

Delegated Report		Analysis sheet		Expiry Date:		06/10/2018	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
Josh Lawlor				2018/3870/P			
Application Address				Drawing Numbers			
287 Finchley Road London NW6 2BY				See draft decision			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use application from A1 (retail) to A2 (financial and professional services) and alterations to shop front							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>One Site notices was displayed on the 12/09/2018 with the consultation period ending on the 06/10/2018</p> <ul style="list-style-type: none"> No comments were received 					

Site Description

The application site is a three storey plus roof extension property. The site is located within a designated town centre and the Fortune Green and West Hampstead neighbourhood centre. The site is comprised of A1 retail at ground level and C3 flats above.

Planning History:

285-287 Finchley road - 2007/1231/P - Change of use of basement and (part) ground floor from retail to 8 self-contained studios and first to third floor from 8 residential units (4 x 1-bedroom, 2 x 3-bedroom and 2 x 2-bedroom) to 19 self-contained flats (18 studios and 1 x 1-bedroom) (Retrospective). – Refused and warning of enforcement action (15/06/2007)

285 - 287 Finchley Road - 2009/1266/P - Use of part lower ground, part ground, 1st, 2nd and 3rd floors of the building as a (Class C1) 27 room Apart-Hotel. Refused (07/07/2009)

285-287 Finchley Road 2010/2233/P - Change of use of part lower ground, part ground, 1st, 2nd and 3rd floors of the building from 'Nil use' to 9 residential units (Class C3) and 15 Apart-Hotel units (Class C1). – Refused (17/08/2010)

285-287 Finchley Road - 2014/3291/P Use of part lower ground, part ground, 1st, 2nd and 3rd floors of the building as 9 residential units (C3) and 15 Apart-Hotel units (C1). LDC Granted (24/07/2014)

Enforcement History:

285-287 Finchley Road - EN15/0478 - 27 self-contained flats. Has been re-subdivided after inspection from council last year. Subdivided units are all drastically under sized. Closed due to 2014/3291/P being granted

Relevant policies

The National Planning Policy Framework 2018

London Plan 2016, consolidated with alterations since 2011

Camden local Plan 2017

A1 Managing the impact of development

D1 Design

D3 Shopfronts

TC1 Quantity and location of retail development

TC2 Protecting and enhancing Camden's Centres and other shopping areas

T1 Prioritising walking, cycling and public transport

T4 Promoting the sustainable movement of goods and materials

Camden Planning Guidance

CPG1 Design – Ch. 11

CPG5 Town Centres – Ch.6

CPG6 Amenity – Ch.4

Assessment

1. Proposed Development

1.1 The proposal is for the change of use from retail (A1 use) at ground floor to an estate agent (A2 use).

2. Assessment

The principal considerations material to the determination of this application are as follows:

- Land use;
- Design;
- Residential amenity
- Transport;

3. Land Use

Policy TC2 of the Camden Local Plan 2017 and Policy 15 Fortune Green and West Hampstead neighbourhood centre states that the council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors. Policy TC2 part g states the Council will protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre.

CPG5 Figure 5, Contains a map of Finchley road with its designated Core and Secondary retail frontages. The application site is located within a secondary frontage of Finchley Road Town Centre. Between numbers 279a – 291 which (including application site) contains 12 units in total (5 retail, 7 non retail units including food, drink and professional service uses).

Para 3.53 of CPG5 states that the council will resist proposals that would result in less than 50% of the premises in secondary retail frontages being in retail use and will resist proposals that would result in more than 3 consecutive premises in non-retail use within Secondary Frontages.

Policy TC2 states that the council will take into account any history of vacancy in shop units and the prospect of achieving an alternative occupier for vacant premises. There has been no marketing exercise submitted as part of this application.

The development would result in a further reduction in the required percentage of retail units on this frontage. The proposal would mean that only 4 units out of 12 in total would be in retail use. The loss of the retail unit is therefore considered to harm the function, character and success of the Town Centre contrary to policy TC2 (Camden's centres and other shopping areas).

4. Design

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations are proposed. The Local Plan Policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area.

The existing metal shopfront frame would be retained. The new internally illuminated fascia sign would preserve the character and amenity of the area in line with policy D3. The size, location, materials,

details and illumination of the sign is acceptable. The surface area to be illuminated and the positioning and colours of advertisement is modest. The proposed advertisement therefore accords with policy D4.

6. Residential Amenity

Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents.

Given the nature of the proposal it is unlikely to impact upon the amenity of the neighbouring occupiers in regards to current daylight levels, sunlight, privacy or outlook.

7. Transport

In terms of transport matters, considering the size of the ground floor unit it is unlikely that there will be any net increase in transport impacts from the proposed estate agents (A2 use). It is likely most customers would arrive and leave using public transport. No onsite parking is available to staff or customers and therefore no parking issues are considered to occur.

9. Recommendation

Refuse planning permission