

Address:	307 and 309 Finchley Road London NW3 6EH		5
Application Number:	2017/3710/P	Officer: David Peres Da Costa	
Ward:	West Hampstead		
Date Received:	28/06/2017		
Proposal: Change of use of part of basement and ground floors from Strip Club (Sui Generis) and office (B1a) to office (B1a) and 4 duplex units for short term lets (Sui Generis) including creation of a lightwell to the Lithos Road elevation. Relocation of bike store and change of use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis). Façade alterations to the Lithos Road elevation of No.307 and alterations to the rear elevation at basement and ground floors. Roof extension to the rear of 307 to provide 4 self-contained units (2xstudio, 1x1 bed and 1x2 bed) together with associated terraces (Class C3). Conversion of 309 Finchley Road from 2 flats (3-bed flat and 2-bed flat) to 3 flats (2 x 2-bed and 1x 3-bed) (Class C3) including rear and side extension at 1st to 3rd floors with alterations to rear fenestration. Alterations to shopfront of 309 Finchley Road.			
Background Papers, Supporting Documents and Drawing Numbers:			
Site location plan: 69-001 Existing drawings: 69-: 300; 321; 322; 323; 324; 325; 200; 010; 011; 012; 013; 014; 015 Proposed drawings: 69-: 200 A; 100 H; 101 K; 102 G; 103 G; 104 F; 105 C; 106 C; 321 A; 323 A; 324 A; Supporting documents: Construction Management Plan Camden pro-forma; Design and Access Statement prepared by AD Design Concepts dated June 2017; Heritage statement prepared by Built Heritage Consultancy dated June 2017; Planning Statement prepared by Nicholas Taylor + Associates dated June 2017; Daylight And Sunlight prepared by Jessop Associates dated 23 rd August 2017; Area accommodation schedule; Energy & Sustainability Statement prepared by XCO2 dated March 2018			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement			
Applicant: c/o Agent		Agent: Nicholas Taylor + Associates	
31 Windmill Street W1T 2JN		31 Windmill Street W1T 2JN	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA)
Existing	Sui Generis	<i>Strip Club</i>	332.2m ²
	B1	<i>Office</i>	84.1m ²
	A2	<i>Financial and professional services</i>	59.2m ²
	C3	<i>Dwellinghouses</i>	1,414m ²
	Total		1,889.5m²
Proposed	Sui Generis	<i>Short-term let accommodation</i>	219.6m ²
	B1	<i>Office</i>	159.9m ²
	A2	<i>Financial and professional services</i>	52.4m ²
	C3	<i>Dwellinghouses</i>	1,766.6m ²
	Total		2,198.5m²
	Total floorspace uplift		309m²

1 Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>	15	10	1						
Proposed	<i>Flat/Maisonette</i>	20	10	1						

OFFICERS' REPORT

Reason for Referral to Committee: **The application involves the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation (“the obligation”) that secures more than £50,000 of financial contributions**

1. SITE

- 1.1. The site is on the corner of Finchley Road and Lithos Road and comprises 307 (Carlton House / Lithos House) and 309 Finchley Road. The properties are 4 storeys with accommodation at roof level. They are currently arranged as a strip club at basement and ground floor, with commercial uses at ground floor and residential above.
- 1.2. The site falls within the Finchley Road / Swiss Cottage Town Centre and the Fortune Green and West Hampstead Neighbourhood Area. An Article 4 Direction removing the permitted development right for the conversion of office (Class B1a) to residential (Class C3) came into effect 5th November 2015.
- 1.3. The site does not fall within a conservation area but the group of buildings of which this is a part is locally listed (289-315 and 164 to 200 Finchley Road). The Local List description describes them as a 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 Froggnal 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.
- 1.4. The nearest conservation area (Redington Froggnal) is located approximately 60m away on the opposite side of Finchley Road.

2. THE PROPOSAL

Original application

- 2.1. The application seeks a change of use of the Strip Club and office at basement and ground floor to office and 4 duplex units for short term lets (Sui Generis). The duplex units would be split over basement and ground and each would have a separate access from Lithos Road. The existing property has 84sqm of office floorspace at ground floor level in 3 units accessed from Lithos Road. The application seeks to relocate the office accommodation to the basement level (front part of 307 Finchley Road and whole of basement of 309 Finchley Road) and ground floor level of 309 Finchley Road (accessed from Finchley Road). The

proposed development would convert the existing cycle store (for the residential accommodation) and adjoining office to a further short term let unit at ground floor level. The application seeks to relocate the cycle store to the basement with access via a cycle lift at ground floor level from Lithos Road. Minor changes would be made to the shopfront of 309 Finchley Road.

- 2.2. The application seeks to extend 307 (Lithos House) at first, second and third floor level so that western part of the Lithos Road elevation would match the building line of the majority of the existing building. The extension would increase the size of the existing residential units at first, second and third floor level. In addition, a set-back roof extension is proposed at 4th floor level of 307 Finchley Road to provide 4 self-contained flats (2xstudio, 1x1 bed and 1x2 bed) with terraces on Lithos Road and to the east (facing towards the flank elevation of the neighbouring property, Jesmond Dene, Lithos Road).
- 2.3. The application also seeks to extend 309 Finchley Road at the rear at 1st to 3rd floors including alterations to the rear fenestration. The rear extensions would allow the 2 flats (3-bed flat and 2-bed flat) to be converted to 3 flats (2 x 2-bed and 1x 3-bed).
- 2.4. The creation of an access at each floor from the stair core of 307 to serve the upper floor flats of 309 would result in the two existing 2-bed flats within 307 becoming 1-bed flats.

Revisions

- 2.5. The application has been significantly revised following officers comments to omit the 4th floor rear extension to 309 Finchley Road, to relocate the cycle store so that it would provide step free access and to re-organise the layout of the proposed accommodation within 309 Finchley Road.

3. RELEVANT HISTORY

307-309 Finchley Road

- 3.1. **2015/0544/P**: Change of use of basement of Nos. 307-309 and ground floor of No. 309 from Strip Club (Sui Generis) to Night Club (Sui Generis). Refused 24/07/2015

307 Finchley Road

- 3.2. **8601037**: Alterations and extension to provide additional office floorspace. Granted 14/08/1986
- 3.3. **8703291**: Alterations and enlargement at third floor level for B1 business use together with elevational alterations to the Lithos Road frontage. Granted 11/08/1988
- 3.4. **9005298**: The erection of one storey extension on the existing flat roof at third floor level fronting Lithos Road to provide additional office space. Granted 28/11/1990

- 3.5. **2005/1367/P:** Change of use of the front part of the 1st, 2nd and 3rd floors from offices (Class B1) to 3 x self-contained flats (Class C3). Granted Subject to a Section 106 Legal Agreement 10/07/2006
- 3.6. **2011/4759/P:** 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 (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3). Granted Subject to a Section 106 Legal Agreement 23/01/2012
- 3.7. **2012/1375/P:** Change of use of 2nd and 3rd floors from offices (Class B1) to 2 x 2 bed flats (Class C3) and erection of an infill side extension at ground and first floor level, alterations to ground floor level including removal of garage door and creation of ramp. Granted Subject to a Section 106 Legal Agreement 07/11/2013
- 3.8. **2012/6486/P:** Variation of condition 3 (approved plans) of planning permission dated 04/01/12 (Ref: 2011/4759/P) for 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 (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3), namely to change access to units 2 and 4 from Cartone entrance to Lithos House entrance, with associated reduction in communal circulation space. Granted Subject to a Section 106 Legal Agreement 19/03/2013
- 3.9. **2012/6487/P:** Installation of insulated rendered panel cladding to side elevation of existing offices (Class B1a) (following the removal of existing polycarbonate sheeting) together with the installation of three windows to the northern elevation one to each level from first to third floors. Granted 21/01/2013
- 3.10. **2012/6532/P:** Amendments to planning permission granted 23/01/12 (Ref: 2011/4759/P) for 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 (Class B1) at second and third floor level to create 1 x studio, 2 x 2-bedroom and 1 x 3-bedroom (Class C3) as amended by application Ref:2012/6486/P (variation of condition 3), amendment sought is to increase the height of the roof extension by 900mm together with an increase in height of the associated parapet walls. Refused 04/02/2013
- 3.11. **2012/6592/P:** Change of use at second floor level of Carlton House from residential (Class C3) to offices (Class B1), change of use at second and third floor level of Lithos House from offices (Class B1) to residential (Class C3) together with erection of a fourth floor roof extension to create 4 residential units (3x3 bed and 1 studio). Refused 21/03/2013
- 3.12. **2013/3894/P:** Change of use from offices (Class B1) to residential (Class C3) to provide 1x 2 at part of ground floor level and 2x 3-bedrooms flats at part of first floor level. Grant Prior Approval 16/08/2013

- 3.13. **2013/5640/P**: Change of use of ground floor (part), 1st, 2nd and 3rd floors from offices (Class B1) to 21 residential units (C3). Grant Prior Approval 04/12/2013
- 3.14. **2014/5665/P**: Extension to front elevation at lower mezzanine and ground floor levels, and relocation of bicycle storage to enlarge Flat 1. Granted 03/02/2015
- 309 Finchley Road
- 3.15. **F6/8/1/2981**: The use of the ground floor and basement at No. 309 Finchley Road, Hampstead as a non-residential club. Granted 19/03/1964

4. CONSULTATIONS

Statutory Consultees

4.1. Transport for London

TfL made the following comments:

- The site of the proposed development is on Finchley Road, which forms part of the Transport for London Network (TLRN). TfL is the highway authority for the TLRN, and is therefore concerned about any proposal which may affect the performance and/or safety of the TLRN. Therefore, no skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time.
- The plans provided show the location of the cycle parking provision and indicates the access route to them (via adapted lift), but there's a lack of formal quantity of the proposed provision of cycle parking spaces. The proposed change of use and creation of units would need to provide London Plan compliant cycle parking spaces with 15 long-stay spaces for the residential use in 307 Finchley Road and 6 long-stay and 1 short-stay for the residential and office units in 309 Finchley Road. These should follow the London Cycling Design Standards and be secured by condition.
- No details have been provided on the existing or proposed servicing and delivering strategy. No information is provided on the number of expected deliveries or the proposed location for loading and unloading to take place; therefore TfL requests this information to be made available to us, through a DSP, for assessment. The DSP should be produced in accordance with TfL best practice guidance.

Subject to the above conditions being met, TfL has no objections to the proposal.

Local Groups

4.2. Fortune Green and West Hampstead Neighbourhood Forum

1. We believe the relinquishing of the Strip Club license is of benefit to the neighbourhood.
2. We are pleased that there will be commercial space in the ground floor and basement on the frontage.
3. The materials used also reflect the neighbouring buildings, including improvements to the existing facades.
4. We note that the proposal includes maintaining and preserving of the existing architectural details of the main frontage.
5. We note that the proposal meets the Neighbourhood Plan's requirement that the height of neighbouring buildings are reflected and note that there is no increase in height in the building apart from infilling.
6. We commend the developer and the planning department on the success of the pre-application discussions in producing a good scheme that reflects the Neighbourhood Plan

4.3. A further submission was received from Neighbourhood Forum. This emphasized the long history of anti-social behaviour issues with the strip club and other club uses on the site and acknowledged the constraints imposed by the fact that the developer is looking at the remodelling of existing premises rather than a totally new building.

4.4. **Adjoining Occupiers**

<i>Number of letters sent</i>	0
<i>Total number of responses received</i>	0
<i>Number in support</i>	49
<i>Number of objections</i>	0

4.5. A site notice was displayed from 4/10/17 to 25/10/17 and the application was advertised in the local paper on 6/10/17.

4.6. Letters of support were received from an occupier of Petros Gardens and from Maximal Limited. In addition 47 copies of a standard letter in support of the development were received from occupiers of properties in NW3 and NW6. The issues raised by the supporters of the development were as follows:

- The loss of a strip club which has caused significant antisocial behaviour in the area, including noise and disturbance issues to the local community for a number of years.
- The strip is not appropriate anymore and we need more local homes
- The new proposals will further enrich Camden, whilst being in keeping with the local area.

5. POLICIES

5.1. **National and regional policy**

NPPF 2012

The London Plan March 2015, consolidated with alterations since 2011

5.2. **Camden Local Plan 2017**

G1 Delivery and location of growth
H1 Maximising housing supply
H2 Maximising the supply of self-contained housing from mixed-use schemes
H4 Maximising the supply of affordable housing
H6 Housing choice and mix
H7 Large and small homes
C1 Health and wellbeing
C5 Safety and security
C6 Access for all
E1 Economic development
E2 Employment premises and sites
A1 Managing the impact of development
A2 Open space
A3 Biodiversity
A4 Noise and vibration
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC4 Air quality
CC5 Waste
TC2 Camden's centres and other shopping areas
TC4 Town centres uses
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials
DM1 Delivery and monitoring

5.3. **Fortune Green and West Hampstead Neighbourhood Plan**

Policy 1 Housing
Policy 2 Design & Character
Policy 3 Safeguarding & enhancing Conservation Areas & heritage assets
Policy 7 Sustainable Transport
Policy 8 Cycling
Policy 12 Business, Commercial and Employment Premises & Sites

5.4. **Supplementary Planning Policies**

Camden Planning Guidance 2011
CPG1 Design
CPG2 Housing
CPG3 Sustainability
CPG5 Town centres, retail and employment
CPG6 Amenity
CPG7 Transport
CPG8 Planning obligations

Draft Camden Planning Guidance

Camden Planning Guidance is being reviewed and updated and are due to be formally adopted in early April. Once adopted the guidance would have 'material' weight in planning decisions.

- Public open space
- Employment sites and business premises
- Amenity
- Interim Housing CPG
- Town Centres and Retail

6. ASSESSMENT

6.1. The main considerations subject to the assessment of this planning application are:

- 6.2 Land use
- 6.16 Housing quality and mix
- 6.30 Affordable Housing
- 6.32 Design and appearance
- 6.40 Impact on locally listed buildings
- 6.46 Amenity
- 6.56 Transport
- 6.70 Sustainability
- 6.86 Planning obligations
- 6.92 CIL

6.2. **Land use**

6.3. Loss of strip club

6.4. This part of the site has been vacant for some time but it remains the current lawful use. There are no policies in the Local Plan which protect strip clubs and consultation responses state the existing use has a negative impact on neighbouring amenity in terms of anti-social behaviour, noise and disturbance. A previous application to change the use from Strip Club to Night Club (2015/0544/P) was refused due to concerns over further intensification of what was considered to be a use that caused noise and disturbance to the area. Local Plan policy TC2 confirms that entertainment uses should not have a harmful impact on residents and the local area, and this is further reflected in policy TC4. There is strong local support for the loss of the strip club and no planning objection would be raised to its loss.

6.5. Office floorspace

6.6. The existing property (307 Finchley Road) has 84sqm of office floorspace at ground floor level in 3 units accessed from Lithos Road. The proposal would relocate the office accommodation to a single unit split over basement (93.4sqm) and ground floor (66.5sqm). In total 159.9sqm of office floorspace would be provided which would be located to the front of 307 and the whole of 309 Finchley Road at basement level and to the front of 309 at ground floor. The development would result in an uplift of 76sqm of B1 use, almost doubling the current provision. While

the uplift in floorspace is generally welcomed it is acknowledged that much of the floorspace would be at basement level with limited access to natural light.

- 6.7. Policy E1 (Economic Development) states that new office development will be directed to the growth areas, Central London and the town centres. The Camden Employment Land Review 2014 identifies the town centres of Swiss Cottage, Kilburn and Kentish Town as having an important role for businesses that provide local services. The relocation of the office floorspace is considered acceptable and the uplift in the office floorspace in the Finchley Road / Swiss Cottage Town Centre would accord with policy E1.
- 6.8. A2 Floorspace
- 6.9. The A2 unit on the corner of Finchley Road and Lithos Road would be marginally reduced in size from 59.2sqm to 52.4sqm. The reduction in floorspace is minimal (6.8sqm) and would not affect the viability of the retained A2 unit.
- 6.10. Housing
- 6.11. The Council regards self-contained housing as the priority land-use of the Local Plan. The proposal would provide five additional self-contained flats at roof level (4th floor level) of 307 Finchley Road and within the converted and extended adjoining property, 309 Finchley Road. Such provision would accord with Policy H1 of the Local Plan and would be acceptable subject to it providing acceptable quality of residential accommodation.
- 6.12. Short-term lets
- 6.13. Four duplex units for short term lets (Sui Generis) would be provided split over basement and ground. In addition, the proposed development would also convert the existing cycle store (for the residential accommodation) and adjoining office to a further short term let unit at ground floor level. In total, 219.6sqm of short term let floorspace would be provided. While permanent residential accommodation is the priority land use of the Local Plan, in this instance the provision of permanent self-contained housing at basement and ground would be unacceptable quality for long-term use and would not meet residential development standards. The outlook and levels of daylight received into the basement level would be fairly low and only acceptable for short term or visitor accommodation. At ground floor level, permanent residential accommodation would suffer from privacy issues as the large plate glass windows, designed to allow outlook and light could allow views directly into the main living areas from the street. Permanent residential accommodation in this location would also lack private outdoor amenity space.
- 6.14. Policy E3 (Tourism), recognises the importance of the visitor economy in Camden and supports smaller-scale visitor accommodation in the Town Centres. The site is within the Finchley Road / Swiss Cottage Town Centre and the short-term lets would be easily reached by public transport and would not harm the balance and mix of uses in the area or undermine residential amenity. The proposed short term lets would be in accordance with Policy E3.

- 6.15. The quality of the accommodation is considered to be acceptable for use as short term let accommodation. In addition, the provision of short-term let accommodation in this location would be likely to reduce pressure for such visitor accommodation in this part of the borough, helping to preserve existing permanent accommodation. A condition would be included to ensure that the short term let units could not be occupied as permanent residential accommodation (condition 15).
- 6.16. **Housing quality and mix**
- 6.17. Prior approval was previously granted 04/12/2013 for a change of use of ground floor (part), 1st, 2nd and 3rd floors from offices (Class B1) to 21 residential units (C3) at 307 Finchley Road (planning ref: 2013/5640/P). The current application would enlarge three of the existing studio units, at first second and third floor level, to create three 1-bed flats. The 35sqm studio at 1st floor level would be enlarged to provide a 1-bed flat measuring 57sqm. The 32.5sqm studio at 2nd floor would be enlarged to provide a 1-bed flat measuring 59.8sqm. The 32.5sqm studio at 3rd floor would be enlarged to provide a 1-bed flat measuring 56.7sqm. The existing studios are undersized and do not comply with the minimum floorspace requirement set out in the London Plan (37sqm). The 1-bed flats proposed would exceed the minimum size requirement for this type of accommodation (50sqm).
- 6.18. At 4th floor level of 307 Finchley Road, a set-back roof extension would provide 4 self-contained flats (2xstudio, 1x1 bed and 1x2 bed) with terraces on Lithos Road and to the east (facing towards the flank elevation of the neighbouring property, Jesmond Dene, Lithos Road). The application would also extend 309 Finchley Road at the rear at 1st to 3rd floors and this property would be converted from 2 flats (3-bed flat and 2-bed flat) to 3 flats (2 x 2-bed and 1x 3-bed).
- 6.19. In addition to the existing 2-bed and 3-bed (at 309 Finchley Road), the development would provide two studios, one 1-bed and two 2-bed flats at 307 and 309 Finchley road. The creation of an access at each floor from the stair core of 307 Finchley Road to serve the upper floor flats of No. 309 would result in the two existing 2-bed flats within No. 307 becoming 1-bed flats. Whilst the conversion of 2-bed flats to 1-bed flats in No. 307 appears to result in the loss of a unit type which is a higher priority, the existing floorspace of these units (53sqm) demonstrates that they did not comply with the minimum floorspace requirement for 2-bed flats (a 2-bed flat for 3 people should have a minimum floorspace of 61sqm, while a 2-bed flat for 4 people should have at least 70sqm of floorspace). The proposed floorspace of the newly created 1-bed units within No. 307 would accord with the London Plan standard (minimum floorspace 50sqm).
- 6.20. Taking into account the loss of the two undersized 2-bed flats within 307 Finchley Road (converted to 1-bed flats), the development would provide three additional 1-bed flats and 2 studio flats. One bedroom units and studios are a lower priority for market housing. However, the overall increase in 1-bed units is in part down to the undersized 2-bed flats becoming 1-bed flats. While the proposed development includes two 2-bed flats, the loss of the undersized 2-bed flats in No. 307 would result in no overall increase in 2-bed flats.

- 6.21. The Council acknowledges that there is a need and demand for dwellings of every size shown in the dwelling size priorities table (Policy H7). The Council expects most developments to include some homes that have been given a medium or lower priority level. Taking into account the existing accommodation in 307 Finchley Road and Lithos House the site would overall provide twenty 1-bed flats (64%), ten 2-bed flats and one 3-bed flat.
- 6.22. While the majority of the flats are a lower priority dwelling size, this is due to the existing mix of flat sizes within the site: 15 1-bed flats (57%), 10 2-bed flats and 1-3 bed flat. The addition of five flats in a lower priority is considered acceptable in this particular instance as it would allow some of the existing flats to be resized so that they accord with London Plan space standards, improving the standard of accommodation.
- 6.23. The 3-bed flat would measure 69sqm. While this is below the minimum floorspace required (74sqm), the flat would be dual aspect and would benefit from large windows overlooking Finchley Road. All of the other flats would meet or exceed the London Plan minimum space standards for floorspace (London Plan Policy 3.5). The four flats provided in the 4th floor roof extension to 307 Finchley Road would have access to a terrace providing private outdoor amenity space ranging in size from 4.5sqm to 21sqm. All but one of the terraces would exceed the requirements (5sqm) set out in the Mayor's Housing SPG (Standard 26).
- 6.24. The converted flats in 309 Finchley Road would be dual aspect with living rooms and bedrooms at the front and bedrooms / bathrooms at the rear. The rear bedrooms would look out onto the flank elevation of 309 Finchley Road with only 2.9m between some of the rear windows and the flank elevation. Given the existing relationship between the rear of 307 and the flank elevation of 309 Finchley Road, this is considered acceptable as the relationship was already been established by the prior approval scheme. The outlook from the rear bedrooms is considered acceptable in the context of the flats as a whole which have living rooms overlooking Finchley Road. While some of the bedrooms would require obscure glazing to ensure there was no overlooking of 309 Finchley Road, this is considered acceptable in the context of the overall quality of the proposed accommodation.
- 6.25. The terrace for Flat 3 and 4 at fourth level would require a privacy screen between the two terraces. Details of the privacy screen would be secured by condition (condition 6).
- 6.26. Waste/ recycling
- 6.27. A communal residential waste and recycling store is incorporated at ground floor level along Lithos Road. The bin store measures 2m by 2.25m.
- 6.28. The Council provides guidance on how to calculate the total volume of all waste and recycling generated in a week (CPG1, Chapter 10 - waste, recycling and storage). Following this guidance it is calculated that 1000 litres of waste would be generated from the 5 additional flats and the 5 short-term lets. Provision of bins should be split equally between refuse and recycling including provision for food

waste. The 4.5sqm refuse store would have adequate room for waste and recycling bins and for food waste storage. A condition would ensure the refuse and recycling store was provided before the units were occupied (Condition 16).

6.29. The submitted planning statement advises there is potential for further waste and recycling stores within each of the commercial units at ground and basement levels serving the B1a and A2 uses. This is considered acceptable.

6.30. **Affordable Housing**

6.31. Policy H4 aims to maximise the supply of affordable housing. We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity. On the basis of 352.6sqm GIA of additional housing floorspace proposed, this would result in a requirement for 8% affordable housing. Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. The payment in lieu would be £2650 per sqm. This figure is the payment level for affordable housing. The payment in lieu for affordable housing would be £78,713 (352.6sqm x 0.08 x 1.053 [to convert to GEA] x £2650). This has been agreed with the applicant and would be secured by legal agreement should the application be approved.

6.32. **Design and appearance**

6.33. The area around the site has an attractive character and a distinct local identity. The Fortune Green and West Hampstead Neighbourhood Plan states that:

“New developments in such areas – particularly terraced streets – need to be sensitive to the defining characteristics of the local area in terms of their proportion, height, scale, massing, materials, storey height and rooflines. Larger developments, while reflecting new design, need to incorporate design features that reflect the character of existing development, using materials (such as red brick) which complement existing buildings”.

6.34. Adjoining the historic building (307 Finchley Road) to the west is a modern red brick office extension. The exact construction date is unknown but the implementation of planning permission granted in 1988 and 1990 would have resulted in the current appearance of the building. More recently the set-back part of the Lithos Road elevation was altered by an extension to the front elevation at lower mezzanine and ground floor levels (planning ref: 2014/5665/P). The modern extension is formed of several distinct architectural components including a set-back western end, staircase core with angular protruding glazed panels and (to the east of the stair core) the second floors are stepped back from the first floor parapet, constructed of metal sheet cladding with large angled plate glass windows.

6.35. The proposals seek to extend and replace the existing late 20th century Lithos Road frontage of the building. It is proposed to remove the existing 1980's sloping

glazed curtain walling with new façade, expressed in brick with tall and elegant fenestration elements framed by layered brickwork surrounds. At each level, the new façade would constantly step back creating a more open junction with the original No 307 building and therefore would highlight the corner as the centre piece of the entire composition. At the western end the proposed development would include an extension at ground, first and second floor level which would bring this part of the building in line with the building line of the elevation proposed along the remainder of the Lithos Road elevation. This extension would step forward by 4.1m with the most western portion of the building (4.3m wide) remaining in line with the neighbouring buildings on Lithos Road (Jesmond Dene and 2 Lithos Road). This extension is considered to re-balance the overall composition of the Lithos Road elevation.

- 6.36. The proposed 4th floor roof extension would be expressed in lightweight materials, metal cladding and glass. This volume would be set back substantially from the main building line. The proposed setback and material palette would give a light weight appearance and ensure minimum visibility from the street level.
- 6.37. It is considered that the proposals would provide an improved façade treatment and an enhancement to the street scene. The new façade would be more in keeping with the 19th century building and the wider context of this part of Finchley Road.
- 6.38. Minor changes are proposed to the shopfront of 309 Finchley Road which would replace the current, unsympathetic shopfront design, with simpler, but more harmonious elements. The proposed altered shopfront would be more in keeping with the adjoining shopfront at No. 307 and is therefore considered acceptable.
- 6.39. A lightwell would be created at ground and basement level on the Lithos Road elevation within the existing footprint. The proposed lightwell would have minimal impact on the appearance of the building.
- 6.40. **Impact on locally listed buildings**
- 6.41. The local list entry makes clear that no. 307 has aesthetic value in its own right. This is attributed to the relatively high quality of the building's construction and employment of both architectural decoration and the inclusion of the brick date panel and monogram. Its shopfront and corner entrance supports the building's individual contribution as a distinct feature and local landmark.
- 6.42. 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 and 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.
- 6.43. 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. Despite the slight increase in massing represented by the redeveloped building, several key design features would preserve the significance and setting of the host building. Most notable would

be the effect of reducing the visible flank wall of the glazed stair core of the existing Lithos House, reducing its visual dominance in views west along Lithos Road. 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.

- 6.44. The façade would be constructed of high quality brick which would incorporate moulded brick window surrounds to the second and third storeys. This will 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 rhythm of the elevation.
- 6.45. Given this assessment, it is concluded the proposed extension would preserve the architectural and townscape significance of the locally listed buildings.
- 6.46. **Amenity**
- 6.47. Daylight and sunlight
- 6.48. A daylight and sunlight report has been submitted which assesses the impact of the development on the light receivable by the neighbouring properties on the opposite side of Lithos Road (1 to 7 Lithos Road and Norfolk Mansions) and to the proposed flats within 309 Finchley Road.
- 6.49. BRE states if the Vertical Sky Component (VSC) is greater than 27% then enough skylight should still be reaching the window. Any reduction below this level should be kept a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.
- 6.50. The impact on the first floor bay windows of 1 Lithos Road has been assessed as this represents the position of the potential greatest impact by the scheme. The amount of daylight to the ground floor windows is already obstructed by the existing third floor level of Lithos House (307 Finchley Road). The daylight and sunlight reports states the development would reduce the existing Vertical Sky Component by 2% from an integer value of 23% to 21%. The VSC following the development would be 8% its former value which is well within the BRE criteria indicating the change will not be noticeable to inhabitants.
- 6.51. The development proposal lies to the north with respect to the overlooking houses on the opposite side of Lithos Road (1 to 7 Lithos Road and Norfolk Mansions), and therefore would have no effect on sunlight.
- 6.52. The rear rooms within the proposed flats in 309 Lithos Road would all enjoy daylight levels comparable or better than those already experienced by the existing rooms within the first floor flat. No assessment has been provided of the impact of the extensions at 309 Finchley Road on the daylight of the existing flats in 307

Finchley Road (Lithos House). However it is likely that daylight to these flats is already significantly compromised as they face towards an internal lightwell. It is considered unlikely that the development would result in any additional significant detrimental impact and any affect would be marginal.

6.53. Overlooking

6.54. The properties on the opposite side of Lithos Road (1 to 7 Lithos Road and Norfolk Mansions) are already subject to a degree of overlooking from the existing windows in Lithos House which are in residential use. The impact of overlooking would therefore be minimal.

6.55. There is a very tight relationship between the rear of 309 Finchley Road and the rear of 307 Finchley Road with many windows looking onto a communal lightwell. The existing first and second floor flat within 307 Finchley Rod (Lithos Road) is already subject to a degree of overlooking from an existing bedroom at first floor and an existing kitchen at second floor within 309 Finchley Road. The development would not alter this relationship at first floor level. At second floor level, the window which directly overlooks the flat at 309 Finchley Road would be a bathroom window and so is likely to be obscured glazed. At third floor level (309 Finchley Road), bedroom 1 would have obscure glazing. This would ensure there would be no harmful overlooking of the existing flat within 307 Finchley Road. A condition would ensure that obscure glazing would be fitted to the windows in accordance with the submitted plans (and retained as such) (condition 13).

6.56. **Transport**

6.57. Car Free

6.58. In line with Policy T2 of the adopted Local Plan, all of the proposed residential units (including the existing units which are being enlarged (or are part of the conversion) and the short term lets) should be designated as being car free, i.e. the future occupants will be unable to obtain on-street parking permits from the Council. This would be secured as part of the legal agreement.

6.59. Cycle parking

6.60. In line with Policy T1 of the adopted Local Plan, we expect cycle parking at new developments to be provided in accordance with the standards set out in the London Plan. For 1 bedroom residential units this gives a requirement for 1 space per unit, whilst for units with 2 or more bedrooms the requirement is for 2 spaces per unit. It is considered that the cycle parking requirement can be waived for the proposed short term lets in this particular instance.

6.61. Five additional flats are being created. If studios are counted as 1-beds, then there would be 5 x1-bed which gives a requirement for 5 cycles for the residential element.

6.62. Currently 16 cycle parking spaces are provided in a secure cycle store at ground floor level accessed directly from Lithos Road. It is proposed that the cycle store be

relocated to the basement of the site and accessed from a bicycle lift via a doorway on Lithos Road. The basement cycle store would provide space for 22 cycles and the layout complies with CPG7 Guidance. The provision of the cycle store would be secured by condition (condition 14).

6.63. Construction management plan

6.64. The proposed development comprises partial demolition and construction within a sensitive residential area and adjacent to the Transport for London Road Network (TLRN). In accordance with Policy A1 of the Local Plan, a Construction Management Plan (CMP) and CMP Implementation Support Contribution of £3,136 would be secured via a legal agreement. A draft CMP has been submitted in support of the application but this will need to be updated and revised once a principal contractor has been appointed. The revised CMP should be submitted for approval prior to any works commencing on site.

6.65. The submitted basement and ground floor plans show that a new light well will be created within the site boundary by the removal of the existing external wall and part of the floor plate. They do not appear to require any excavation works adjacent to the public highway (footway) and so it is considered that an Approval In Principle (AIP) to ensure that the structural stability of the public highway is maintained is unnecessary in this instance.

6.66. Highway contribution

6.67. With regard to Section 106 highway works for repaving the footway adjacent to the site, a contribution of £8,220 has previously been secured against development at 307 Finchley Road (ref. 2013/5640/P). This covered part of the footway on Lithos Road adjacent to the site, including the reinstatement of the footway over the existing dropped kerb. Whilst received, this contribution has yet to be spent. Part of the remainder of Lithos Road frontage and the Finchley Road frontage fall under the remit of TfL, who have not requested a footway contribution. In any case, the cost of footway repaving would also be covered by the bond that is secured as part of the scaffolding licence that would be required for the Lithos Road frontage and extension works. As such, a further highway contribution is considered unnecessary in this instance.

6.68. Servicing management plan

6.69. The site of the proposed development is on Finchley Road, which forms part of the Transport for London Network (TLRN). No details have been provided on the existing or proposed servicing and delivering strategy. TFL have therefore requested a Delivery and Servicing Plan. The trigger point of this has been discussed with TFL and it is considered appropriate to secure this by legal agreement.

6.70. **Sustainability**

- 6.71. The Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.
- 6.72. The Council promotes zero carbon development and requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy. The energy hierarchy is a sequence of steps that minimise the energy consumption of a building. Buildings designed in line with the energy hierarchy prioritise lower cost passive design measures, such as improved fabric performance over higher cost active systems such as renewable energy technologies.
- 6.73. All developments involving five or more dwellings and/or more than 500 sqm of (gross internal) any floorspace will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO₂ reduction. Policy CC1 requires all developments to achieve a 20% reduction in CO₂ emissions through renewable technologies. All new residential development will also be required to demonstrate a 19% CO₂ reduction below Part L 2013 Building Regulations (in addition to any requirements for renewable energy).
- 6.74. Any development involving 5 or more residential units or 500 sqm or more of any additional floorspace is required to demonstrate climate change adaptation measures in a Sustainability Statement. The Council encourages conversions and extensions of 500 sqm of residential floorspace or above or five or more dwellings to achieve “excellent” in BREEAM domestic refurbishment.
- 6.75. The applicant has submitted an Energy & Sustainability Statement. This demonstrates that the Energy Hierarchy has been implemented and the development is expected to achieve regulated CO₂ savings of 63% (44.6% total) across the entire site: 26.6% for the new build domestic part, 64.7% for the domestic refurbishment, and 67.6% for the non-domestic part of the development, against an existing building baseline for the refurbishment portion of the scheme, and a Part L 2013 Baseline for new build elements where relevant. The reductions in CO₂ would be secured by condition.
- 6.76. The regulated CO₂ saving has been achieved by maximising fabric efficiency for both the refurbished and new build aspects. The building fabric would be improved beyond Building Regulations Part L targets through the incorporation of an efficient fabric with low U values, a good air permeability rate and a thermal bridging y-value in line with the Accredited Construction Details for all the new build parts. The refurbished elements of the scheme would be improved by increasing the fabric U values beyond Part L1B and L2B compliance levels and through improving the air tightness of the units as well as upgrading the heating and hot water systems in the scheme. Smart meters would be installed to monitor the heat and electricity consumption of each dwelling. The display board would demonstrate real-time and historical energy use data and would be installed at an accessible location within the dwellings. It is estimated that the proposed refurbishment and extension will achieve a water consumption rate of less than 96 litres/person/day. A condition would ensure the development would incorporate water efficiency measures to

demonstrate the development would meet 105 litres per person per day or better. The sustainability measures would be secured by condition.

- 6.77. Sustainability measures have been adopted to maximise sustainability within the site and achieve a BREEAM Domestic Refurbishment 'Excellent' rating for the refurbished dwellings. The development would achieve the following BREEAM credits for energy (34.5%), water (80%) and materials (45.8%). This meets all targets with the exception of Energy which should meet 60%. However given this is a largely domestic scheme we would not require the applicant to meet the usual 60% in this instance.
- 6.78. A 9.6% saving through renewables is proposed. Photovoltaics have been proposed for the residential portion of the development, whilst air source heat pumps (ASHPs) are proposed for the commercial, achieving 9.6% reduction in CO₂ emissions compared to the Baseline stage. The combined PV and ASHP energy impacts do not meet the 20% CO₂ target for the Be Green stage for all developments. However, it is acknowledged that the applicant has maximised the site opportunities for renewables. In addition, the new build portion exceeds the 20% CO₂ contribution. Details of the PV panels would be secured by condition.
- 6.79. Cooling and Overheating
- 6.80. Mechanical ventilation heat recovery (MVHR) is proposed for the commercial units. The mechanical ventilation system will include heat recovery in order to achieve ventilation in the most energy-efficient way. Air source heat pumps with high energy efficiency ratios may be used for both heating and cooling in the commercial units, therefore the impact of active cooling in terms of energy use and carbon emissions will be minimised.
- 6.81. Natural ventilation is proposed for the dwellings. The Finchley Road at this location exceed the long term and short term air quality objectives. Therefore, for reasons of air quality, mechanical ventilation with heat recovery should be installed to any residential units fronting the highways, with air intakes situated away from the main roads (Policy CC4).
- 6.82. Details of the mechanical ventilation would be secured by condition.
- 6.83. Surface water run off
- 6.84. The Council seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The Council requires development to utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible (policy CC3). The London Plan (policy 5.13) requires developments to achieve greenfield run-off rates wherever feasible (and as a minimum to achieve a 50% reduction in run off rates) and to ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy.
- 6.85. Storage in the form of a rainwater attenuation tank (4.2 cubic metres) would be provided at basement level. This system would provide the total storage

requirement to cope with the runoff rate following a 1 in 100 year, 6 hour storm event. A flow control device (Hydro-brake or similar approved) would restrict outflow to the local sewer system to 5l/s. A SuDS maintenance plan would be secured by condition.

6.86. Planning obligations

6.87. Open space

6.88. The residential development will lead to an increase demand for and use of public open spaces. The nearest public open spaces to the site within Camden are Crown Close Open Space (approximately 400m from the site) and Broadhurst Copse (approximately 320m from the site).

6.89. Where developments cannot realistically provide sufficient open space the Council may accept a financial contribution in lieu of direct provision. The financial contribution is based on the:

- Capital cost of providing new public open space;
- Cost of maintenance for the first 5 years; and
- Cost for the open space team to administer the contribution and design schemes.

6.90. The level of the financial contribution would be calculated on the basis of the costs and requirements set out in the table below taken from CPG6 and CPG8.

	Capital cost	Maintenance	Design and Admin	Total contribution
Self-contained homes in Use Class C3				
One bedroom home	£385	£386	£46	£817
Student housing, hotels and hostels				
Double room	£593	£594	£71	£1,258

6.91. As the development would provide 5 x 1-bed and 5 x short term lets, the open space contribution would be £10,375 (5 x £817 + 5 x £1,258). This would be secured by legal agreement.

6.92. Mayor of London’s Crossrail CIL and Camden’s CIL

6.93. The proposal would be liable for both the Mayor of London’s CIL and Camden’s CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. The Mayoral CIL rate in Camden is £50 per sqm and Camden’s CIL is £500 per sqm (Zone B residential below 10 dwellings). The CIL would be calculated on the uplift in floorspace (298.5sqm). Based on the Mayor’s CIL and Camden’s CIL charging schedules and the information given on the plans the charge is likely to be £14,925 (298.5sqm x £50) for Mayoral CIL and £148,250 (298.5sqm x £500) for Camden’s CIL. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

7. CONCLUSION

- 7.1. The loss of the strip club, which has had a negative impact on neighbouring amenity in terms of anti-social behaviour, noise and disturbance, is welcomed. The relocation of the office floorspace is considered acceptable and the uplift in the office floorspace in the Finchley Road / Swiss Cottage Town Centre would accord with policy E1.
- 7.2. The proposed extensions and alterations to the Lithos road elevation would provide an improved façade treatment and an enhancement to the street scene. The new façade would be more in keeping with the 19th century building and the wider context of this part of Finchley Road. Moreover, the proposed extension would preserve the architectural and townscape significance of the locally listed buildings.
- 7.3. The proposal would provide 5 additional self-contained flats. Such provision would accord with Policy H1 which identifies self-contained housing as the priority land-use of the Local Plan. While permanent residential accommodation is the priority land use of the Local Plan, the quality of the accommodation at basement and ground floor is considered more appropriate for use as short term let accommodation. The site is within the Finchley Road / Swiss Cottage Town Centre and the 5 short-term lets would be easily reached by public transport and would not harm residential amenity, in accordance with Policy E3.
- 7.4. The current application would enlarge three of the existing undersized studio units, at first second and third floor level, to create three 1-bed flats which meet London Plan standards. The addition of 5 flats in a lower dwelling size priority is considered acceptable in this particular instance as it would allow some of the existing flats to be resized so that they accord with London Plan space standards. In addition, a payment in lieu of £78,713 for affordable housing would be secured by legal agreement.
- 7.5. Planning Permission is recommended to conditions and a S106 Legal Agreement covering the following Heads of Terms:-
 - Affordable housing contribution £78,713
 - Construction management plan (CMP)
 - CMP implementation support contribution (£3,240)
 - Car free
 - Open space contribution £10,375
 - Sustainability Plan
 - Energy efficiency plan
 - Servicing management plan

8. LEGAL COMMENTS

- 8.1. Members are referred to the note from the Legal Division at the start of the Agenda.

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).

- 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 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan: 69-001

Existing drawing: 69-: 300; 321; 322; 323; 324; 325; 200; 010; 011; 012; 013; 014; 015

Proposed drawings: 69-: 200 A; 100 H; 101 K; 102 G; 103 G; 104 F; 105 C; 106 C; 321 A; 323 A; 324 A;

Supporting documents: Construction Management Plan Camden pro-forma; Design and Access Statement prepared by AD Design Concepts dated June 2017; Heritage statement prepared by Built Heritage Consultancy dated June 2017; Planning Statement prepared by Nicholas Taylor + Associates dated June 2017; Daylight And Sunlight prepared by Jessop Associates dated 23rd August 2017; Area accommodation schedule; Energy & Sustainability Statement prepared by XCO2 dated March 2018

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

- b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;

- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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

- 5 Before the brickwork is commenced, a 1m by 1m sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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

- 6 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected between the roof terraces of flat 3 and flat 4 at fourth floor level prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 7 Solar PV and ASHPs

Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells and air source heat pumps to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of meters to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall be constructed in accordance with the approved document 'ENERGY & SUSTAINABILITY STATEMENT 307-309 Finchley Road' dated 28/03/2018 prepared by XCO2 to achieve a minimum 19% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a minimum 9.6% reduction in carbon dioxide emissions through renewable technologies.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 9 Prior to commencement of development the sustainable urban drainage system shall be installed in accordance with the approved document 'ENERGY & SUSTAINABILITY STATEMENT 307-309 Finchley Road' dated 28/03/2018 prepared by XCO2. A lifetime maintenance plan demonstrating how the sustainable drainage system as approved will be maintained shall be submitted to and approved in writing by the local planning authority prior to commencement of the development.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 10 Sustainability

The development hereby approved shall incorporate sustainable design principles and climate change adaptation measures into the design and construction of the development in accordance with the approved document 'ENERGY & SUSTAINABILITY STATEMENT 307-309 Finchley Road' dated 28/03/2018 prepared by XCO2. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 11 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 12 Prior to commencement of development (excluding demolition and site preparation works), full details of the mechanical ventilation system including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and the boiler stack and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy 7.14.

13 Obscure glazing

Prior to first occupation, the windows at 2nd, 3rd and 4th floor level on the rear elevation shall be obscure glazed as shown on the plans hereby approved and shall be retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

14 The cycle storage area for 22 cycles shown on the plans hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

15 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification) the four short-term let studios at ground floor hereby approved shall only be used for temporary sleeping accommodation (occupied for periods of less than 90 consecutive nights) and for no other purposes whatsoever.

Reason: In order to prevent the provision of poor quality permanent residential accommodation in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

16 The refuse and recycling store, as shown on the plans hereby approved, shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

17 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies

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 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £14,925 (298.5sqm x £50) for Mayoral CIL and £148,250 (298.5sqm x £500) for Camden's CIL for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term

letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

- 6 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.