strip Club use at 309 Finchley Road.

7.4 Moreover, given the club's unsavoury past and significant issues relating to crime, anti-social behaviour and impact on neighbouring residential amenity, the loss of the use should be supported.

7.5 Policy CPG5 advises that there should be a minimum of 50% retail in secondary frontages (of which this parade is a part of). The change of use away from the Sui Generis nightclub will have no bearing on the above policy.

7.6 Moreover, the shop front to no309 is proposed to be refreshed, taking away the privacy glass from the former Strip Club and replacing it with new clear glass and entrance doors, returning an active frontage to the high street, which should also be welcomed.

Replacement of B1a

7.7 Policy DP13 resists the loss of B1a office space.

7.8 Pre-application advice received from officers confirms that the proposed uplift in B1 floorspace is welcomed in this town centre location.

7.9 The proposed development will displace the existing 84m² of B1a floorspace at ground floor level fronting Lithos Road (in no.307), and replace it with 187m² of B1a floorspace over ground and basement levels in no.309.

7.10 This change results in an uplift of 103m² of B1a floorspace, which is supported by Policy DP13.

New Residential Accommodation

7.11 Under Policy DP2, the Council will seek to maximise the supply of additional homes in the Borough, especially homes for people unable to access market housing by expecting the maximum appropriate contribution to the supply of housing on sites that are underused.

- 7.12 Housing is regarded as *the priority land-use* of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings (in accordance with Core Strategy policy CS6). High development densities are one way of making the maximum use of a site. In accordance with policy CS1 of the Camden Core Strategy, the Council will expect the density of housing development to take account of the density matrix in the London Plan (Table 3A.2), *and to be towards the higher end of the appropriate density range*. The appropriate density will depend on accessibility, the character and built form of the surroundings, and protecting the amenity of occupiers and neighbours.
- 7.13 The application site has a PTAL of 6a, making it one of the most accessible and sustainable locations in the capital. The character and built form of the area can also be described as urban/central, warranting very high densities.
- 7.14 The proposed development seeks to create;
- No.307*
- 5 x studios over basement and ground levels, as *short lets*
 - 2 x studios, 1 x 1 bed and 1 x 2 bed at new fourth floor
(Existing flats at 1st, 2nd and 3rd floors will see minor increases in floor area in light of proposed elevational changes).
(Net increase of 4 flats, and 5 short let units)
- No.309*
- 1 x studio and 1 x 1 bed flat
 - 1 x 2 bed and 1 x 3 bed re-provided
(Net increase of 2 flats)
- 7.15 Overall there will be an increase of 6 flats overall, comprising 2 x studios, 2 x 1 bed and 1 x 2 bed. The existing 2 bed and 3 bed flats above 309 are re-provided.
- 7.16 The development is considered to comply with relevant housing policies in this regard. The four new build flats at roof level will also accommodate access to outdoor space of which there is currently none.
- Short-Term/ Temp Accommodation*
- 7.17 There is a demand for short term and temporary accommodation in the borough, primarily to provide for visitors. This accommodation falls outside the Council's land-use priority for housing, and new demand should be met from appropriate sites in non-residential use, rather than sites used for permanent housing.
- 7.18 For the reasons set out in the Council's pre-application advice, the ground and basement levels are not considered appropriate for permanent self contained residential use, however there was potential that the proposal could look to provide short stay accommodation (short-term and temporary accommodation).
- 7.19 In London, a switch from permanent housing to properties let for less than 90 days is considered to be a material change of use (under the amended Greater London Council (General Powers) Act 1973). Where a proposal involves accommodation for short-term visitors to Camden, the Council will take into account policy DP14 relating to tourism development and visitor accommodation.
- 7.20 Policy DP14 states that the Council will support tourism development and visitor accommodation by *allowing smaller scale visitor accommodation in the town centres of Camden Town, Kilburn, West Hampstead, Kentish Town and Finchley Road/Swiss Cottage*.

- 7.21 Moreover, the policy states that all tourism development and visitor accommodation must, amongst other things, be easily reached by public transport, which the site is, and not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community. The proposed short let accommodation is considered to comply with DP14.

Affordable Housing

- 7.22 Under policy DP3, the Council considers that all developments with capacity for 10 or more additional dwellings should contribute to affordable housing in Camden.
- 7.23 Policy DP3 is concerned primarily with self-contained houses and flats (Use Class C3). Policy DP3 will also be applied to proposals for bedsits or other *permanent* housing with shared facilities if the development could be occupied lawfully as self-contained dwellings in Use Class C3 without submission of a further planning application.
- 7.24 As set out above, the proposals seek to provide a net increase of only 7 flats, which falls short of the affordable housing threshold.
- 7.25 With regard to the 5 short let units proposed, as stated above, a switch to permanent housing is considered to be a material change of use for which prior consent would be required. Accordingly these units are not considered to fall under DP3.

Housing Mix

- 7.26 Under Policy DP5 the Council will look to create mixed and inclusive communities by securing a range of self-contained homes of different sizes.
- 7.27 With regard to market housing, the Council's highest priority is 2 bedrooms, followed by family sized accommodation. The lowest need is stated to be 1 bed or studio units, as set out in the Council Priorities Table.
- 7.28 On first appearance, the proposals which seek to provide 2 x studios, 1 x 1 bed and 1 x 2 bed at new fourth floor (in 307) and 1 x studio and 1 x 1 bed flat, do not comply with Policy DP5. However, the Council acknowledges that there is a need and/ or demand for dwellings of every size. Moreover, having regard to criteria (c), (d) and (e) in policy DP5, the Council acknowledges that it will not be appropriate for every development to meet the aims set out in the Priorities Table.
- 7.29 Criterion c) considers the character of the development, the site and the area, including the impact of the mix on child density; criterion d) site size, and any constraints on including homes of different sizes; and criterion e) the economics and financial viability of the site, including the demand for homes of different sizes.
- 7.30 The application site comprises an existing mixed use development. The existing flats within the building are managed by the freeholder and accommodate largely smaller units specifically catering the first time rental/ young professional market, where small and accessible accommodation is the priority. Moreover, the site sits in a dense location with no outdoor space, and fronts Finchley Road, a very busy and potentially noisy main thoroughfare. It is not a location or building which is considered to be optimum in supporting new family housing.
- 7.31 The existing building, its location and high accessibility lend itself to smaller accommodation. This is further supported by the fact the Finchley Road is identified as a location that would support the provision of short-let/ visitor accommodation under Policy DP14.
- 7.32 In summary, the mix of studio and 1 bed flats, together with a 2 bed flat, on balance is considered to meet policy DP5.

b. Design and Heritage

- 7.33 Please refer to the Design and Access Statement where design matters are discussed in detail.
- 7.34 Additionally, given the site forms part of a group of locally listed buildings, the applicants have commissioned a Heritage Statement to assess the schemes impact on these non-designated heritage assets.
- 7.35 The Heritage Statement finds that in terms of the group's communal value, the Fortune Green and West Hampstead Neighbourhood Plan states that preserving the area's architectural heritage is of great importance, although it does not mention these specific buildings. The notable red brick Victorian and Edwardian terraces and mansion blocks which are characteristic of the area have numerous design features and detailing which are highly valued and appreciated. The area therefore has a strong and distinct architectural heritage – including a significant number of listed buildings as well as large conservation areas – which are extremely important in signifying the area's look and feel.
- 7.36 However, when considering the different aspects of the existing building, the late 20th century modern extension along Lithos Road, especially its upper mansard roof and projecting glazed stair riser, are constructed of relatively poor quality or visually obtrusive materials and are not considered to be of architectural or historic interest. The modern extension is therefore assessed as a negative attribute that detracts from the historic building's contribution to local views.
- 7.37 In respect of the proposed development, the partial demolition of the existing Lithos Road elevation would remove features which detract from the significance of no. 307 Finchley Road and the positive contribution that it makes to the local townscape.
- 7.38 Despite the slight increase in massing represented by the redeveloped building, the design would preserve the significance and setting of the host building. Notably, whilst the ground and first floor elevation onto Lithos Road would remain largely unchanged, the second and third floors would be re-elevated, replacing the existing mansard type glass and corrugated iron form with a more traditional brick-built and set-back vertical façade walling. The proposal would introduce an additional set-back rooftop extension, behind a brick parapet, which would be sufficiently set back to render it almost invisible from the street.
- 7.39 Most notable would be the effect of reducing the visible flank wall of the glazed stair riser of the existing Lithos House, reducing its visual dominance in views west along Lithos Road.



PROPOSED VIEW FROM LITHOS ROAD

- 7.40 The entire redeveloped elevation would be slightly set back from the historic building line of no. 307 Lithos Road, thereby ensuring that it is read as a visually recessive element in the composition.
- 7.41 The façade would be constructed of high quality brick which would be architecturally detailed and complement the high quality brick construction of no. 307 whilst presenting a simplified range of materials that appears contemporary but coherent alongside the host building. The fenestration of the redeveloped façade would incorporate tall rectangular windows slightly set back from the building line. These are similar in size and proportion to the existing windows found along Finchley Road and would reinforce the vertical bay rhythm of the elevation.
- 7.42 In conclusion, the proposed works are not considered to have any harmful impact upon the significance or setting of nos. 307 – 309 Finchley Road or its wider locally listed group.

c. Residential Amenity/ Quality of Housing

- 7.43 All flats proposed meet adopted internal space standards.
- 7.44 Moreover, the majority of flats are provided as dual aspect. Where single aspect, this is restricted to studio apartments, all but one being south facing achieving good levels of light throughout the day. See Design and Access Statement and the application drawings for further detail.
- 7.45 A daylight/sunlight assessment is submitted as part of the planning application which confirms that the proposed development is well designed in daylight terms, having regard to BRE guidance.
- 7.46 With specific regard to the short-term/temp accommodation proposed along Lithos Road, having regard to pre-application advice, the proposals accommodate the main living spaces at ground floor level where occupants can expect reasonable levels of outlook at light, particularly given their southern aspect over Lithos Road. The non-habitable spaces, comprising kitchen, bathroom and storage, are provided at basement level, where there is no requirement for light or outlook. The resulting accommodation is considered to be very good notwithstanding the more transient nature of the accommodation proposed.

d. Neighbour Amenity

- 7.47 The proposed extensions and windows serving habitable rooms within the building will not result in a loss of privacy to the occupiers of neighbouring dwellings and future tenants of the proposed units. The
- 7.48 In addition, the increase in height of the building as a result of the residential conversion will not harm residential amenity though a loss of daylight/sunlight or outlook.
- 7.49 The proposals comply with the guidance set out in CPG 6 and policy DP26 of the LDF. This is further evidenced through the submitted daylight/sunlight assessment.

e. Transport

- 7.50 The site has a Public Transport Accessibility Level of (PTAL) of 6a (Excellent) and is within a Controlled Parking Zone. The site is also within the designated town-centre of Finchley Road.
- 7.51 Parking permits are understood to be oversubscribed in the local area, meaning that this CPZ is highly stressed and therefore the all of the residential units are required to be car-free, secured through a S106 Agreement. The applicants confirm that this is proposed.
- 7.52 Additional cycle parking facilities will be provided on site. An existing cycle store is provided at ground floor level along Lithos Road. This store is proposed to be relocated and enlarged, at the rear of no.307, providing storage space for the existing and proposed flats.

- 7.53 Additional storage space is accommodated to the rear of the site which benefits from a private courtyard area access from the north, and a newly created access into no.307 from the rear.

f. Sustainability

- 7.54 Please see submitted sustainability/energy statement contained with the Design and Access Statement.

g. Waste

- 7.55 A communal residential waste and recycling store is incorporated at ground floor level along Lithos Road. There is potential for further stores within each of the commercial units at G/B levels serving the B1a and A2 uses.
- 7.56 All refuse collection (residential and commercial) is currently undertaken by private contract. This is proposed to continue, catering for all of the proposed accommodation. The development does not rely on Council collection.

h. Construction Management

- 7.57 A draft Construction Management Plan is submitted as part of the application. The submitted CMP, prepared by Train and Kemp, sets out how the developers seek to minimise construction impacts, and relates to both on site activity and the transport arrangement for vehicles servicing the site.

S106 Obligations

- 7.58 The likely Heads of Terms are expected to secure the following;
- Construction Management Plan
 - Car Free Housing

Community Infrastructure Levy (CIL)

- 7.59 The development would be liable to pay the Mayoral CIL, based on the uplift in residential floorspace. Within Camden the CIL contribution is calculated at £50 per m2.
- 7.60 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015. It is acknowledged that any permission granted which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge. As such this would be applicable to this development, on the net uplift in floorspace.
- 7.61 A completed CIL form is submitted as part of this application.

8.0 SUMMARY AND CONCLUSIONS

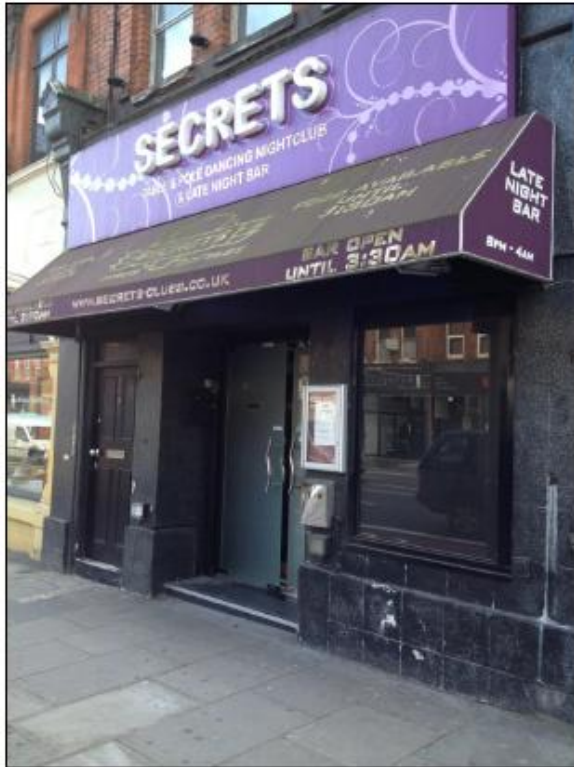
- 8.1 This statement has been prepared on behalf of The Carltone Group, who own no.307 Finchley Road. They are also prospective purchasers of the neighbouring site (no.309 Finchley Road).
- 8.2 The ground and basement floors of no.309 are lawfully used as a Strip Club (Sui Generis). The Strip Club has been the source of amenity issues over the years, attracting anti-social behaviour, noise and disturbance and the expense of local residents.
- 8.3 The applicants have agreed to purchase no.309, subject to planning, with the principle aim of concluding the detrimental Strip Club use. To deliver this, the applicants seek to create value by extending, converting and refurbishing both properties, maximising housing development and purposeful commercial uses at ground/basement levels. Moreover, it is sought to improve the buildings overall external appearance, particularly at the rear along Lithos Road, removing unattractive ad-hoc extensions.
- 8.4 The proposed development provides 6 additional flats, and 5 short units, together with a significant uplift in B1a (office) floorspace, while retaining the existing flats and A2 uses in situ.
- 8.5 The proposal also seeks to re-elevate the Lithos Road elevation, with a more in-keeping and respectful facade to the locally listed host, together with two new discreet lightwells along Lithos Road ground floor, activating the extensive basement area.
- 8.6 The site has been subject to a number of relevant planning applications in the last ten years. Of particular relevance are applications 2015/0544/P and 2011/4759/P.
- 8.7 The former, in 2015, refuse permission for the change of use of basement of nos. 307-309 and ground floor of no. 309 from a strip club (Sui Generis) to a Night Club (Sui Generis). In refusing the application, officers acknowledged that the nature of the use, the impact of music within the site, and the lack of ability to control movements to, from and outside the site, would have an unacceptable impact on the amenity of the adjoining and nearby occupiers. The objections raised are also applicable to the current lawful use as a Strip Club.
- 8.8 The latter application, from 2011, granted the erection of a fourth floor along Lithos Road, together with creation of roof terraces, providing precedent that the extension proposed is acceptable in principle.
- 8.9 Prior to the submission of this application, the applications have consulted with the Local Planning Authority. The detailed comments received from officers have been adopted and form the application proposals for which planning permission is now sought.
- 8.10 The application proposals have had regard to the adopted planning framework comprising the Core Strategy, Development Policies and Camden CPG's, together with regional (London Plan) and national (NPPF) policy.
- 8.11 The principle planning considerations have been assessed in this report (together with supporting reports submitted as part of the planning application). The main material considerations are considered to be land use; design and heritage; residential amenity/quality of housing; neighbour amenity; transport; sustainability; waste; construction management; s106 obligations and Community Infrastructure Levy. This application documents confirm that the proposed complies with adopted policies.
- 8.12 The proposed development is considered to make a meaningful and positive contribution to the boroughs housing needs, and town centre uses/viability and vitality. Moreover, the development will make a significant improvement in design and heritage terms through the creation of the new shopfront at no.309 and the new facade to Lithos Road.

APPENDICES

APPENDIX ONE

AGENTS PARTICULARS

NIGHTCLUB/BAR/RESTAURANT WITH LATE LICENCE TO LET



309 FINCHLEY ROAD
LONDON, NW3
2,825 SQ FT

THE
LORENZ
CONSULTANCY^{LTD}

21 Hanover Square
London
W1S 1JW
T 02076299898 F 02076298855

THE
LORENZ
CONSULTANCY LTD

21 Hanover Square
London
W1S 1JW
T 02076299898 F 02076296655

LATE LICENCE 309 FINCHLEY ROAD, NW3 NIGHTCLUB/BAR/RESTAURANT 2,825 SQ FT TO LET

Location

On the East side of Finchley Road, between Finchley Road underground and Finchley & Frognal overground stations the premises are well located to benefit from the Hampstead and Swiss Cottage catchment areas.

There are numerous hotels, bars, restaurants and cafes in the immediate area as well as the O2 Centre which has a large car park and cinema and is popular amongst local residents.

Accommodation

This premises are fitted with bar and kitchen on the lower ground floor and lounge areas on the ground and lower ground floors. The premises benefit from fitted WCs and offices too. Floor plans available on request.

Ground floor	575 sq ft
Lower ground floor	2,250 sq ft
Total	2,825 sq ft

Fixtures and fittings available by separate negotiation.

Amenities

- Late 3.30am music, dance and alcohol licence and SEV, nudity, licence
- Comfort cooling
- 24 Hour Access
- Male & Female WCs
- Fitted bar area and kitchen
- External security shutter

Term

A new lease available directly from the landlord for a term to be agreed.

Rent:

£75,000 per annum exclusive

Business Rates Payable 2013/2014

Approximately £21,500 per annum payable

Legal Costs

Each party to bear their own legal costs

Viewing

Strictly by appointment through sole Agents

EPC

TBC – copy of the report available on request

Subject to Contract



Contact: Andrew Knights

Email: ak@thelorenzconsultancy.co.uk

Tel: 020 7647 4043

Contact: Anthony Epenetos

Email: ae@thelorenzconsultancy.co.uk

Tel: 020 7647 4042

The particulars contained in this brochure are believed to be correct but cannot be guaranteed. All liability and negligence or otherwise for any loss arising from the use of these particulars is hereby excluded. This property is offered subject to contract.

APPENDIX TWO

CAMDEN PRE-APPLICATION ADVICE REPORT DATED 13 APRIL 2017

**Development Management
Planning Services**

London Borough of Camden
5 Pancras Square
London
N1C 4AG

Tel 020 7974 4444
www.camden.gov.uk/planning

Mr Mandip Sahota
Nicholas Taylor Associates
31 Windmill Street
London
W1T 2JN

Our Ref: 2017/0783/PRE
Contact: Seonaid Carr
Direct Line: 020 7974 2766
Email: seonaid.carr@camden.gov.uk

Date: 13 April 2017

Dear Mr Sahota,

Re: 307-309 Finchley Road, London, NW3

I refer to your recent submission for pre-application advice for the development of the two buildings to include the following:

- Change of use of the existing stripclub (sui generis) to part commercial (A1/A2) and part either HMO or short term lets to the ground and lower ground levels. Together with relocation of office floorspace from the rear of No.307 to basement of 307 and 309 and part ground floor of 309.
- Alterations and extensions to the extension to the rear of No.307 which fronts Lithos Road and erection of an additional storey at roof level.
- Reconfiguration and extension of residential units.

I write following our meeting on 24th February and the receipt of further information which has included alterations to the design received 23rd March. As discussed during our meeting, the main matter for consideration at this stage is the principle of the redevelopment of the land in terms of uses, the design of the proposal and the standard of accommodation being proposed.

Policy:

The Council is in the process of adopting a new Local Development Framework. The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

At present, the policy context for the proposal is provided by the following policies:

Local Development Framework Core Strategy

- CS1 (Distribution of growth);
- CS3 (Other highly accessible areas);
- CS5 (Managing the impact of growth and development);
- CS6 (Providing quality homes);
- CS7 (Promoting Camden's centres and shops);
- CS8 (Promoting a successful and inclusive Camden economy);
- CS11 (Promoting sustainable and efficient travel);
- CS13 (Tackling climate change through promoting higher environmental standards);
- CS14 (Promoting high quality places and conserving our heritage);
- CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity);
- CS17 (Making Camden a safer place);
- CS18 (Dealing with our waste and encouraging recycling);
- CS19 (Delivering and monitoring the Core Strategy).

Local Development Framework Development Policies

- DP1 (Mixed use development);
- DP2 (Making full use of Camden's capacity for housing);
- DP5 (Homes of different sizes);
- DP6 (Lifetime homes and wheelchair housing);
- DP9 (Student housing, bedsits and other housing with shared facilities);
- DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses);
- DP13 (Employment sites and premises);
- DP14 (Tourism development and visitor accommodation);
- DP16 (The transport implications of development);
- DP17 (Walking, cycling and public transport);
- DP18 (Parking standards and limiting the availability of car parking);
- DP19 (Managing the impact of parking);
- DP20 (Movement of goods and materials);
- DP21 (Development connecting to the highway network);
- DP22 (Promoting sustainable design and construction);
- DP23 (Water);
- DP24 (Securing high quality design);
- DP25 (Conserving Camden's Heritage);
- DP26 (Managing the impact of development on occupiers and neighbours);
- DP27 (Basements and lightwells);
- DP28 (Noise and vibration);
- DP29 (Improving access);
- DP30 (Shopfronts);
- DP31 (Provision of, and improvements to, public open space and outdoor sport and recreation facilities);
- DP32 (Air quality and Camden's Clear Zone).

Camden Planning Guidance(CPG):

- CPG1 (Design);
- CPG2 (Housing);
- CPG3 (Sustainability);
- CPG5 (Town Centres, Retail and Employment);
- CPG6 (Amenity);

- CPG7 (Transport);
- CPG8 (Planning obligations).

The site is also located within the Fortune Green and West Hampstead Neighbourhood Plan area, for which a Neighbourhood Plan was adopted by the Council in 2014.

On a regional and national level the London Plan (2016) policies and the National Planning Policy Framework (2012) would also be relevant.

Land Use

The site is within the Finchley Road Town Centre and is part of a 'Secondary frontage' which aims to retain at minimum of 50% retail (A1 Use Class).

The existing use comprises an Estate Agent (A2 Use Class) and offices (B1a Use Class) at 307. The estate agent fronts Finchley Road with self-contained offices to the rear with access from Lithos Road, this space is currently let to small firms.

At 309 there is an entrance to a Sui Generis Strip-club (now vacant). The strip club occupied the basement area beneath both 309 and 307. There is residential above at both properties.

Given the proposal involves some relocation of uses, introduction of new uses and removal of others I have addressed them below by floor levels.

Basement and ground floor levels

There are no policies aimed at protecting the existing Club use within the basement of 307 and 309 Finchley Road. Therefore no objection would be raised to its loss. The proposal would relocate the office accommodation from the ground floor of 307 Finchley Road to the front of 307 and 309 Finchley Road at basement and to the front of 309 at ground floor resulting in an uplift of 45sqm of B1 use, such an uplift is welcomed. The A2 use which currently occupies the corner unit, appears to be reducing from 59.2sqm to 54sqm, however it is not evident where the loss in floorspace comes from. This should be confirmed. Given the prominent corner location the Council would seek to retain the existing commercial floorspace at ground floor to ensure the unit continues to contribute to the vitality and viability of the Town Centre and would not support a loss of A2.

It is then proposed to introduce 11 HMO rooms across the basement and ground floors. I would strongly advise against the use of this space for HMOs given the standard of accommodation that would result. It would be more appropriate for at least the basement area to be a commercial use be it retail or business.

You have provided the section through the HMO units which clearly demonstrates the outlook and probable levels of light received into the basement level would not be acceptable from an amenity perspective. You have noted within your pre-application submission that there are no standards for HMO units, however this is incorrect. I have attached the Council's HMO guidance which would need to be adhered to for the Council to consider the units suitable HMOs. You may wish to contact the HMO licensing department separately to discuss this further, however at this stage I don't consider the proposed HMO use to be acceptable.

Upper Floors

It is acknowledged that the building is predominantly in residential use which was granted under the Prior Approval process. This has resulted in the provision of a number of sub standard units which would not be acceptable under planning permission. For any planning application that comes forward the standard of accommodation of units would be assessed under our current policy and not based on the existing situation. I have provided comments below on the proposed unit layouts.

First Floor

Above 309 there is an existing 2 bed unit which you are proposing to change into 2 studio units. I do not support this change. Whilst you are demonstrating that overall there would be an increase in 2 bed units which is the Council's highest priority in terms of unit mix, the proposed studio units would be substandard in terms of their size, outlook, privacy and potentially daylight and sunlight. Studio units need to be 37sqm if to be provided with a shower and 39sqm if provided with a bath. Studio's 1 and 2 would be 35sqm and 36sqm respectively. Both units would be single aspect with the windows serving Studio 2 sited 2.9m from the windows of the neighbouring unit, the second window to Studio 2 would be sited 1.9m from the wall of the neighbouring unit. Therefore it would appreciate no privacy or outlook and would form a sub standard unit which would not be supported by the Council.

Also to this level you are proposing to reduce the size of the 2 bed unit to the front of 307 and extend the 2 bed unit to the rear of No.309. This would only be acceptable so long as the unit size accords with the London Plan Standards and would ensure that the unit achieved a good level of amenity in terms of light, privacy, outlook and sense of enclosure. Concern is raised in respect of the bedroom window that would serve the rear window and whether this would receive sufficient levels of light.

Second and third Floors

Above 309 you are proposing to change the existing 3 bed unit which extends over the second and third floors into 3 studios and a 1 bed unit, I would strongly advise against this form of development. It would result in the loss of a 3 bed unit which is in high demand in accordance with DP5 and the Emerging Local Plan for three sub-standard studio units and 1 bed duplex across the third and fourth floors. The comments I have made above in respect of Studios 1 and 2 would also apply to Studios 3-5 and the proposed 1 bed Duplex. I consider all units would be sub standard.

As with the first floor, the comments I have made above in respect of reducing and extending units would also apply to the works at second and third floors.

Fourth Floor

To this level it is proposed to provide 3 x 2 bed units plus the upper level of the 1 bed Duplex which I have discussed above. In terms of Flat 1, it would be of a suitable size, but it would be single aspect with the exception of a small window facing into the rear courtyard. However the main windows to the unit would be south facing, therefore maximising the amount of light into the unit. However the bathroom arrangement feels contrived. Flat 3 appears as though it would provide a good standard of unit. Flat 4 is slightly undersized which would be acceptable if all other elements of amenity were of a suitable standard. However the windows within the living/kitchen area would appear to have very little outlook as would the windows to the bedrooms. I therefore do not consider that this would be a suitable unit.

In terms of land use overall I am not supportive of the current approach. The removal of good sized and standard units such as the units within 309 Finchley Road, to be replaced with sub-standard units is not acceptable. You should be seeking to improve the quality of the accommodation. You have provided a letter from a local estate agent with regard to housing need. The Council is currently in the process of adopting a new Local Plan within which the prior to unit mix remains that of 2 beds and within the new plan more emphasis is placed on 3 bed units. Therefore I don't consider the need within the area is for studio units, nor would we wish to support the provision of studio units. Moving forward I think the internal arrangements needs to be carefully considered given the constraints of the site to propose accommodation that is in line with our policy requirements.

Design and Heritage

The site is located on the corner of Finchley Road and Lithos Road. It is not within a conservation area but is part of a group of Locally Listed Buildings (289 to 315 and 164 to 200 Finchley Road). The group is listed for its architectural and townscape significance and the site (no.307) is noted as a building of a higher architectural quality than some of the other building within the group and retaining a good original shopfront at the corner with Lithos Road. The description for local list entry 584 states the following:

Group of late 19th century terraces on east and west sides of Finchley Road, running between Rosemont Road and Lithos road on the west side and either side of Frognaal on the east side. These terraces largely are of lesser interest architecturally than others further south on Finchley Road, but some individuals are of higher architectural quality, specifically nos 289-295 at the entrance to Rosemont road, and no. 307, which retains a good original shopfront at the corner with Lithos Road. The significance of the wider group are purely due to the consistency they give to the townscape and the supporting role they play to the buildings specifically identified here.

Buildings on the local list are non-designated heritage assets. When determining applications that either directly or indirectly affects non-designated heritage assets, their significance is a material consideration. CPG1 requires applicants to 'show how the significance of the asset, including any contribution made by their setting, has been taken into consideration in the design of the proposed works' (Para 3.36).

Following our meeting some revisions were made to the proposed design due to comments made during our meeting. Therefore the comments below are based on the most recent proposals.

The proposals involve the extension and re-design of the Lithos Road frontage of the building, with the addition of a new set-back roof top extension. No external changes are proposed to the locally listed element of the site on the corner of Finchley Road and Lithos Road, which is welcomed. However overall we are still not satisfied with the bulk and massing of the proposed extension adjacent to the locally listed building. The proposals are not considered sufficiently maintain the prominence of the locally listed building, and it is considered that the proposed development would detract from its character. It is considered you need to address this to guide what the internal arrangement can accommodate.

With regard to the building lines, for the element of the building to the right of the central stair on Lithos Road, it is proposed to bring the building line forward at second and third levels, for the area to the left of the central stair the building line would also be brought forward at first floor level. It is acknowledged that the building lines have been set back further than in the initial submission, however it is considered this level

of set-back is insufficient to protect the character and views of the locally listed corner building. The junction of the new building and the existing appears slightly awkward and not well considered. The building line to the right of the central stair should be set back further to improve the relationship with the existing building and retain the prominence of the return cornice detail of the locally listed building. The building lines of the two elements either side of the Lithos Road stair are proposed to be set at slightly different levels, these should be set to the same level to ensure some consistency. It is appreciated that the western most part of the building has been set in line with the adjoining neighbour at Lithos Road which is welcomed.

We are not supportive of the proposed roof extension at 4th floor level due to its massing and prominence in wider views. Options have been included that reduce the parapet height at 3rd floor level, the principle of which is supported (see below), however this would only expose further the 4th floor level. In addition the 4th floor level would be prominent in views from the west along Lithos Road and appears incongruous in that view. For the 4th floor to be considered acceptable it would need to be set further back from the front and western elevations, this would reduce the number of units that you could provide at this level.

With regard to the detailing of the building, amendments have also been made to this following our meeting. In terms of the window arrangements and reveals, the proposals are considered an improvement on the initial submission. The lower parapet height shown in options 1 and 1A is considered to result in a better relationship with the locally listed building and is supported subject to a further increase in the set-back of the building line (see above). This parapet height should also be applied to the element on the other side of the stair core to balance the overall design. Further discussion regarding the proposed detailing and materials would be welcomed once an acceptable parameter of the bulk and massing of the building has been established.

It is also worth noting that the plans provided do not seem to marry up with the CGI views, the CGI views appear to show a deeper set back than the plans. Please note it would be the plans that are assessed in terms of measurement so these need to be accurate for the Council to be able to make a sound assessment of the proposals.

Transport

In terms of car parking, we welcome the provision of a car free development which would be secured via Section 106 legal agreement.

In respect of cycle parking we would expect a provision in line with the London Plan standards. The cycle parking provision should be designed in line with the Camden Planning Guidance 7 (Transport) section 9.

A draft construction management plan (CMP) should be submitted in support of any subsequent planning application. The Council's CMP pro-forma should be used. This is available on the planning obligations webpage at the hyperlink below: <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-obligations-section-106/>

A CMP and associated implementation support contribution would need to be secured as section 106 planning obligations. The level of CMP implementation support contribution required would be determined during the assessment of any subsequent planning application.

The Council would seek to secure financial contributions for highway works directly adjacent to the site, and pedestrian, cycling and environmental improvements in the local area if planning permission is granted. The level of financial contributions required would be determined during the assessment of any subsequent planning application.

Other material considerations

Sustainability

The Council would require development to incorporate sustainable design and construction measures. You are advised to submit a statement demonstrating how relevant measures have been incorporated into the design and proposed implementation as per Policy DP22 and CPG 3 (Sustainability). You are also required to include the use of renewables within your development.

Impact on neighbouring amenity

You are advised to ensure the proposed development would not impact on neighbouring residents' amenity in regard to daylight, sunlight, outlook and privacy. I am concerned in how the additional storey would impact on the residential units neighbouring the site to the rear. Any impact on neighbouring residents amenity should be demonstrated in any future submissions.

Accessibility

Policy CS14 and DP29 expects development to provide fair access and to remove the barriers that prevent people from accessing buildings. It is expected that any form of development provides access to all.

Waste

The Council will seek to ensure development includes facilities for storage and collection of waste and recycling, in accordance with Policies CS18 and DP26. You are advised to refer to section 10 of CPG1 (Design), in particular 10.8 and 10.9, in respect of the Council's requirements for refuse provision. You would be required to provide space for both mixed recyclables and non-recyclable waste.

Section 106 Obligations

CPG8(Planning obligations) provides full details of planning obligations which would be likely as a result of development, to mitigate its impact. You are therefore advised to refer to CPG8.

Community Infrastructure Levy (CIL)

The development would be liable to pay the Mayoral CIL, based on the floorspace of the residential space. Within Camden the CIL contribution is calculated at £50 per m².

The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge. As such this would be applicable to this development.

The proposed charge in CIL will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). I've pasted below the link to the Council's website with details of CIL:

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/community-infrastructure-levy/>

Next Steps and Conclusion

In light of the above comments, the proposals as they currently stand still need some further consideration. The following key issues must be addressed prior to any submission:

- Appropriate land use;
- Design, layout, scale and massing; and
- Standard of proposed accommodation.

I would advise you enter into further pre-application discussions before you make a formal planning application.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter or the attached document or would like to discuss further pre-application please do not hesitate to contact **Seonaid Carr** on **020 7974 2766**.

Thank you for using Camden's pre-application advice service.

Yours sincerely

Seonaid Carr
Principal Planning Officer