

Application ref: 2017/3710/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 8 March 2019

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

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Nicholas Taylor + Associates
31 Windmill Street
W1T 2JN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**307 and 309 Finchley Road
London
NW3 6EH**

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.

Drawing Nos:

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 J; 101 H; 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; Daylight and Sunlight addendums prepared by Jessop Associates dated 5 April 2018 (1117-01-02) and 17 April 2018 (1117-01-02(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).

- 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 J; 101 H; 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; Daylight and Sunlight addendums prepared by Jessop Associates dated 5 April 2018 (1117-01-02) and 17 April 2018 (1117-01-02(1))

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 The five short-term let studios at ground floor hereby approved, shall not be used as permanent residential accommodation, for occupation for periods of more than 90 days.

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 G1, CC1, CC2, CC3, D1 and A3 of the London Borough of Camden Local Plan 2017.

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.

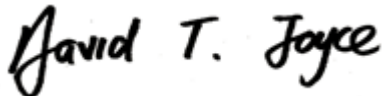
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning