

2018/2688/P & 2018/2687/A

219, 219A, 219B & 219D Finchley Road



Bird's eye view of the site



View of Canfield House from Finchley Road - North-east elevation showing the entrance to the tube station to the left and No221a on the right

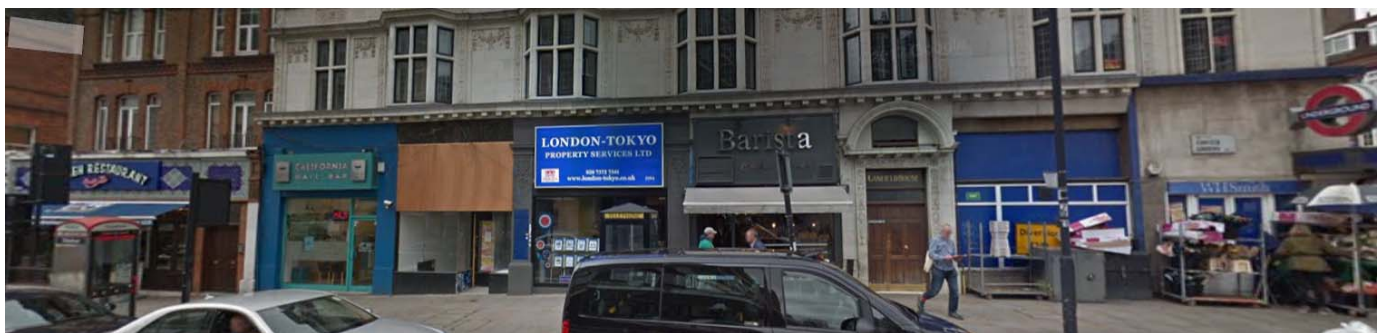




View of Canfield House by junction of Canfield Gardens with Finchley Road – South East elevation (Apex) with entrance to the tube station on the corner (Apex), No221a on the right and 219 units on the left



View of Canfield House from Canfield Gardens – south elevation showing No2 Canfield Gardens (restaurant) to the far left, the 4no units subject to this application (No219, 219a, 219b, 291d), the residential entrance to upper floors, No219c and the entrance to the tube station.



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b> N/A	<b>Expiry Date:</b> 10/08/2018
			<b>Consultation Expiry Date:</b> 30/08/2018
<b>Officer</b>		<b>Application Number(s)</b>	
Matthias Gentet		1) 2018/2688/P 2) 2018/2687/A	
<b>Application Address</b>		<b>Drawing Numbers</b>	
219, 219A, 219B & 219D Finchley Road London NW3 6LP		1) Revised Cover Letter (28/06/2018); 1 x Historic Photograph; 3 x Existing Photos; Site Location Plan; [TD18/PM 93] P01, PL01.1 RevB, PL02.1, PL02.2 RevD, PL02.3 RevB, PLS1.1. 2) Revised Cover Letter (21/08/2018); 1 x Historic Photograph; Site Location Plan; [TD18-PM93-] P01, PL02.1, PL02.2 RevD, PL03.1 RevB, PL03.2 RevB.	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>
<b>Proposal(s)</b>			
1) Lateral conversion of 4 units into 1 retail unit (A1), including the change of use of 29.5sqm of mixed A1/B1 floorspace (No219) and 36sqm of A2 floorspace (No219A) into A1 floorspace and associated alterations including new shopfront. 2) Display of 2 x non-illuminated fascia signs, 2 x internally (halo) illuminated lettering fascia signs and 1 x externally illuminated projecting sign.			
<b>Recommendation(s):</b>		1) Grant conditional Planning Permission 2) Grant conditional Advertisement consent	
<b>Application Type:</b>		1) Full Planning Permission 2) Advertisement Consent	

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	00	No. of responses	03	No. of objections	03
Summary of consultation responses:	<p>A Site Notice was displayed on 22/06/2018 (expired on 16/07/2018) and a Press Advert was published on 28/06/2018 (expired on 22/07/2018).</p> <p>An <b>objection</b> was received from an <b>Owner/Occupier</b>, summarised as follow:</p> <ul style="list-style-type: none"> <li>- The worrying problem with this re-development is the use.</li> <li>- How much area is donated for a shop and how much for an office?</li> <li>- Will it be another Estate Agent? If so this would detrimental to the shopping area.</li> <li>- Diversity in shops is what is required.</li> </ul> <p><u>Officer's Response:</u>  <i>The lateral conversion is to unite 4 individual units - comprising 2no existing Retail units (A1), one Estate Agent (A2) and one mix Retail and Office (A1/B1) - into one large Retail unit (A1) to be occupied by Pret-a-Manger.</i></p> <p><i>The current Office use as No219 was ancillary to the A1 use as part of a mini-cab operation (change of use to A1 t mix A1/B1 granted on appeal under application reference: 2011/4123/P).</i></p> <p><i>The lateral conversion requires a change of use to A1 for the 2no units that are A1/B1 and A2 use class. There will therefore not be an estate agent operating from the premises once occupied by Pret-a-Manger.</i></p> <p><i>The A1 use can accommodate various operations such as a clothes shop, hair dresser, even a bakery (for the sale of bread only - no primary cooking may take place).</i></p> <p><i>Please see also paragraphs 4.1 to 4.16, 5.1 to 5.18 in the below report.</i></p> <p>An <b>objection</b> was received from an <b>Owner/Occupier</b>, summarised as follow:</p> <ul style="list-style-type: none"> <li>- Development will increase 'footfall' in and around the station entrance.</li> <li>- It is essential that free access is available along Canfield Gardens and at the entrance to the station.</li> <li>- There is a situation at the entrance to Finchley Road Station relating to the uncontrolled use by the flower stall of pavement and the dumping of rubbish. LUL and TfL have shown no interest in resolving this and many other issues from this trader's actions impacting negatively on the area and safety of the travelling public. The flower stall needs to be relocated inside the station area.</li> <li>- The paper stall used as on street storage needs to be removed to allow for free access in and around the crossing and the station entrance.</li> </ul> <p><u>Officer's Response:</u>  <i>The issues caused by the presence of the flower stall and the paper stall used as street storage cannot be taken into consideration when assessing the acceptability of the lateral conversion of the 4no units involved. The A1 use class of one large unit will not cause a drastic increase in footfall within the area surrounding the entrance to the tube station. The new unit, to be occupied by Pret-a-Manger, will not be an adding unit into an already busy commercial area but will be amalgamating already existing units under a single operation.</i></p> <p><i>In view of the comments regarding the dumping of rubbish, this has been brought to the attention of TfL. The site address being on Red Route, the public highway falls under TfL's jurisdiction.</i></p> <p><i>TfL has provided their views on the proposal and the issues raised by the objector in Transport for London City Planning (TfL) below.</i></p>					

	<p><i>See also paragraphs 4.1 to 4.16, 5.1 to 5.18 in the below report.</i></p>
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<p><b>London Underground (TfL)</b></p>	<p><b>London Underground</b> has raised no objection</p>
<p><b>Transport for London Commercial Development (TfL)</b></p>	<p>Comments from <b>Transport for London Commercial Development</b> have been received, summarised as follow:</p> <ul style="list-style-type: none"> <li>- TfL has worked to secure a viable and active use of these units that should benefit the station building and wider area around Finchley Road. As such, the principle of combining the retail units is very much endorsed and welcomed.</li> <li>- We understand that some concerns have been raised in relation to this planning application from Canfield Gardens Residents' Association (see below) and others that appear to relate to the management of the pavement and safety issues caused by other trading stalls. These concerns raised do not appear to be directly related to the planning application and in the opinion of TfL are not material planning considerations.</li> <li>- The concerns raised regarding the flower stall and Evening Standard paper trolley and 2no phone boxes have been noted. Discussions will be held between Surface Transport teams, Area Manager and station staff to monitor the situation.</li> </ul>
<p><b>Transport for London City Planning (TfL)</b></p>	<p>Comments from <b>Transport for London City Planning</b> have been received, summarised as follow:</p> <ul style="list-style-type: none"> <li>- The area is clearly a busy strategic transport interchange which, like many others in London, suffers at times from congestion on local footways.</li> <li>- Development would create a larger retail unit by combining 4 neighbouring units that are currently separate. It appears unlikely that the new unit proposed would generate any severely strategic transport impacts. TfL Spatial Planning therefore has no objections.</li> <li>- A relatively small number of new trips seem likely to be generated due to the clear potential for more intensive retail use of new and improved units by customers of the tube station. Furthermore, the deliveries and servicing of a larger new retail unit would not be likely to significantly worsen existing local street conditions or negatively impact on Finchley Road in its ongoing role as a strategic transport interchange.</li> <li>- Accept predicted servicing.</li> <li>- A large loading bay is located immediately outside the site on the northern side of Canfield Gardens. It is approximately 20m long with no stopping Monday to Saturday from 07:00 to 19:00 except for loading for a maximum of 20 minutes. Any vehicles loading outside these hours would be violating the Traffic Order governing the bay and could be subject to legal proceedings. Any future amendments to the legal time restrictions on the bay would require public consultation with relevant stakeholders including the local authority and community.</li> <li>- The applicant has proposed for the loading bay to be used for construction, which may be appropriate, depending on the scale and complexity of refurbishment works. TfL Spatial Planning therefore requests a Construction Management Plan (CMP) is secured by condition and discharged in consultation with us, due to the sensitive site location on the TLRN, and the need to maintain bus operations and safety and convenience for public transport passengers moving through the area. We would prefer for all vehicle movements associated with the refurbishment works to take place outside of periods of peak network congestion (i.e. 10am-4pm only).</li> </ul> <p><u>Officer's Response:</u>  <i>The Council's Transport officer looked into TfL's request to have a CMP secured by condition. The Council's Transport Officer states that 'it is necessary to request a CMP for this scheme. The level of construction vehicles that the site will generate will be minor and if the developer needs to use the loading bay for longer than the allowed 20minutes they will need to apply for a suspension of the parking/loading bays which can be agreed through a highways licenses. All required license should be apply through TfL.</i></p>

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An objection from **Canfield Place Residents' Association** was received, summarised as follow:

- The replacement of four existing units into one major corporation supplying food and drinks will create more pedestrian use in this area where the parade has been cut off from the promised 'high street experience' as detailed in the Canfield Gardens Development consultation.
- The flower stall by the entrance has caused issues for many years where residents and business feel that it should be relocated as it blocks free access and causes congestions.
- The pole by the disabled taxi rank is being used by Evening Standard to chain its paper trolley. The pole is an obstruction for disable people using the rank.
- The phone boxes in Canfield Gardens were not part of the development need to be removed and should not carry advertising.
- The development will create much more use of the area which should therefore be upgraded for safety and commercial benefits.
- Why has the loading bay times in Canfield Gardens change not reflecting the same times as the rest of the Red Route parking bays in the area?

Officer's Response:

*The current 4no units all have poor quality commercial frontages, with unattractive signage that is too large; spreading onto what should normally be the shopfront and obscuring some of the decorative mouldings. The proposal would offer a complete revamp of the commercial frontage by providing a clean, uncluttered and traditional shopfront along with traditional signage contained within the fascia area and between individual section that would see the decorative mouldings free and exposed.*

*The improvement works would help bring this retail area into the commercial hub/highstreet on Finchley Road instead of sitting on the side line unnoticed. The works would also bring it back more in line with its historical identity with an attractive and traditional frontage.*

*As stated above, the issues caused by the presence of the flower stall and the paper stall used as street storage cannot be taken into consideration when assessing the acceptability of the lateral conversion of the 4no units involved.*

*With regards the newspaper trolley, the post is located sufficiently far enough from the proposed new entrance to the premises – on the edge of a large pavement – not to create or become an obstruction to customers and/or pedestrians.*

*The same applies to the phone boxes. The BT phone box was granted prior approval for its relocation into the current location on 11/10/2005 (application reference: 2005/3594/P). No planning history was found for the other phone box located outside No219a. However, judging by the photographic evidence found online, the box has been in place since at least 2008.*

*As for advertising on the phones boxes, this is permitted only one side of the kiosk without the requirement for Advertisement Consent as long as the advertisement is non-illuminated which appears to be the case.*

*Looking on the photographic evidence found online, the Red Route sign on the edge of the pavement provides details of parking restriction with no stopping from Monday to Saturday, between 7am and 7pm except for loading time not to exceed 20mins. This is set by TfL and may differ from locations to locations. This is not controlled by the Council but by TfL. However, TfL has provided their views on the proposal and the issues raised by the objector in Transport for London City Planning (TfL) above.*

*In view of the comments regarding the dumping of rubbish and the newspaper stand, these have been brought to the attention of TfL. The site address being on Red Route, the public highway falls under TfL's jurisdiction.*

*See also paragraph 4.1 to 4.16, 5.1 to 5.18 in the below report.*

**Canfield Place Residents Association**

## Site Description

The site address is a 3-storey circa 19<sup>th</sup> century building (Canfield House) located on the west side of Finchley Road and on the corner with Canfield Gardens. It has retail and the entrance to Finchley Road Underground Station at ground floor level, and residential on the upper floors.

The building is in South Hampstead Conservation Area. Although not listed, it is identified as being a 'Positive Contributor' in the South Hampstead Conservation Area Appraisal. The site is located within the Finchley Road Town Centre and is a Local Plan Frontage.

## Relevant History

### Site History:

#### **No219, 219A, 219B & 219D**

2018/3429/P – (yet to be determined) - Installation of 3no condenser unit onto flat roof and associated works.

#### **No219**

2011/4123/P – (refused on 21/10/2011 but allowed on appeal on 25/06/2012 reference: APP/X5210/A/11/2167311) - Change of use from retail (Class A1) to mixed retail (Class A1) and office (Class B1) to provide radio-controlled booking office for private hire (minicab) vehicles.

#### **No219A**

2014/6776/A – (granted on 09/12/2014) - Display of 1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign.

PW9702932 – (granted on 05/12/1997) - Change of use from retail (Class A1) to an estate agents office (Class A2).

8980907 – (granted on 28/03/1990) - Fascia sign with internally illuminated letters on a non-illuminated background perspex panel 190 x 350 cm. Internally illuminated projecting box sign 70 cm x 76 cm at height of 2.4 m above ground. Internally illuminated display case on left-hand pilaster.

8905045 – (granted on 06/09/1989) - Change of use of the ground floor and ancillary basement to employment agency Class A2 of the Town and Country Planning (Use Classes) order 1987.

### Adjacent Sites:

#### **Phone Box O/S 219 Finchley Road**

2005/3594/P – (granted prior approval on 11/10/2005) - The erection of a relocated telephone kiosk on the pavement.

#### **Canfield Gardens:**

##### **No2**

9400276 – (granted on 21/10/1994) - The change of use of the ground floor from retail to restaurant.

#### **Dunlace House**

##### **No4-No8**

2010/6486/P – (granted subject to S106 on 12/07/2011) - Change of use from office (Class B1) to residential (Class C3) to provide 2 residential units including creation of proposed window to second floor side elevation.

##### **No4**

2012/1661/P – (granted on 27/06/2012) - Installation of new shopfront and alterations to create an additional entrance.

2009/1798/P – (granted on 09/07/2009) - Retrospective application for change of use from retail use (Class A1) to financial and professional (Class A2).

PW9902339 – (granted on 21/06/1999) - Change of use of the ground floor from Class A1 (retail) to Class A2 (financial and professional services).

##### **No6**

CTP/G6/7/U/35196/R1 – (granted on 30/03/1983) - Change of use of the ground floor to a dry cleaners including the installation of new shop front.

##### **No8**

2007/4065/A – (granted on 05/10/2007) - Retention of illuminated pole sign to front of barber shop (Class A1).

## Relevant policies

### National Planning Policy Framework, 2012

### The London Plan 2016

### London Borough of Camden Local Plan 2017

A1 (Managing the impact of development)

C5 (Safety and security)

C6 (Access for all)

D1 (Design)

D2 (Heritage)

D3 (Shopfronts)

D4 (Advertisements)

G1 (Delivery and location of growth)

CC5 (Waste)

TC2 (Camden's centres and other shopping areas)

TC3 (Shops outside of centres)

TC4 (Town centres uses)

### Camden Planning Guidance (2013)

CPG7 (Transport)

### Camden Planning Guidance (2018)

CPG (Amenity)

CPG (Town Centre)

CGP1 – Design – (July 2015 updated March 2018)

CPG3 – Sustainability (July 2015 updated March 2018)

### South Hampstead Conservation Area Appraisal (February 2011)

## Assessment

### 1. Proposal

- 1.1 The proposal seeks permission for the lateral conversion of 4 units into 1 retail unit (A1), including the change of use of 29.5sqm of mixed A1/B1 floorspace (No219) and 36sqm of A2 floorspace (No219A) into A1 floorspace and associated alterations including new shopfront. D
- 1.2 Consent is also sought for the display of 2 x non-illuminated fascia signs, 2 x internally (halo) illuminated lettering fascia signs and 1 x externally illuminated projecting sign.

### 2. Background

- 2.1 Revisions were sought during the assessment of the development, as follow

#### New Entrance Door

- 2.2 The application was originally submitted with a new entrance to the converted premises – to the right of the Canfield Gardens elevation – with a small step. This was assessed by the Council Access Officer and found to be unacceptable. The design of the new entrance was therefore amended from a step access to a step-free access.

#### Signage

- 2.3 The proposal original contained a single internally illuminated fascia sign. This was found to be unacceptable as it covered the corbel details found atop 3no of the pilasters that define and demark each of the units. There are altogether 4no pilasters starting from the left – adjacent to No2 Canfield Gardens. The far right of the commercial frontage is edged by the stoned arched entrance door to the residential units on the upper floors. Having each corbel unobscured helps identifying the original single units.
- 2.4 The method of illumination has also raised concerns. This was therefore amended by having two of the individual fascias (in the middle) non-illuminated and the other two end fascias with back-lit (hallo) letters.

#### Associated Application

2.5 A third application associated to the lateral conversion application, for the installation of 3no condenser unit onto the flat roof and associated works, has been submitted [See Relevant History above], and is currently going through the assessment process. This is yet to be determined.

### 3. Assessment

3.1 The principle considerations in the determination of these applications are:

- Land Use
- Transport
- Design and Heritage
- Public Safety (Signage)

### 4. Land Use

4.1 The ground floor level area affected by the proposal consists of 4no individual units operating as follow:

- No219: A1/B1 use (Retail/Office) - allowed on appeal on 25/06/2012 reference: APP/X5210/A/11/2167311 [See Relevant History above];
- No219A: A2 (Estate Agent) - granted on 05/12/1997 ref: PW9702932 [See Relevant History above];
- No219B – A1 (Retail);
- No219D – A1 (Retail).

4.2 The existing uses covered by the 4 units stands as follows:

	Existing
<b>Class A1</b>	62.8
<b>Mixed A1/B1</b>	28.4
<b>Class A2</b>	36.2
<b>Total</b>	127.4

4.3 The lateral conversion will produce a minor increase of floor space, achieved chiefly by the removal of 3no internal partitions/dividing walls that separate each of the units, not by any external extension, as follow:

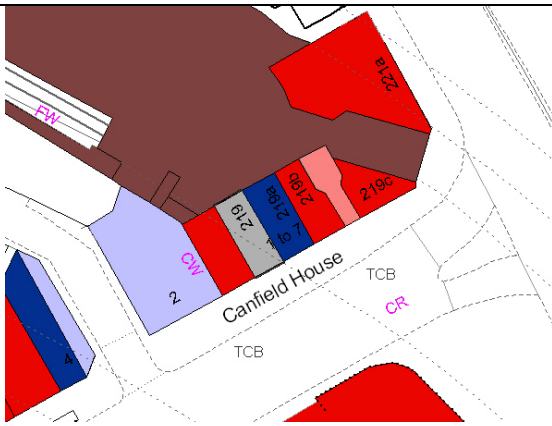
	Proposed	Difference
<b>Class A1</b>	138.9	+76.1
<b>Mixed A1/B1</b>	0.0	-28.4
<b>Class A2</b>	0.0	-36.2
<b>Total</b>	138.9	+11.5

4.4 Policy TC2 of the Camden Local Plan 2017 states that the Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors, and will ensure that development in its centres is appropriate to the character and role of the centre in which it is located and does not cause harm to neighbours, the local area, or other centres.

4.5 Policy TC4 also states that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. There are a number of considerations, including the cumulative impact of food, drink and entertainment uses, the health impacts of development, the impact of the development on nearby residential uses and amenity and any prejudice to future residential development, parking, stopping and servicing and the effect of the development on ease of movement on the footpath, noise and vibration, fumes likely to be generate, the potential for crime and antisocial behaviour, including littering.

4.6 The application site is within the Finchley Road Town Centre and designated as Primary Frontage. The below plan shows the use class of the various units within 219 (Canfield House) Finchley Road, colour coded as follow:

- Red: A1 (Retail)
- Dark Blue : A2 (Financial and Professional)
- Light Grey: Represent an empty premises. However, this is the location of No219 which was operating under a mix A1/B1 (Retail/Office) use [See Relevant History above]



4.7 The below table details the current use class of the units all located at ground floor level and within Canfield House - including No219, 219a, 219b, 291c, 291d and No221a:

Address Number	Use Class
No219 (S. Express)	A1/B1 (to change to A1 and part of the lateral conversion)
No219a (London Tokyo Property Services)	A2 (to change to A1 and part of the lateral conversion)
No219b (Barista)	A1 (Part of the lateral conversion)
No219c (WH Smith)	A1
No219d (California Nail Bar)	A1 (Part of the lateral conversion)
No221a (Pricewise Food & Wine)	A1

4.8 Due to the strange numbering of the units fronting Canfield Gardens, these do not appear in alphabetical order on the ground. Indeed, the units subject to the lateral conversion are 219, a, b and d contained between No2 Canfield Gardens (to the left) and the residential entrance (to the right) to the upper floor of Canfield House. Unit c is located on the other side (to the left) of the residential entrance. This is due to unit 'd' now occupying what was once an entrance to the tube station. Being the last one created, 'd' is therefore before the original sequenced units (219, a, b, and c).

4.9 The conversion of the units into 1 single Class A1 retail unit does not require planning permission, given they are all in Class A1 use – with the exception of the mixed Class A1/B1 unit – which is assessed below.

4.10 Although the Council seeks to retain units operating under the B1 use class, it is worth taking into consideration that, in this particular case, the unit has been functioning as a mixed use that includes an A1 element that has enabled the occupier/tenant to work as a computer outlet. The proposed use is likely to provide a similar level of employment to the existing mixed A1/B1 use.

4.11 On balance, although a B1 element is being lost, the scheme is also retaining an A1 use.

4.12 It is understood that the nature of the anticipated occupier of the premises – Pret-a-Manger – is to operate solely under the A1 use class provision by selling cakes, sandwiches, hot drinks. If the forthcoming operator was to alter its business practice or operation, by providing cooked food, such practice would fall outside the A1 use class (Retail) remit and into the A3 use class (Restaurant). As such, to enable primary cooking to take place, a change of use to A3 would be required. In view of the above analysis, such permission would not be granted.



4.13 The proposed lateral conversion and change of use is therefore considered to be acceptable and in accordance with the policies TC2, TC4 and TC5 of the Camden Local Plan 2017.

## 5. Transport

### Refuse collection

5.1 The collection of refuse is to be made using the existing loading bay outside the premises, on Canfield Gardens, in accordance with the local traffic restrictions. Refuse will be collected from within the premises.

- Frequency: Typically twice daily
- Timing: between the hours of 07:00 and 19:00
- Duration: up to 5 minutes.

5.2 It is worth noting that the amalgamation of the 4no units into one will not detrimentally impact the amount or type of waste produced.

### Deliveries

5.3 The site benefits from a large loading bay immediately outside Canfield House on Canfield Gardens. The loading bay is approximately 20m in length with clear road markings. Local traffic restrictions indicate no stopping Monday to Saturday between 07:00 – 19:00 except for loading for a maximum of 20 minutes.

5.4 Deliveries will take place as follow:

- Deliveries will make use of the existing loading bay off Canfield Gardens, to comply with local traffic restriction;
- Frequency: typically once daily
- Timing: Between the hours of 19:00 and 23:00
- Duration: Up to 20 minutes

5.5 The deliveries would thus apply to one unit only instead of the 4no that have been operating at No219, 291a, 291b and 291d for many years.

### Traffic Management

5.6 It is unlikely that the presence and activity of the operator (Pret-a-Manger) is to greatly increase the level of traffic. Currently, there are 4no units operating individually and providing a different type of service. Indeed, the mini-cab operating from No219 would be more likely to have a greater impact on the local vehicular traffic than 'Pret'.

5.7 The only increase in traffic that could be noticeable would be from pedestrians. Nevertheless, it is worth taking into consideration that there is already a coffee shop operating at No219b and the nail bar at No219d, both of which, by the very nature of their respective business, tend to be busy and thus generate a regular flow of customers (pedestrians).

5.8 The location of the entrance to the new shop close to the entrance to the adjacent tube station has raised concerns within the locality. However, the lateral conversion is to creating or adding a new and large retail operation but amalgamating already existing commercial premises.

5.9 As such, any increase from the use of the converted premises would not further acerbate any potential vehicular traffic/parking issues and/or pedestrian traffic.

5.10 However, due to the refurbishment works having to take place, the applicant has requested that the loading bay outside the premises – on Canfield Gardens – be used during these construction works. As a result, TfL has requested that a Construction Management Plan (CMP) be secured by condition to be discharged in consultation with TfL. This has been assessed by the Council's Transport Officer and was not considered to be applicable in this particular case.

5.11 Nevertheless, an informative has been added to the decision informing the applicant that any need for the suspension of parking/loading bays would have to be secured by means of relevant highways licenses to be obtained through TfL.

### Noise

5.12 There is a third application for the installation of plant equipment to the rear of Canfield House, on the flat roof over the tube lines – reference: 2018/3429/P – which is yet to be determined [See Relevant History above]. The noise generated by the new AC units will therefore be assessed and addressed under that separate application.

- 5.13 Conditions are to be added to the decisions in line with the recommendations from the Environmental Health Officer in due course.
- 5.14 Suffice to say that any noise issues to be address as part of this application would be produced by the customers/patrons. This, however, will not differ greatly from the current setting whereby the 4no existing commercial units have been operated in this locations for many years. Indeed, 'Barista Coffee House' opens at 6:30am and 'S.Express' would seemed to have provided a 24h car service.
- 5.15 It is understood that 'Pret' is to operate under the following daytime opening hours:
- Monday to Friday: 05:45 – 21:00
  - Saturday 06:30 – 20:30
  - Sundays and Bank Holidays: 07:00 – 20:30

#### Tables and Chairs

- 5.16 Camden Planning Guidance CPG (Town Centres and Retails) states that Tables and chairs placed outside buildings can provide alternative facilities for dining and drinking and contribute to the vibrancy and character of an area. However outdoor seating areas may also generate negative impacts in terms of expanding or intensifying food and drink uses, users generating noise leading to a loss of residential amenity, tables and chairs obstructing the footway, particularly for people with disabilities, creating an impediment to street cleaning and rubbish collection, and providing areas of opportunities for crime and anti-social behaviour like begging and theft. In addition outdoor seating areas of an inappropriate form may detract from the character of the area.
- 5.17 If the operator was to consider adding Tables and Chairs on Canfield Gardens pavement, a Tables and Chairs licence would be required and applied for to the Council.

#### Conditions

- 5.18 No additional conditions are required in relation to Servicing and Refuse and Deliveries. The implementation of the lateral conversion that would operate under an A1 use would not impact on or increase the volume/collection of waste, the frequency of deliveries and the volume of traffic generated by the business and its presence on the commercial part of Finchley Road and Canfield Gardens.

## **6. Design and Heritage**

- 6.1 The row of shopfronts that are to subject of the lateral conversion have been subjected to a lot of unauthorised alterations such as replacement of shopfronts and signage. These have produced a mixture of style, design and materials that are unsympathetic, unattractive and not in line with the traditional commercial frontages expected to be found within the remit of well-designed building of great architectural merit which comprises elegant bay windows, with numerous intricate moulding details, framed between unaltered rhythm of dormers within the roof line and decorative moulding cornices demarking the residential units at upper floors and commercial units at ground floor level.
- 6.2 Adding to the poor quality of the shopfronts, the size, design and positioning of the signage has produced an accumulation of large and bulky fixtures cluttering the parade in such a way that it occupies no less than a 1/3 of each of the units. In turn, they obscure the historical architectural details found at ground floor level such as mouldings, corbels, sections of the pilasters. The whole set up is not attractive and detracts from the grand nature of Canfield House who is noted to be a 'Positive Contributor' in the West Hampstead Conservation Area Appraisal.

#### Shopfronts

- 6.3 The proposed shopfront is to replace the entire commercial frontages occupied by the 4no independent units, and will consist of a timber frame shopfront with timber stall riser throughout, 3 sets of 2-panelled glazing elevations – each within the individual sections at No291, 291a and No219d. The design of the shopfront would therefore be traditional and sympathetic to the sensitive nature of the host building.
- 6.4 The new entrance is to be located on the left hand side of the 4<sup>th</sup> commercial section – at what is currently No219b – with a glazed fan light above and a single glass panel elevation. The door would measure approximately 1.1m in width. Combined with the step free access to the premises, this will enable anyone with mobility issues - such users but also parents with push chairs – to access the premises unaided.
- 6.5 The existing ground floor façade – including pilasters, corbels – is to be repaired/refurbished and painted.

6.6 The proposed shopfront is therefore considered to be acceptable and in accordance with policies A1, D1, D2 and C6 of the Camden Local Plan 2017.

### Signage and Method of Illumination

#### **Fascia Signs**

6.7 The proposed fascia signs would sit between the moulding cornice and the proposed shopfront and would not obscure or damage existing architectural features. Indeed they would fit within the constraint of the corbels and thus of a subordinate nature which is an improvement on the overly dominant fascias currently in situ.

6.8 The letters and logo of the business would be discreet and proportionate to the scale of the individual fascias.

6.9 Out of the fascia panels, only the letters and star symbols on the ones to the far left and the far right are to be illuminated by means of backlit (Halo) method. The central fascia panels are to be non-illuminated.

6.10 In view of the traditional location of the new fascia, the length of the new shopfront in comparison to the small area of signage subject to a discreet form of illumination, it is considered that the new fascias are acceptable and in accordance with policy D4.

#### **Projecting/Hanging Sign**

6.11 The proposed hanging sign would be a blade sign with 'Pret' star symbol appearing on both side and would be displayed on the far right end of the fascia where it would be affixed by means of the metal bracket onto the fascia itself.

6.12 The hanging sign will be externally illuminated.

#### **7. Public Safety**

7.1 Policy D4 of the Camden Local Plan 2017 states that Highway safety, with focus on vulnerable road users should be considered. Advertisements will not be considered acceptable where they impact upon public safety including result in glare and dazzle or distract road users because of their unusual nature, disrupt the free flow of pedestrians or endanger pedestrians.

7.2 The type of illumination hereby proposed would clearly enhance the visibility of the 'Pret' within the highstreet. However, the signage here proposed are commonly found on commercial frontages and have the only purpose to offer some visibility and do not produce a level of illuminance that is significant enough to be cause for concerns for the safety of the public.

7.3 As such, the method of illumination is therefore considered acceptable.

#### **8. Conclusion**

8.1 The proposal would not cause undue harm to the character, function, vitality and viability of the area and would preserve the commercial nature of the parade of shops.

8.2 The associated alterations comprising of new shopfront and signage, in terms of size, design, location, materials to be used and method of illumination, are considered to be acceptable and will not only preserve but also enhance the character and appearance of the host and adjacent buildings, the conservation area and the commercial streetscape.

#### **9. Recommendation**

9.1 Grant conditional Planning Permission

9.2 Grant conditional Advertisement Consent

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 3<sup>rd</sup> September 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Savills  
2 Kingsway  
Cardiff  
CF10 3FD

Application Ref: **2018/2687/A**  
Please ask for: **Matthias Gentet**  
Telephone: 020 7974 **5961**

21 August 2018

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Advertisement Consent Granted**

Address:  
**219, 219A, 219B & 219D Finchley Road**  
**London**  
**NW3 6LP**

**DECISION**

Proposal:

Display of 2 x non-illuminated fascia signs, 2 x internally(halo) illuminated lettering fascia signs and 1 x externally illuminated projecting sign.

Drawing Nos: Revised Cover Letter (21/08/2018); 1 x Historic Photograph; Site Location Plan; [TD18-PM93-] P01, PL02.1, PL02.2 RevD, PL03.1 RevB, PL03.2 RevB.

The Council has considered your application and decided to grant consent subject to the following condition(s):

Conditions and Reasons:

- 1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2 No advertisement shall be sited or displayed so as to

Executive Director Supporting Communities





- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 3 Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: - As required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**

Application ref: 2018/2688/P  
Contact: Matthias Gentet  
Tel: 020 7974 5961  
Date: 28 August 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Savills  
2 Kingsway  
Cardiff  
CF10 3FD

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**219, 219A, 219B & 219D Finchley Road**  
**London**  
**NW3 6LP**

Proposal:

Lateral conversion of 4 units into 1 retail unit (A1), including the change of use of 29.5sqm of mixed A1/B1 floorspace (No219) and 36 sqm of A2 floorspace (No219A) into A1 floorspace and associated alterations including new shopfront.

Drawing Nos: Revised Cover Letter (28/06/2018); 1 x Historic Photograph; 3 x Existing Photos; Site Location Plan; [TD18/PM 93] P01, PL01.1 RevB, PL02.1, PL02.2 RevD, PL02.3 RevB, PLS1.1.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

# DECISION

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plan: Revised Cover Letter (28/06/2018); 1 x Historic Photograph; 3 x Existing Photos; Site Location Plan; [TD18/PM 93] P01, PL01.1 RevB, PL02.1, PL02.2 RevD, PL02.3 RevB, PLS1.1.

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The applicant is hereby informed that any suspension of the parking/loading bays in the vicinity of the site required to facilitate/assist with the construction works would require highways licences to be obtained through Transport for London (TfL).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David Joyce

**DRAFT**

**DECISION**