

28 June 2018



**VIA EMAIL**  
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Dear Mr Gentet,

**FULL PLANNING APPLICATION FOR CHANGE OF USE TO CLASS A1, ALTERATIONS TO SHOPFRONT AND ASSOCIATED WORKS**

**219 FINCHLEY ROAD, LONDON, NW3 6LP**

**PLANNING PORTAL REF. PP-07017301**

On behalf of our client, Carebrook Ltd, Savills is instructed to submit a full planning application for the change of use to Class A1, alterations to shopfront and associated works at 219 Finchley Road, London, NW3 6LP ("the site").

Accordingly, please find enclosed:

- Application forms and Ownership Certificate (v2, 28 June 2018);
- Site Location Plan;
- Various drawings:
  - TD18-PM93-PLS1.1 (Existing Layout);
  - TD18-PM93-PL02.1 (Existing Shopfront);
  - TD18-PM93-PL02.3 Rev A (Existing & Proposed Typical Shopfront Section);
  - TD18-PM93-PL01.1 Rev A (Proposed Layout); and
  - TD18-PM93-PL02.2 Rev A (Proposed Shopfront Option B).
- CIL Form (v2, 28 June 2018).

A BACS payment for £234 to cover the application fee was initially made for the shopfront alterations given this submission via the Planning Portal. A "top up" fee of £462 to reflect the proposals for the change of use is also to be made via BACS.

**Proposals**

Full planning permission is sought for alterations to shopfront and associated works to deliver comprehensive improvements to the elevation fronting Canfield Avenue to form a single shopfront and enable the amalgamation of the commercial units behind to facilitate the beneficial occupation as a Pret A Manger ("Pret") sandwich shop. Given the various uses that exist across the four existing units, full planning permission is also sought for the change of use to enable the amalgamated site to operate under Class A1.

Detailed drawings of the proposed works form part of this application but, in summary, the works relate to installing new timber shopfront windows and doors; making good, repairing and repainting columns; restoring

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original column details; removing existing security shutters (and boxings), removing over-sized fascias; making good stone work and installation of replacement signage.

The consequential internal alterations do not require the benefit of planning permission by virtue of Section 55(2) of the Town and Country Planning Act 1990 (as amended).

A separate application to secure express advertisement consent is also being progressed.

### **Planning Policy Overview**

The National Planning Policy Framework ("NPPF") (March 2012) provides general advice alongside the presumption in favour of sustainable development. Paragraph 19 notes that planning should act to encourage and not act as an impediment to sustainable growth. Paragraph 57 expresses the importance to plan positively for the achievement of high quality and inclusive design for all development and to establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit.

Policy A1 (Managing the Impact of Development) of the Camden Local Plan (July 2017) identifies that the Council will seek to protect the quality of life of occupiers and neighbours and that development will be permitted unless unacceptable harm to amenity is caused.

Policy D1 (Design) promotes high quality design in development that respects local context, character and materials that complement the local character. The policy identifies multiple criteria to encourage such quality.

As the site falls within the South Hampstead Conservation Area, Policy D2 (Heritage) is also relevant. The policy notes that the Council will seek to preserve or enhance heritage assets, including conservation areas. It notes that the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. Relevant statements are discussed below.

Policy D3 (Shopfronts) seeks to ensure that a high standard of design is achieved in new and altered shopfronts. When determining proposals, the Council will consider, amongst other matters, the relationship between the shopfront and the upper floors of the building, as well as the general characteristics of shopfronts in the area. Paragraph 7.76 of the Camden Local Plan adds that if a shopfront is replaced or altered, the design should respect the characteristics of the building and, where appropriate, shopfront windows and framework features, such as pilasters, fascias and console brackets, should be retained or restored.

Policy TC2 (Camden's centres and other shopping areas) encourages retail development in Town Centres and Primary Frontages.

Policy TC4 (Town centre uses) seeks to ensure town centre uses do not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

Policy TC5 (Small and independent shops) seeks to promote the provision of small shop premises. Supporting Paragraph 9.50 notes the Council will seek to resist the loss of shop premises where they would consider this would "harm the character, function, viability and vibrancy of the area..."

The statutory development plan is supported by Supplementary Planning Guidance, known locally as Camden Planning Guidance ("CPG"). Chapter 7 of CPG: Design (March 2018) specifically relates to shopfronts and provides a range of detailed advice. Paragraph 7.1 notes that

*"Well designed shopfronts increase the attractiveness of a building and the local area and can have an impact on commercial success by increasing the attraction of shops and shopping centres to customers. This is particularly important in town centres and the character and appearance of where conservation area and listed buildings."*

Paragraph 7.11 adds that

*“Shopfront alterations should respect the detailed design, materials, colour and architectural features of the shopfront and building itself...” and that “[n]ew shopfronts should be designed as part of the whole building and should sensitively relate to the scale, proportions and architectural style of the building and surrounding facades.”*

The site is not listed, but is identified as a ‘Positive Building’ within the South Hampstead Conservation Area. Unsurprisingly, the existing poor quality shopfronts are not identified as being historic shopfronts that survive in whole or in part in the South Hampstead Conservation Area Character Appraisal and Management Strategy (February 2011).

The Character Appraisal and Management Strategy also expressly notes, at paragraphs 7.17-18, that

*“whilst a number of historic shop fronts do survive many are marred by unsightly strip fascias, cluttered signage and unconsidered shopfront design.*

*These include:*

- ...
- 2-8 Canfield Gardens and 219A-D Finchley Road

*219A-D Finchley Road and 104-112 West End Lane are shops housed at ground floor level in the Finchley Road and West Hampstead tube stations respectively. Both these and the tube stations themselves would benefit from a holistic design approach being taken to remove unnecessary signs, posters and associated clutter, consider ways in which the surviving fabric can be upgraded and historic features reinstated where lost.”*

CPG: Town Centres and Retail (March 2018) outlines guidance in respect of town centres. The document sets out how the Council will implement its policies for town centres and retail development. It includes detailed area specific information for each designated centre. This document also provides further detailed information on the management of food, drink, and entertainment uses in designated centres.

## Assessment

### Change of use

Given the various uses that exist across the four existing units, full planning permission is also sought for the change of use to enable the amalgamated site to operate under Class A1. The existing and proposed floorspace is identified in Table 1 below. A slight increase in total floorspace is caused through the dividing walls being removed.

	Existing	Proposed	Difference
<b>Class A1</b>	62.8	138.9	+76.1
<b>Mixed A1/B1</b>	28.4	0.0	-28.4
<b>Class A2</b>	36.2	0.0	-36.2
<b>Total</b>	127.4	138.9	+11.5

Table 1: Existing and proposed floorspace

While two of the units currently operate under Class A1, the remaining two units do not currently hold this use. One unit has a Class A2 (219A Finchley Road) and one has a mixed A1/B1 use (219 Finchley Road). While 219A Finchley Road could change to Class A1 under Permitted Development rights, the mixed use could be considered sui generis, for which there would be no Permitted Development rights. As such, and



without prejudice, this application for a change of use is offered to enable the amalgamated site to operate under Class A1 to enable the beneficial occupation as a Pret sandwich shop.

The site is located within Finchley Road/Swiss Cottage Town Centre and falls within a Primary Frontage.

Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Policy TC2 is the most relevant policy and encourages retail development in Town Centres and Primary Frontages. Specifically, the supporting text to Policy TC2 seeks to ensure a minimum of 75% of units in each Primary Frontage run in Finchley Road/Swiss Cottage Town Centre are kept in Class A1 use and that the maximum proportion of Class A3, A4 and A5 uses is 20%.

An initial desktop review using the latest available Goad (surveyed in August 2017) suggests the existing composition of the relevant frontage run is 7 no. (41%) of the 17 no. units are in Class A1 use and 10 (59%) are non-A1. Following a change of use, 7 no. (50%) of the 14 no. units would be in Class A1 and 7 no. (50%) non-A1. The proposed change of use to Class A1 would accord to the objectives of Policy TC2 by improving the retail offer and increasing the amount of retail floorspace and composition within the town centre and Primary Frontage (increased from 41% to 50%). The proposed sandwich shop would also deliver important employment opportunities while increasing footfall within the Primary Frontage to the benefit of the vitality and viability of the Finchley Road/Swiss Cottage Town Centre. In that regard, the proposals are also considered to be in compliance with Policy TC4 and guidance contained within CPG: Town Centres and as the use would "not cause harm to the character, function, vitality and viability of a centre..."

Policy TC5 seeks to promote the provision of small shop premises. Supporting Paragraph 9.50 notes the Council will seek to resist the loss of shop premises where they would consider this would "harm the character, function, viability and vibrancy of the area..." As noted above, the introduction of a high quality retail unit in this location is considered beneficial to the health, vitality and viability of the Primary Frontage and wider Finchley Road/Swiss Cottage Town Centre. As such, it is considered the proposals should be supported when assessed against this policy.

The proposed retail use of the unit is an appropriate, and directly encouraged, town centre use in this location. The site's location within busy commercial area close to a transport hub, and given the existing uses, indicates that there will be no amenity considerations arising from the proposed use. The proposed use will therefore satisfy Policy A1.

#### Shopfront alterations

Full planning permission is sought for alterations to shopfront and associated works to deliver comprehensive improvements to the elevation fronting Canfield Avenue to form a single shopfront and enable the amalgamation of the commercial units behind to facilitate the beneficial occupation as a Pret sandwich shop. Detailed drawings of the proposed works form part of this application but, in summary, the works relate to installing new timber shopfront windows and doors; making good, repairing and repainting columns; restoring original column details; removing existing security shutters (and boxings), removing over-sized fascias; making good stone work and installation of replacement signage.

The proposals relate to alterations to four existing but poorly designed and irregular shopfronts fronting Canfield Avenue. The existing shopfront appearance has been noted in the Character Appraisal and Management Strategy as being of poor quality and welcomes a holistic design approach to deliver improvements to this elevation. This application achieves just that.

The proposals would reintroduce symmetry, restore the shopfront and historic features, provide a consistent fascia band across the width of the shopfront, removing the unsightly and unduly deep and tall fascias that exist across the various units and provide improved access. The proposals are appropriate in terms of amount, scale, layout and access as they are in keeping with the appearance and character of the host building and wider street scene along Canfield Avenue. The shopfront alterations would clearly introduce detailed design, materials, colour and architectural features to the shopfront so that it is consistent with the



design of the wider building, sensitively relating to the scale, proportions and architectural style of the building and surrounding facades.

The proposed shopfront design has been discussed at length with Transport for London (as the landlord) and their in-house Heritage Advisor who offers their full support for the proposals, noting the significant improvements that would arise through the works.

It is clear the proposals not only preserve, but would significantly enhance, both the character and appearance of the building, streetscene and wider South Hampstead Conservation Area, thereby satisfying Policies A1, D1, D2 and D3 of the Camden Local Plan as well as additional guidance contained within CPG: Design and the direction of improvements within the conservation area sought through the Character Appraisal and Management Strategy. It therefore follows that the proposals should be fully supported by the Local Planning Authority.

### **Summary**

Full planning permission is sought for the change of use to Class A1, alterations to shopfront and associated works.

With regards to the proposed change of use, this has been progressed to allow a consistent use across the amalgamated unit given that two of the four units do not currently hold a Class A1 use. The amalgamation and formation of a high quality retail unit in this location should be supported. The proposals would enhance the retail provision within this part of the Primary Frontage within the Finchley Road/Swiss Cottage Town Centre, helping to enhance the health of the town centre. As such, the proposed change of use if found to be in accordance with the thrust of the NPPF and Policies TC2, TC4 and TC5 of the Camden Local Plan. The proposed use would not give rise to any adverse amenity considerations, satisfying Policy A1.

The shopfront alterations represent an exceptionally high standard of design according to the aforementioned policies of the Camden Local Plan, as well as the thrust of the NPPF and its presumption in favour of sustainable development. The proposed works would not only preserve but notably enhance the character and appearance of the building, wider street scene and at an ideal level the South Hampstead Conservation Area, delivering improvements sought through the Character Appraisal and Management Strategy and would assist in the ensuring opportunities for beneficial occupation of existing poor quality commercial units through the beneficial occupation as a Pret sandwich shop.

It is therefore respectfully requested that the Local Planning Authority grants planning permission for the change of use to Class A1, shopfront alterations and associated works without delay.

I look forward to receiving confirmation that the applications have been registered. I would welcome the opportunity to discuss the details of the application with the appointed Case Officer at the earliest opportunity.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely,



**Rhys Govier**  
Associate

Enc. As above