



551-557 Finchley Road, London, NW3 7BJ

Planning Statement (Including Draft Heads of Terms)

Hampstead Properties Limited C/O Delta Properties

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DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ
Tel: 020 7004 1700
Fax: 020 7004 1790

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by DP9 Limited on behalf of Hampstead Properties Limited C/O Delta Properties (the “Applicant”) in support of an application (the “Application”) for the change of use, extensions, remodelling and restoration of 551 - 557 Finchley Road, London, NW3 7BJ (the “Site”), within the London Borough of Camden (“LBC”).

1.2 The Proposed Development is as follows:

“Change of use from Use Classes B1a/B1c/A1/D1 and remodelling of the existing building to provide apart-hotel (C1) and co-working/café (B1/A3) and a flexible retail/non-residential institution/assembly and leisure unit (A1, A2, A3, A4, A5/D1/D2), alterations including partial demolition and extensions at the rear at lower ground, ground and first floor levels, extension to provide an additional storey at roof level, levelling of the lower ground floor level, remodelling and restoration of front façade, cycle parking and all associated works (Site does not include 1st to 3rd floor of 551 Finchley Road).

1.3 The existing buildings are in need of modernisation and provide opportunities for improvements to enable the Site to deliver on its full potential. The apart-hotel will provide a variety of rooms, all of which include a kitchen and an en-suite bathroom/shower and some of which have external amenity garden terraces. An ancillary gym for guest use is proposed within the basement. Also proposed is a roof extension along with the reinstatement of historic parapets, and the installation of attractive traditional shopfronts. A co-working/café space will be provided at ground and basement levels linked to the apart-hotel and a separate flexible retail/non-residential institution/assembly and leisure unit at will also be provided at ground floor level.

1.4 This Planning Statement is structured as follows:

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- Section 2 - Site Context
 - Section 3 – Planning History
 - Section 4 – Pre-application Discussions and Public Consultation
 - Section 5 – Application Proposals
 - Section 6 – Planning Policy Framework
 - Section 7 – Planning Assessment
 - Section 8 – S106 Draft Heads of Terms
 - Section 9 – Conclusions

1.5 In addition to this Planning Statement, the application is submitted with the following supporting documents:

- Covering Letter (prepared by DP9);
- Application Form (including ownership certificates) (prepared by DP9);
- CIL Additional Information Form (prepared by DP9);
- Site Location Plan (prepared by Peter Barber Architects);
- Existing and Proposed Drawings including Site Plan (prepared by Peter Barber Architects);
- Design and Access Statement (prepared by Peter Barber Architects);
- Transport Statement (prepared by Lime Transport);
- Outline Draft Construction Management Plan (prepared by Lime Transport);
- Viability Appraisal for A1 Retail and B1(a) Office Uses (prepared by Dutch and Dutch);
- Noise Impact Assessment (prepared by XC02);
- Energy/Sustainability Statement (prepared by XC02);
- Air Quality Assessment (prepared by XC02);
- Daylight and Sunlight Assessment (prepared by Point 2 Surveyors);
- Arboricultural Impact Assessment (prepared by Landmark Trees).

1.6 This Planning Statement should be read in conjunction with the above documents.

2. SITE CONTEXT

The Application Site

- 2.1. The Site comprises 4 x 4 storey terrace buildings with lower ground floor, located at the west side of Finchley Road, south of the junction with Platt's Lane and Fortune Green Road. The lower ground and ground floors of 551-557 and upper floors of 553-557 Finchley Road were converted into an English language school in 1983. The first floor upwards of 551 Finchley Road has been retained under its original residential use and does not form part of the Site.
- 2.2. The existing lower ground floor level of the property is below ground at the front of the building facing Finchley Road, but due to the changes in levels across the Site, it is at ground floor level at the rear of the building. The lower ground floor extends up to the rear boundary of the property at the centre of the Site, with rear outdoor amenity space either side including a raised patio in the north-west corner of the Site.
- 2.3. The Site is currently used as an English language school (D1 Use Class), serving around 280 students during their peak season and 80 students during their low season. Within the school is an in-house ancillary café, a library and a study centre.
- 2.4. The majority of the historic planning permissions for the Site were personal to the Hampstead School of Language. These were approved on the condition that when this occupier vacates the premises, the use would revert to the original lawful use. Camden Officers have confirmed the original uses comprised retail and light industrial (A1/B1c Use Class) at basement/ground floor of 551-553, non-residential institution (D1) use at 1st-3rd floors of 553, retail (A1) at basement and ground floor of 555 and 557, and office (B1c) at 1st-3rd floor of 557. There is no planning history for the 1st – 3rd floor of 555. The 1st – 3rd floor of 551 is not within the scope of this application.

2.5. Hampstead School of Language's lease expires in February 2020. Upon their vacation of the premises Camden Officers have advised the lawful use and floorspaces of the property will be as set out in the below table at para 2.5. We have added the floorspace for the 1st to 3rd floor of 555 but as there is no planning history for this it has been treated as having a nil use.

2.6. The quantum of existing floorspaces on site are as follows:

Land Use	Existing floorspace (GIA)
Retail and light industrial (A1/B1c)	348sqm
Non-residential institution (D1)	206sqm
Retail (A1)	353sqm
Office (B1a)	197sqm
Nil	233sqm
Total	1,337sqm

2.7. The buildings are bound by Finchley Road to the east and residential mansion blocks to the west. The terrace of buildings continues to the north of 551-557 Finchley Road, with detached three-storey houses to the south. The buildings opposite 551-557 Finchley Road range from three-to four-storeys, with new-build residential development of five storeys to the north. The buildings to the west of the Site, facing Fortune Green Road, are four-to-five-storey mansion housing blocks, and are of the same architectural style as 551-557 Finchley Road.

2.8. The Site is set back from the main road by a pedestrian pavement which contains an existing tree. A Pelican crossing is located in front of 551 Finchley Road.

Site Designations

- 2.9. The Site is located within the Fortune Green ward in LBC and within the Fortune Green & West Hampstead Neighbourhood Forum Area. There are no site-specific planning policy designations.

Surrounding Context

- 2.10. The Site is not located within a Conservation Area, but the opposite side of Finchley Road marks the boundary of Redington and Frognal Conservation Area. The Site is located to the east of the entrance to Hampstead Cemetery and north-east of a Grade II listed semi-detached house.
- 2.11. Finchley Road/Swiss Cottage is the third largest Town Centre in the Borough after Camden Town and Kilburn High Road. It is designated as a District Centre in the London Plan. The main shopping area of Finchley Road/Swiss Cottage runs from the O2 Centre, with its concentration of food, drink and entertainment uses, to Swiss Cottage Underground Station. The Application Site is located approximately 1400 metres from the Finchley Road/Swiss Cottage Town Centre.

Public Transport Connections

- 2.12. The Site has a PTAL level of 4 (Good) and is served by a number of bus routes to the surrounding areas. The Site is located near to Finchley Road & Frognal, West Hampstead and West Hampstead Thameslink Stations, providing access to the Jubilee and Overground lines and Thameslink services.

3. PLANNING HISTORY

The Site

- 3.1. There have been a number of minor applications associated with the Site and its existing operations. The following applications are however of the most relevance to the proposals.
- 3.2. Planning permission (ref. E4/12/C/16027) was granted on 24th May 1973 for *"The use of the basement and ground floor of 551 Finchley Road as a bakery and patisserie."*
- 3.3. Conditional planning permission (ref. E4/12/C/17448) was granted on 5th April 1974 for *"The erection of a two-storey extension at the rear of the basement and ground floors of 551 & 553 Finchley Road to provide additional space for the bakery and shop."*
- 3.4. Conditional personal planning permission (ref. E4/12/C/36253) was granted on 27th July 1983 for *"The change of use of the basement and ground floor of 551 Finchley Road to chartered accountants' offices and building society agency."*
- 3.5. Conditional personal planning permission (ref. E4/12/C/36254) was granted on 27th July 1983 for *"The change of use of the basement and ground floor of 553 Finchley Road to a school for the teaching of English with retention of part ground floor for retail purposes."*
- 3.6. Planning permission (ref. 36584) was granted on 12th December 1983 for *"The use of the first and second floors of 557 Finchley Road as offices."*
- 3.7. Conditional personal planning permission (ref. 9005024) was granted on 21st June 1990 for *"The change of use of the basement and ground floor of 551 Finchley Road from Class A1 and B1(c) use to a school for the teaching of English*

within Class D1 and external alterations to ground floor frontages of 551 & 553 Finchley Road."

- 3.8. Conditional personal planning permission (ref. P9600293) was granted on 23rd May 1996 for *"The change of use of 557 Finchley Road from Class A1 & B1 use to Class D2 use."*
- 3.9. Conditional personal planning permission (ref. PW9802333R1) was granted on 1st October 1998 for *"The change of use of basement and ground floor of 555 Finchley Road from Class A1 (retail) to D2 (language school)."*
- 3.10. Planning permission (ref. PWX0002327) was granted on 12th October 2000 for *"The erection of a single storey rear extension at the basement level of 555 Finchley Road to provide an ancillary coffee room."*

Surrounding Planning History

- 3.11. There have been a number of planning approvals for redevelopment in the surrounding area as identified below.

282 Finchley Road, London NW3 7AD

- 3.12. Planning permission (ref. 2019/4111/P) was granted on 6th September 2019 for *"The erection of a single storey rear extension."*

74 Fortune Green Road, London NW6 1DS

- 3.13. Planning permission (ref. 2018/2812/P) was granted on 19th July 2018 for *"The erection of a mansard roof extension with front and rear dormers to provide ancillary residential floor space (Class C3)."*

100-104 Fortune Green Road, London NW6 1DS

- 3.14. Planning permission (ref. 2018/2014/P) was granted on 15th May 2018 for *“The erection of mansard roof extensions and first floor side/rear infill extensions with associated works to convert the properties from 2 x studios, 3 x 1 bed and 1 x 2 bed flats, to form 3 x studios, 3 x 2 bed and 1 x 3 bed flats.”*

535 Finchley Road, London NW3 7BG

- 3.15. Planning permission (ref. 2017/5777/P) was granted on 17th November 2017 for *“The erection of a single storey rear extension at ground floor level, installation of metal balustrade for a proposed roof terrace at first floor level installation of new window and door to the side elevation and replacement of boundary fence to the rear elevation all associated with the conversion of 1 x 3Bed flat into 2 x 1Bed self-contained units.”*

585 Finchley Road, London NW3 7BS

- 3.16. Planning permission (ref. 2017/1223/P) was granted on 6th November 2017 for *“The erection of single storey ground floor rear and side extension and alterations and extensions to the first-floor rear extension to the existing building to provide additional habitable accommodation to ground and first floor flats.”*

Flat 30, Caulfield House, 1 Penrose Gardens London, NW3 7BF

- 3.17. Planning permission (ref. 2016/7065/P) was granted on 23rd March 2017 for *“The erection of a single storey extension at rear roof level of existing dwelling house (Class C3).”*

589 Finchley Road, London NW7 7BS

- 3.18. Planning permission (ref. 2015/4771/P) was granted on 17th September 2015 for *“The demolition of existing rear extensions and erection of one single storey rear extension with rooflight.”*

76A Fortune Green Road, London NW6 1DS

- 3.19. Planning permission (ref. 2014/6528/P) was granted on 13th November 2014 for *“The erection of a mansard roof extension with front and rear dormers to provide additional accommodation to existing second floor front flat (Class C3) and use of part rear roof outrigger as terrace including access door and railings.”*

328-338 Finchley Road 2-6 Platt's Lane 17A 19-29 Kidderpore Avenue Former Caroline Skeel Library

- 3.20. Planning permission (ref. 2013/0685/P) was granted subject to a Section 106 Legal Agreement on 13th September 2013 for *“Redevelopment of the site to create 128 residential units (Class C3) including affordable housing and a community use facility (Class D1), following demolition and conversion/refurbishment of existing buildings used for student accommodation and ancillary offices (sui generis) and construction of new buildings ranging between 3 - 5 storeys in height, together with associated works to create basements, car parking, landscaping and public realm improvements.”*

328, 330, 332, 334, 336 & 338 Finchley Road 2-6 Platt's Lane 17A, 19, 21, 23, 25 & 27-29 Kidderpore Avenue Former Caroline Skeel Library, London

3.21. Conservation Area Consent (ref. 2013/0698/C) was granted on 13th September 2013 for *“The demolition of nos 328, 330, 332, 334, 336 & 338 Finchley Road, 2-6 Platt's Lane and 27-29 Kidderpore Avenue, associated with the redevelopment of the site.”*

4. PRE-APPLICATION DISCUSSIONS & CONSULTATION

- 4.1. The Applicant first engaged in pre-application discussions (email correspondence and a meeting) with LBC officers in November 2017. The proposals at that stage included a rear extension at lower ground floor level right up to the rear boundary of the Site so that the entire lower ground floor was built over. It also included a proposed roof extension and remodelling of the building including replacement of the existing shopfronts. However, this proposal was for residential use and two flexible retail (A1-A5) units at basement and ground floor level.
- 4.2. A formal pre-application advice letter was provided by LBC on 4th December 2018. In respect of the key comments relevant to this Application, Officers:
- Supported the replacement of the existing shopfronts, noting that the replacement with a traditional shopfront would have a clear heritage benefit and would enhance the character and appearance of the host building and wider area in accordance with Camden Local Plan Policy D1 (see 'Assessment of the Proposals' Section of this Statement at page 27 for a summary of the Policy).
 - Noted the reintroduction of the original decorative gable/parapets at the front of the property would be welcomed and encouraged by the Council and that the acceptability of the additional storey would depend on it being of a very high quality.
 - Recommended exploring the possibility of carrying the roof extension across no.s 551 and 559 (**NB:** as since discussed with Officers, this is not possible as the Applicant does not possess the leasehold of no. 551 above ground floor level, and does not own any of no. 559, therefore this request is not discussed further within this Statement).

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- Noted that the impact on neighbouring amenity in terms of privacy, outlook, noise, daylight and sunlight would need to be addressed in a full application.
 - Supported some retail (A1) use but expressed some concern that A2-A5 uses could impact the amenity of occupiers on the Site.

4.3. The Applicant revised the proposals in response to the comments received and submitted new proposals to Camden in June 2019 which were discussed at a further pre-application meeting. Again, rear extensions were proposed at lower ground floor level but these were pulled away from the boundary in response to previous Officer comments with garden terraces now provided at the rear. The proposal also included a modest rear extension at ground floor level, a rear closet wing infill at first floor level and a revised roof extension proposal intended to address previous Officer comments. This time the proposals were for a 37 bedroom apart-hotel including 4 traditional hotel rooms, co-working and café space and a separate retail unit.

4.4. A formal pre-application advice letter was provided by LBC on 2nd July 2019. In respect of the key comments relevant to this Planning Application, Officers:

- Noted that the proposed apart-hotel use seems more in line with short-stay letting than traditional hotel use, which may be considered more appropriate than hotel use in this location.
- Recommended that the 'existing' (i.e the lawful use upon vacation of the property by the language school) retail (A1) and office (B1a) uses are re-provided before any remaining floor area is considered for short stay accommodation.
- Supported the replacement of the existing shopfronts, noting that they would have a clear heritage benefit and would enhance the character

and appearance of the host building and wider area in accordance with Camden Local Plan Policy D1.

- Supported the rear extensions subject to it being demonstrated there will be no harm to neighbouring amenity in terms of privacy, outlook, noise, daylight and sunlight.
- On the roof extension Officers noted that further information in the form of sections, elevations and visuals was required to assess this aspect of the proposals and therefore referred back to the previous pre-application advice on this aspect.
- Requested that the Applicant reconsider the void created in one of the new shopfronts and asked if this could be made active.
- Welcomed the fact that the proposals do not include the provision of car-parking and encouraged the Applicant to explore providing cycle parking at London Plan (2016) standards in the final scheme.
- Advised on reports required for a planning application and the requirement for a S106 Agreement securing the following heads of terms:
 - Car free development;
 - Construction Management Plan (CMP) and a one-off financial contribution to cover the costs of reviewing the CMP;
 - Energy Efficiency and Renewable Energy Plan;
 - Sustainability Plan.

4.5. The Applicant has revised the proposals submitted for the Application to address Officer comments as follows:

- The 4 traditional hotel bedrooms have been removed as traditional hotel use was not supported, resulting in a 33 bedroom apart-hotel, the principle of which has been broadly accepted subject to other considerations.

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- Noise restrictions and mitigation have been proposed in the Noise Impact Assessment to demonstrate that the proposed mix of uses including A2-A5 uses and plant equipment would not harm the amenity of occupiers nor neighbouring residents.
 - In addition to demonstrating noise impacts will be acceptable, the Application includes details to demonstrate that neighbouring amenity will be preserved in terms of daylight and sunlight and privacy and outlook (see 'Assessment of the Proposals' Section at page 27 onwards).
 - Further detail has been included on the proposed roof extension in the form of elevations, section drawings and Section 3.0 of the Design and Access Statement to demonstrate that this will be of a very high quality.
 - Activated the former void in the shopfront by providing co-working/café floorspace along the window.
 - Based on the pre-application advice, the Proposed Development should therefore be broadly welcomed including the mix of proposed land uses, subject to the re-provision of A1/B1a being addressed to the Council's satisfaction. The proposed physical works to the building including the remodelling of the façade and the extensions should also be supported.

4.6. In conclusion, based on the pre-application advice, the Proposed Development should therefore be broadly welcomed including the mix of proposed land uses, subject to the re-provision of A1/B1a being addressed to the Council's satisfaction. The proposed physical works to the building including the remodelling of the façade and the extensions should also be supported.

- 4.7. The Applicant has also consulted neighbouring properties by sending them a letter with details about the proposals.

5. APPLICATION PROPOSALS

- 5.1. This application is for full planning permission for the following:

“Change of use from Use Classes B1a/B1c/A1/D1 and remodelling of the existing building to provide apart-hotel (C1) and co-working/café (B1/A3) and a flexible retail/non-residential institution/assembly and leisure unit (A1, A2, A3, A4, A5/D1/D2), alterations including partial demolition and extensions at the rear at lower ground, ground and first floor levels, extension to provide an additional storey at roof level, levelling of the lower ground floor level, remodelling and restoration of front façade, cycle parking and all associated works. (site does not include 1st to 3rd floors of no. 551 Finchley Road)”

- 5.2. The quantum of floorspace proposed is set out below:

Land Use	Proposed floorspace (GIA sqm)
Apart-Hotel (C1 Use Class)	1,330
Co-working/Cafe (B1/A3 Use Class)	183
Flexible Retail /Non-residential Institution/Assembly and Leisure (A1, A2, A3, A4, A5/D1/D2 Class Use)	22
Total	1,535

Apart-hotel (C1)

- 5.3. The proposals include a 33-key apart-hotel with rooms accommodated at lower ground, ground and 1st-4th floor level. The accommodation will consist

of a variety of different sized rooms ranging from 22 to 37sqm and some will have external amenity terraces. The hotel will be accessed via a reception entrance in one of the new shopfronts. An ancillary gym, plant and storage space will also be provided within the lower ground floor level.

Co-working/Café (B1/A3)

- 5.4. Linked to the hotel but also with a separate entrance from Finchley Road, there will be a co-working/café space at ground and basement level which will provide flexible working space for users of the apart-hotel. The public will have access to the café and may also have access to the flexible working space depending on the hotel operator.

Flexible retail/non-residential-institution/assembly and leisure unit (A1, A2, A3, A4, A5/D1/D2)

- 5.5. A separate small flexible unit is proposed within the southernmost shopfront which is likely to be used for retail to compliment the apart-hotel, such as a florist, albeit uses A2-A5/D1/D2 are also being applied for to provide flexibility and to maximise the chances of the unit being let.

Partial Demolition, Rear Extensions and Amenity Terraces

- 5.6. At present the rear elevation is characterised by a number of ad-hoc extensions with no particular uniformity. The existing irregular rear extensions are proposed to be simplified and rationalised to provide a regular building line pulled back from the rear boundary.
- 5.7. It is proposed to partially demolish the existing full depth lower ground floor extension at the rear of the building (which due to the change in levels across the site sits at ground floor level) and to remove the raised rear outdoor patio

area. A new, shallower full-width lower ground floor extension is proposed that steps away from the boundary edge in response to Officer advice at pre-application stage, creating outdoor space along the boundary to be used as amenity garden terraces for the apart-hotel rooms at the rear of the building. Outlook will be prevented by planted screening, preserving the privacy of neighbouring properties.

- 5.8. The entire lower ground floor will be levelled to ensure a consistent level across the Site, enhancing the quality of the internal space and enabling step free access to the rear amenity terraces. The increased depth will not exceed 500mm measured by comparing the existing and proposed finished floor level. An existing raised patio at the rear in the garden will be demolished to achieve the same level but this is considered an act of demolition rather than excavation. On this basis Camden Officers have confirmed that a Basement Impact Assessment is not required for the Application.
- 5.9. At ground floor level, a new full-width rear extension is proposed, pulled back from the rear building line of the lower ground floor level. It will contain apart-hotel rooms that will have access to further amenity garden terraces on top of the lower ground floor extension. Outlook will be prevented by planted screening, preserving the privacy of neighbouring properties.
- 5.10. At first floor level, the existing gap between the closet wings of 555 and 557 would be infilled, to provide a uniform first floor extension spanning the width of the Site. This will remain a full storey below the eaves level as recommended by Camden Design Planning Guidance (March 2019). The gaps between the closet wings will provide amenity terraces for the apart-hotel rooms at second floor level.

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- 5.11. These extensions will be subordinate to the host building and will provide a uniform appearance to the rear elevation. The proposed external terraces will sit above flat roofs and will not require alterations to the pitched roofs of the closet wings

Roof Extension and Reinstatement of Parapets

- 5.12. A secondary mansard roof is proposed above the existing mansard to provide additional apart-hotel bedrooms. It will take the form of a flat top double pitch mansard roof. Its design has been developed to respond to pre-application advice and it is an approach that exists further along the terrace at 567-571 Finchley Road.
- 5.13. The shape and size of the proposed dormer windows in the mansard extension have been designed to be subordinate to the windows below. The dormers are to appear symmetrical in relation to the overall building design and will be set proportionately below the roof ridge. Their placement and location is carefully considered to follow the rhythm of the façade.
- 5.14. Decorative brick gables/parapets over the third-floor dormer windows are proposed to replicate the original ornamental dormer window header, evident on the terrace to the north (559 Finchley Road).

Restoration and Remodelling of Shopfronts

- 5.15. The 1980s glass and metal façade on the ground floor fronting Finchley Road is proposed to be replaced with traditional shopfronts, reinstating the original rhythm of the terrace.

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- 5.16. For further details of the design of the proposals refer to the Design and Access Statement.

Parking and Servicing

- 5.17. The Site is well served by public transport with a PTAL rating of 4.
- 5.18. The development is proposed to be car-free, in accordance with the LBC and London Plan (2016) policies on car-free development in accessible locations.
- 5.19. There are parking spaces available for blue badge holders in the vicinity of the Site. The closest available disabled parking bays are provided on Weech Road (Zone CA-P), approximately 100m to the south of the Site. These are Permit Holders Only bays, subject to Mon-Fri 8.30am-6.30pm restriction, however, blue badge users can park with no time restrictions. There are a variety of other options which are explained in the Transport Statement in more detail.
- 5.20. 6 cycle parking spaces (3 stands) will be provided along the Site frontage on Finchley Road in accordance with London Plan standards.
- 5.21. For further details of parking and servicing refer to the Transport Statement.

Public Realm

- 5.22. No works are proposed to the public realm. However, the cycle racks will be installed at the front of the property and while the ownership of this land is not known it is attached to the public highway.

6. PLANNING POLICY FRAMEWORK AND OVERVIEW

- 6.1. This section provides a brief summary of the key planning policies relevant to the Site and its redevelopment.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that any determination under the Planning Acts should be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3. In this instance, the Development Plan for the Borough comprises:
- The London Plan (March 2016); and
 - Camden Local Plan (2017).
- 6.4. The Development Plan is supported by Supplementary Planning Documents which form a material consideration in the determination of planning applications.
- 6.5. Of relevance to the Proposed Development, Camden have the Design Camden Practice Guidance (CPG) (March 2019); Amenity CPG (2018); Energy Efficiency and Adaptation CPG (March 2019); Transport CPG (March 2019); Trees CPG (March 2019); Employment Sites and Business Premises CPG (March 2018); Developer Contributions CPG (March 2019); Basements CPG (March 2018) and Air Quality CPG (March 2019). The Mayor's Sustainable Design and Construction SPD (April 2014) and the Control of Dust and Emissions During Construction and Demolition SPD (July 2014) are also of relevance.
- 6.6. The Site is also located in the Fortune Green and West Hampstead Neighbourhood Plan area and that plan will also form a material consideration.

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- 6.7. The Revised National Planning Policy Framework (NPPF) was published in February 2019. The NPPF sets out the Government's economic, environmental and social planning policies.
- 6.8. At the heart of the NPPF is a presumption in favour of sustainable development, which should be applied to both the plan-making and decision-taking process. This means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- (i) The application of policies in (the) Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in (the) Framework taken as a whole.

Emerging Planning Policy

- 6.9. The Draft London Plan, Consolidated Suggested Changes Version was published in July 2019. It shows all of the Mayor's suggested changes following the Examination in Public (EiP) of the draft Plan earlier this year. It is a material consideration in the determination of this planning application and given its advanced stage significant weight should be attributed to this document.
- 6.10. The Inspectors published their recommendations to the Mayor on the 8th October. The Mayor is currently considering the Panel report and recommendations and is preparing an Intend to Publish version of the London Plan which will be sent to the Secretary of State alongside with a schedule of the panel's recommendation and the Mayor's response to them. It is

envisaged the Intend to Publish version of the Plan will be sent to the Secretary of State and published on line by the end of the year.

- 6.11. The key relevant policies of the adopted and emerging Development Plan are set out below. Whilst some of these are summarised in the Planning Assessment Section of this Statement against the key planning considerations for the Proposed Development, it is not the purpose of this document to repeat every policy – for the full policy text the reader should refer to the relevant Development Plan document.

The London Plan (2016)

- Policy 4.5 – London’s Visitor Infrastructure
- Policy 7.6 - Architecture

The Draft London Plan (2019)

- Policy E10 Visitor infrastructure
- Policy D1 London’s form and characteristics
- Policy D2 Delivering good design

The Camden Local Plan (2017)

- G1 Delivery and location of growth
- H2 Maximising the supply of self-contained housing from mixed-use schemes
- C2 Community facilities
- C3 Cultural and leisure facilities
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites
- E3 Tourism
- A1 Managing the impact of development
- A4 Noise and vibration

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- D1 Design
 - D2 Heritage
 - D3 Shopfronts
 - CC1 Climate change mitigation
 - CC2 Adapting to climate change
 - CC4 Air quality
 - CC5 Waste
 - TC1 Quantity and location of retail development
 - TC4 Town centre uses
 - T1 Prioritising walking, cycling and public transport
 - T2 Parking and car-free development
 - T3 Transport infrastructure
 - T4 Sustainable movement of goods and materials

The Camden Local Plan (2017)

- G1 Delivery and location of growth

7. ASSESSMENT OF THE PROPOSALS

- 7.1. This section provides an overview of the key planning considerations in respect of the Proposed Development which are group into topics. It assesses the acceptability of the proposal against relevant Development Plan Policies, national, regional and local guidance and other material considerations.

The Principle of Remodelling and Extending the Building

- 7.2. The property is made up of what were originally 4 separate buildings, most likely arranged as a shop with residential on the upper parts. These buildings are around 100 years old and have been converted and extended in a piecemeal fashion over the years. They are heavily divided with structural walls limiting the options to create open plan spaces and there are a range of levels across the Site resulting in convoluted linkages between the properties, including numerous corridors and 5 separate staircases with no lift. In total, there are approximately 40 rooms across the 4 buildings (not including the residential properties above ground level in no. 551 which is not part of the Site).
- 7.3. The property is therefore in need of significant internal refurbishment to bring it up to modern standards. Due to the age of the buildings and the low-quality accommodation they provide, it is necessary to either redevelop the property or to remodel and extend the building in order to optimise the Site.
- 7.4. The Site is not located in a conservation area and is not statutorily or locally listed. Notwithstanding, the exterior of the building is of some architectural and townscape merit and it sits opposite the Redington and Frogna Conservation Area. Over the years original architectural features including the shopfronts and the decorative parapets/gables fronting Finchley Road have

been lost and there is an opportunity for reinstatement as part of a remodel and extension scheme. The Applicant has therefore chosen this over a full redevelopment as this provides an opportunity to preserve and enhance the townscape character of the area and the adjacent Conservation Area. This form of development is also likely to be quicker and have less construction impacts compared with a full redevelopment.

- 7.5. Paragraph 117 of the NPPF confirms that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.6. Local Plan Policy G1 (Delivery and location of growth) states that LBC will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by supporting development that makes the best use of the site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and other considerations relevant to the Site. It confirms that development that makes inefficient use of Camden's limited land will be resisted.
- 7.7. The Proposed Development will remodel and extend existing buildings to deliver a greater quantum, quality and mix of uses than currently exists on Site, and this constitutes an efficient and effective use of the existing buildings and land.
- 7.8. The proposals have benefited from two rounds of pre-application consultation. LBC have raised no issues in relation to the extension and remodelling of the Site subject to the Applicant demonstrating the high quality of the roof extension and that there will be acceptable impacts to neighbouring amenity. These matters are dealt with further in this Section. Furthermore, Officers have confirmed they support the reinstatement of original architectural

features including the decorative parapets/gables at the front and traditional shopfronts, confirming these constitute a heritage benefit. It is therefore considered that the principle of the remodelling and extension of the building is acceptable and is in accordance with Local Plan Policy G1.

Principle of the Proposed Uses

Apart-hotel use

- 7.9. Policy 4.5 of the London Plan sets a target for 40,000 net additional hotel rooms by 2036 and the proposals will contribute to this aspiration. As identified within the draft London Plan, visitor numbers in London are expected to continue to increase and the proposals will contribute to a much-needed demand within Central London. The supporting text of draft London Plan Policy E10 (para 6.10.2) estimates that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum.
- 7.10. Draft London Plan Policy E10 (Visitor infrastructure) sets out that London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport, taking into account the needs of business as well as leisure visitors.
- 7.11. Local Plan Policy E3 recognises the importance of the visitor economy across the Borough. The policy identifies that tourism development outside of the specified areas including the Town Centres should be considered where it would have a local or specialist focus and provided it has good access to public transport.

7.12. The proposed apart-hotel will be small, with 33 keys, and will provide rooms that can be let for up to 90 days. It will be complemented by a linked co-working and café space including meetings rooms, and an ancillary gym. This type of concept is currently popular and good examples of this type of operator include YotelPad and Vonder. The hotel will have a local and specialist focus and is more in line with short stay letting than traditional hotel use as identified by Officers at pre-application stage. It is likely to appeal to business users in particular but also leisure users. The Site is not located in the CAZ or in a Town Centre. However, it sits on a key arterial route into London and has good access to public transport, including a variety of local bus links, giving it a PTAL rating of 4, indicating 'good'. The proposed hotel is therefore supported in this location in line with Draft London Plan Policy E3 and Local Plan Policy E3.

7.13. LBC Officers acknowledged during pre-application discussions that an apart-hotel could be acceptable on the Site, provided the existing office and retail uses are re-provided.

7.14. It is therefore considered that the Site is suitable for apart-hotel development, paired with a complimentary mix of co-working and café/retail uses.

7.15. There are also the following material considerations which support apart-hotel use in this location:

- London is one of the most visited cities in the world and is home to a wealth of world class attractions and events LBC is an established tourist location within London and home to many of the city's leading attractions.
- We understand from experience on similar projects that supply of existing hotels in LBC fell in 2017/18 and future growth currently looks limited.

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- The Site under consideration has strengths owing to its strategic location on a key arterial route into London, and the proposed concept as a 'micro' apart-hotel with symbiotic co-working uses means that it should help fill a gap in the market.

Replacement of the Existing Office and Retail (B1a/A1) uses with a Co-working/Café (B1/A3) and Flexible Retail/Non-residential Institution/Non-assembly and Leisure Unit (A1-A5/D1/D2)

- 7.16. Upon vacation by the language school the existing building will revert to the original lawful uses which include 348sqm of flexible retail/light industrial (A1/B1c) floorspace, 353sqm of retail (A1) floorspace and 197sqm of office (B1a) floorspace.
- 7.17. The floorspace has not been used for these purposes for over 30 years. Because of this and the piecemeal nature of the conversion of the buildings over time, this floorspace will be low quality and not comparable to modern standards for office and retail accommodation, including that already located elsewhere in the local area. Returning the building back to these uses at the original quantum is therefore considered unviable. The remodelling and extension of the building provides an opportunity to maximise the efficient use of the land and building in accordance with Local Plan Policy G1 to deliver a better mix of uses and higher quality floorspace.
- 7.18. Nevertheless, policy protection is afforded to employment (B1) and retail (A1) floorspace at a local level and this has to be considered in the context of the Proposed Development.
- 7.19. Local Plan Policy E2 seeks to protect premises that are suitable for continued business use (B class), in particular premises for small businesses, businesses

and services that provide employment for Camden residents and those that support the functioning of the CAZ or local economy.

- 7.20. Camden Local Plan Policy TC1 seeks to focus new shopping and related uses in Camden's designated growth areas and existing centres, having regard to the level of capacity available in these locations. Outside these centres, the Policy TC3 states the Council will only grant planning permission for a loss of a shop provided alternative provision is available within 5-10 minutes' walking distance and there is clear evidence that the current use is not viable.
- 7.21. On the basis of Policies E2 and TC3, in their pre-application advice Officers recommended that the existing office (B1a) and retail (A1) uses are re-provided in a proposal for the development of the Site. They have not asked for the B1c floorspace to be provided and as it is not considered a suitable location for light industrial floorspace it is not proposed to replace this floorspace.
- 7.22. The proposals provide a 183sqm co-working/café space (B1/A3) to replace the existing 197sqm of B1a floorspace on site. Although this results in a small technical loss of 14sqm of B1 floorspace, the floorspace will be of a much higher quality than the existing. Furthermore, there are a number of material considerations which outweigh this small loss as outlined further within this subsection.
- 7.23. The proposals also provide a small flexible retail unit (A1-A5) also capable of accommodating D1 and D2 uses. 348sqm of this floorspace has flexible A1/B1c use and so could feasibly be used as B1c floorspace instead. If this is taken into account, there is an overall technical loss of 331sqm of pure retail (A1) floorspace. This loss is considered acceptable in this instance as explained further within this subsection.

7.24. In recognition of the Council's request for the existing B1a and A1 floorspace to be reprovided, the Applicant has instructed Estate Agents Dutch and Dutch, experts in the retail and office lettings market in the local area, to advise on the likely success of the 'existing' B1 and A1 floorspace were the property to be returned to these uses at their original quantum upon vacation of the property by the language school. They have prepared a report which is enclosed with the Application. It concludes as follows:

- The pre-existing quantum of retail and office uses at this building no longer represent a viable option in this location.
- The nature of retail is evolving very quickly and secondary locations such as this, with low footfall do not attract tenants.
- Similarly, businesses seeking office space now prefer larger flexible accommodation or properties with close proximity to an underground station.
- Given that the pre-existing retail and office uses are not in operation, their partial loss at the quantum proposed will have no detrimental impact on the neighbouring units or the local economy.
- The provision of some new B1/A1 floorspace at the reduced quantum proposed is likely to be viable in the context of the symbiotic relation with the apart-hotel which will provide custom, and the combination of the proposed mix of uses as it is envisaged this will draw more people to the area.

7.25. Further detail and justification for the loss and replacement of the B1a and A1 floorspace is provided in subsections below.

Loss of Office Floorspace and Replacement with Employment Generating Space including Co-working Space

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- 7.26. Local Plan Policy E2 states that *“The Council wants to encourage the development of a broad economic base in the borough to help meet the varied employment needs, skills and qualifications of Camden’s workforce”*. It also states that the intent is to protect *“businesses and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone (CAZ) or the local economy”*.
- 7.27. Local Plan Policy E1 (the Council’s primary economic growth policy) directs new office development to growth areas, Central London, and the town centres: the Site is not located in any of these areas.
- 7.28. Policy E1 recognises the importance of non B-class employment generating uses, including retail, education, health, markets, leisure and tourism. This is backed up in the supporting text which states at paragraph 5.33 that:
- a. *“Camden’s visitor economy provides around 16,500 jobs in the Borough, 10% of all tourism related employment in Inner London and is worth £566 million per annum”*. It is considered that these figures have increased since the Local Plan evidence base was produced in 2009.
 - b. *“Jobs are provided by many types of uses within the borough, not just those based in offices or industrial premises. These include shops and markets, hotels and restaurants, leisure and tourism use, as well as knowledge-based sectors such as health and education”*.
- 7.29. It is therefore clear that when read as a whole, the primary aspiration of Policies E1 and E2 is for economic growth which will benefit local residents and the local economy. Whilst a small amount (14sqm) of business floorspace will be lost from the Site, there will be an increase in the quality of the employment generating floorspace by virtue of the apart-hotel and mixed-use retail development, which as per Policy E2 will support the local economy and provide employment to local residents.

7.30. It is also proposed that the apart-hotel reception, co-working and café space will be publicly accessible and can be used as flexible workspace. This will be encouraged through the provision of tables and chairs, internet access and laptop charging points. This type of space can be used by the public, professionals and entrepreneurs. It will provide flexible occupancy, flexible layouts, and opportunities for networking, socialising and meeting space that will meet the needs of a range of business types and sizes. The proposed 183sqm of floorspace is therefore “innovative new employment floorspace” which is encouraged by paragraph 5.9 of the Council’s Local Plan.

7.31. Furthermore this space will replace the existing B1 floorspace which has been deemed unviable by Dutch and Dutch Report for the following reasons:

- The existing building accommodation is low quality; heavily divided having been designed for residential purposes above ground floor with structural walls limiting the options to create open plan space, served by 5 separate staircases with no lift, and comprising of approximately 40 rooms in total.
- There has been a noticeable reduction in the demand for traditional office space in the areas they cover (north Camden). This is because of the economy and the growth of flexible office providers.
- Flexible office providers have expanded rapidly in London with strong take up over the past five years boosting the flexible office share of total stock. Unlike traditional standalone office buildings, these providers can offer a ‘turn-key’ product to occupiers.
- There is a very healthy support of office accommodation both available for long term let as well as shorter serviced style accommodation within close proximity of the Site. All the example properties listed in the Report are considered as being within more desirable locations

than the subject property as they are closer to underground stations (west Hampstead, Finchley Road and Swiss Cottage).

7.32. For these reasons, it follows that delivering new, innovative flexible co-working/café floorspace as part of a wider mixed-use development would improve the viability of employment floorspace on the Site and the quality of Camden’s office stock. On this basis, a co-working/cafe space at the quantum proposed delivered as part of the apart-hotel should be supported by Camden.

7.33. As set out within Camden’s Employment Sites and Business Premises CPG (March 2018), developments which result in the loss of office space will be required to provide a payment in lieu to overcome this. The technical loss of 14sqm is negligible and will be more than offset by the increase in quality of the proposed B1 floorspace and the co-working nature of the space which encourages more intensive use.

7.34. Furthermore, while we talk about a ‘loss’ of B1 floorspace, the fact is that the property has not been used as such since the 1980’s. When compared with the current use, a D1 language school, the proposal generates an increase in jobs on Site and an increase of 183sqm of B1 floorspace. In total Dutch and Dutch calculate in their report that the proposal will generate 21 full time jobs plus space for an additional 57+ people to work on a flexi-basis. This includes:

- Apart/hotel – 15 jobs
- Coffee and Co-Working Space – 3 jobs
- Retail – 3 jobs
- Co-working members – 57+ members

7.35. For the reasons outlined above it is considered a payment in lieu of the technical loss of 14sqm of B1 floorspace lost should not be necessary in this

instance and the proposal should be deemed acceptable in this respect in policy terms.

Loss of Retail Floorspace, and the Proposed Flexible Retail/Non-residential Institution/Non-assembly and Leisure Unit

- 7.36. There has not been an A1 use at the property for over 30 years. Notwithstanding, the Dutch and Dutch Report assesses the likely success of the 'existing' A1 use should it revert to this use at the original lawful quantum, and conclude that it would be unviable. They demonstrate that there are several retail units currently available within close proximity of the subject building that have a significantly higher footfall which are considered to be in superior trading locations. They also note there will be no real loss of retail compared with the current position and this could not harm the amenity of surrounding retail as this use has not been on Site for a significant period of time.
- 7.37. Dutch and Dutch conclude a much smaller amount of A1 use on site is more likely to be viable as long as it is provided as part of a new mixed-use development that included uses such as apart-hotel and co-working/café uses as they are likely to generate their own custom and draw more people from the local area. They consider this could be further made viable by applying for a flexible use class for the relevant floorspace to cover A1, A2, A3, A4 and A5 uses as well as non-residential.
- 7.38. The Proposed Development therefore includes a flexible a unit of 22sqm that is capable of accommodating A1, A2, A3, A4, A5, D1 and D2 uses. It is noted that during the original pre-application Officers raised some concerns over A2 to A5 on the grounds that a restaurant or hot-food takeaway would require extraction and ventilation equipment and because it was considered these types of uses could result in a harmful impact to the amenity of residents on the upper floors.

7.39. A Noise Impact Assessment has been prepared by XC02 which assesses the background noise levels of the Site and recommends minimum sound insulation that should be provided between the flexible unit and other commercial uses within the Proposed Development to meet the requirements of Building Regulations Approved Document E and the recommendations in BS 8233:2014. It is anticipated there will be a planning condition securing compliance with these recommendations thereby ensuring there will be no harmful impacts to the amenity of occupiers. Final details of extraction and ventilation equipment will not be known until the occupier of the unit is confirmed and so it is anticipated that these details can be secured by a planning condition requiring the submission of further details for approval. For these reasons, it is considered A2-A5 uses as well as D1 and D2 uses may be acceptable.

Loss of Non-residential Institution Floorspace (D1)

7.40. A small amount of floorspace in the building (206sqm) did not benefit from a personal planning permission and will therefore remain in lawful D1 use upon vacation of property by the language school. LBC Officers confirmed at pre-application stage that given this D1 use is limited to the upper three floors with poor access levels and a small floor area, the loss of D1 floorspace in this location is likely to be considered acceptable. It was recommended that the possibility of re-providing the facility (the English Language School) elsewhere is fully explored, as well as a thorough demonstration that the school is surplus to requirements or unsuitable for continued use.

7.41. At the time, the details of the current lease were not known to Officers. The property is currently let for a term of 15 years from 19th February 2010 with a Tenant only option to determine the Lease 20th February 2020 subject to 12 months' notice. The Tenant has now served notice to break this lease and will

be vacating the property prior to February 2020. They do not want to retain the 206sqm on Site and it is considered the space is better used to deliver the mix of uses outlined within this Statement.

The Council's Mixed-use Policy

- 7.42. Local Plan Policy H2 sets out that *“In all parts of the borough the Council will encourage the inclusion of self-contained homes in non-residential development. In the Central London Area and the town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road, where development involves additional floorspace of more than 200sqm (GIA), we will require 50% of all additional floorspace to be self-contained housing”*. In the Central London Area and named town centres, self-contained homes are required for new development.
- 7.43. The Site sits outside of the Central London Area and the named town centres and therefore self-contained homes are encouraged as part of a mix of uses rather than required under the policy.
- 7.44. The proposed mix of uses have been proposed to maximise the viability of the development of the Site. The carefully designed development comprises an apart-hotel led mixed use scheme on a site which is relatively small and physically constrained by the reuse of the existing buildings, which are of some townscape merit, as well as the proximity of adjacent buildings. There are also policy requirements to redeliver a quantum of the existing B1a use and A1 use.
- 7.45. As such there are limited opportunities to deliver additional uses. Due to the operational requirements of the proposed apart-hotel, the price point of the rooms and the economies of scale, the number of rooms cannot be reduced below 33 keys. The remainder of the uses have been selected to compliment the hotel use and re-provide an element of B1 and A1 floorspace in line with

the Council's request for these uses to be re-provided (although the requirement for A1 has largely been discounted for the reasons outlined earlier within this Section).

7.46. Moreover, the physical requirements needed to accommodate separate residential accommodation (separate entrances, lifts, corridors etc) plus policy requirements to ensure the residential accommodation is of a high quality, for example the provision of residential amenity space would further erode the ability of the Site to accommodate the proposed uses.

7.47. For these reasons, the Applicant is not proposing residential use and this accords with planning policy.

Design, Massing, Heritage and Townscape

7.48. Paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.49. Local Plan Policy D1 seeks to secure high quality design in development which – inter alia – respects local context and character; is inclusive and accessible to all and preserves strategic and local views.

7.50. Paragraph 197 of the NPPF states that in weighing applications which directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard to the harm or loss and the significance of the asset.

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- 7.51. Policy 7.8 of the London Plan and Policies D1 and HC1 of the Draft New London Plan require new development to respect, enhance, and utilise the heritage assets and architectural features that contribute to the local character.
- 7.52. The proposed Site is located on a prominent road and for the most part presents an attractive primary elevation with the exception being the dated 1980's shopfront. At the rear, the extensions have been undertaken over time, lack uniformity and would be improved by rationalisation. Parts of the extensions extend right up to the rear boundary of the Site and pulling this massing back would improve outlook from neighbouring properties.
- 7.53. The proposals have been designed by award-winning architects Peter Barber Architects and will be of high architectural quality. Full details of the design rationale are included in the Design and Access Statement.
- 7.54. The massing has been developed to respond to pre-application advice and in full consideration of impacts including daylight and sunlight and trees as evidenced further within this Section. The rear extensions step away from the rear boundary, improving the relationship with the buildings to the rear and will rationalise the appearance of the building, improving outlook from these properties. The roof extension is designed to complement and extend the existing architecture of the building and is similar to the existing double mansard extension at numbers 567-571 Finchley Road, on the same terrace.
- 7.55. The design is well considered and will further enhance a row of buildings that have aesthetic architectural and townscape merit by reusing attractive existing features of the building and restoring historic features that have been lost over time, including the front decorative gables/parapets and the traditional shopfronts.

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- 7.56. RBKC officers confirmed at pre-application stage that they supported the replacement of the existing shopfronts, noting that the replacement with a traditional shopfront would have a clear heritage benefit and would enhance the character and appearance of the host building and wider area in accordance with Camden Local Plan Policy D1. They also noted the reintroduction of the original decorative gable/parapets at the front of the property would be welcomed and encouraged by the Council.
- 7.57. RBKC Officers also confirmed the proposed extensions and design are supported subject to the Applicant demonstrating the amenity of neighbouring occupiers will not be harmed and that the proposed roof extension will be of a very high quality. Elevation and section drawings are included with the Application and the Design and Access Statement provides further detail at Section 3.0 to demonstrate that the roof extension will be of a very high quality. There will be no harm to neighbouring amenity as demonstrated in the 'Amenity Considerations' subheading below.
- 7.58. The proposed design and massing therefore accords with the aforementioned policies relating to design, heritage and townscape and should be supported by LBC based on previous Officer advice.

Noise and Air Quality

- 7.59. Policy CC4 advises that LBC will ensure that the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced in the borough. It confirms that Air Quality Assessments (AQAs) are required where development is likely to expose residents to high levels of air pollution.
- 7.60. An Air Quality Assessment is provided with the Application which concludes as follows:

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- An assessment has been undertaken to quantify the potential impacts on local air quality associated with the construction and operation of the Proposed Development. Based on the results of the assessment, it is considered that redevelopment of the Site would not cause a significant impact on local air quality.
 - An assessment of potential air quality impacts arising from the construction and operation of the Proposed Development at 551 - 557 Finchley Road in the London Borough of Camden has been undertaken.
 - During the construction phase, the Site has the potential to generate dust nuisance beyond the application boundary. However, through the implementation of a Dust Management Plan, the impacts will be effectively minimised and are unlikely to be significant.
 - Emissions from operational traffic associated with the Proposed Development are not anticipated to significantly affect local air quality, however detailed dispersion modelling was undertaken to assess the suitability of the Site for commercial development. The predicted pollutant concentrations at the Site are well within the short-term air quality standards set for the protection of health.
 - The Proposed Development has been assessed as Air Quality Neutral.

Neighbouring Amenity

- 7.61. Local Plan Policy TC4 (Town centre uses) is applied to proposals for town centre uses whether they are inside or outside of a centre. The Site sits outside a centre however hotels are considered to be 'town centre uses' and regard should be had to any harm to the character, function, vitality and viability of a

centre, the local area or the amenity of neighbours. The policy notes that any potential harm to amenity or the local area can be mitigated by planning conditions and obligations.

- 7.62. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight. They will grant permission for development unless this causes unacceptable harm to amenity.
- 7.63. The nearest residential dwellings are Burgess Park Mansions to the south-west of the Site and the existing flats on the upper floors of no. 551 Finchley Road. Officers confirmed at pre-application stage that the proposals are unlikely to impact the neighbouring flats at no.511. They noted that the reduction in massing at the lower ground floor level is welcomed and would reduce the existing impacts on the outlook from Burgess Park Mansions. However, Officers considered that as the proposal would result increased use of the property at the rear and the potential for overlooking from terraces, a full analysis of the impact on neighbouring amenity should be included in the planning application, to include impact on outlook, daylight/sunlight, lightspill, noise disturbance and privacy.
- 7.64. The Proposed Development has been carefully designed to ensure there are no harmful impacts to the amenity of neighbouring occupiers as explained within this subsection, which covers the topics of daylight, sunlight and overshadowing, noise disturbance and privacy and overlooking.
- 7.65. Outlook from neighbouring properties will be improved by the Proposed Development as it will rationalise the existing piecemeal, irregular extensions at the rear, pull back the massing from the rear boundary extent and provide

a series of private garden terraces that are likely to be greened with planting and fauna.

Daylight, Sunlight and Overshadowing

7.66. The planning application is supported by a Daylight and Sunlight Report prepared by Point 2 Surveyors.

7.67. The report advises that:

- a. The proposed scheme has been carefully designed having regard to the existing surrounding residential properties in terms of daylight and sunlight amenity.
- b. Nine properties comprising 215 windows serving 105 rooms have been assessed; the scheme demonstrates full compliance with the BRE Guidance for Daylight and Sunlight assessment.
- c. Daylight:
 - a. Whilst there are some minor VSC alterations to 7 properties, none of the alterations is noticeable as reductions are less than 20% (the greatest reduction is 4.06%), which the BRE Guidance considers to be unnoticeable. Similarly, only 3 properties experience NSL alterations, and as with VSC, all alterations are less than 20% (the greatest reduction is 10.1%), thus the reductions are unnoticeable.
- d. Sunlight:
 - a. All properties experience fully BRE compliant APSH alterations.

7.68. Point 2 Surveyors conclude that they fully support this planning application in terms of daylight and sunlight amenity.

Noise

- 7.69. The Noise Impact Assessment, which includes baseline background noise surveys, concludes that the Site is suitable for residential / hotel development taking into account the threshold set by LBC provided the proposed mitigation measures are implemented. This can be secured via condition. Refer to the Noise Impact Assessment for further details.

Privacy and overlooking

- 7.70. The possibility of privacy and overlooking has been carefully considered in the design of the building to ensure that there will be no adverse impacts on neighbouring residential amenity. Refer to Section 3.2 of the Design and Access Statement for full details. In summary:

- The apart hotel rooms at ground to 3rd floor have windows in the same, or similar location and orientation as the existing building maintaining the level of privacy currently enjoyed by neighbouring buildings.
- Windows in the additional 4th floor are in a similar location as the floors below, however, set back from the façade due to the pitch of the roof.
- A 1.8m high wall and trellis is proposed surrounding the ground floor terraces at the rear, and on the rear boundary at lower ground floor in order to protect the privacy of the neighbouring garden and buildings, and of the guests in the proposed lower ground and ground floor apart hotel rooms. Planters are proposed to be located at the foot of the wall and will be planted as part of the development works with climbing plants to wind through the trellis and provide a delightful, private outlook for guests and existing neighbouring residents.

Accessibility

- 7.71. The planning application is supported by a Design and Access Statement. This confirms that the proposal has been designed by the project team with inclusive access in mind, and will significantly improve access into and around the building as a result of the proposed alterations. Full details are included at Section 3.7 of the Design and Access Statement.
- 7.72. In conclusion:
- a. In line with Local Plan Policy C6, provision of the highest practicable standards of accessible and inclusive design will be incorporated into the building and the Site to ensure that it can be used safely, easily and with dignity by all.
 - b. Despite the constraints associated with the reuse of the existing building, two of the hotel rooms will be wheelchair accessible in accordance with the requirements of Building Regulations Part M Volume 2 (which requires that in hotels 1 in 20 rooms should be wheelchair accessible).
 - c. Two wheelchair user toilets will be provided for the co-working café space.

Levelling of the Lower Ground Floor

- 7.73. The proposals include the levelling of the existing lower ground floor of the property, which is below ground fronting Finchley Road but due to the changing levels across the Site, is at ground floor level at the rear of the property. This includes the removal of a raised patio in the rear garden area. It has been agreed with the Council's Officers that due to the limited extend of excavation required, a Basement Impact Assessment is not required in this instance.

Transport, Servicing and Waste and Construction Traffic

- 7.74. In line with Policy T1, the proposal prioritises sustainable modes of transport to the Site, comprising walking, cycling and public transport. As set out in the accompanying Transport Assessment, the Site is in a sustainable location with easy pedestrian and cycle access to local amenities.
- 7.75. In accordance with Policy T2, it is proposed that the development will be car-free. As set out in the Transport Assessment, blue badge parking spaces are available within the near vicinity.
- 7.76. Cycle parking provision is proposed in line with current London Plan standards, as follows:
- Apart-hotel - 1 space per 20 bedrooms (long-stay) plus 1 space per 50 bedrooms for visitors (short-stay); and
 - Co-working (B1) - 1 space per 90sqm (long-stay) plus 1 space per 500sqm for visitors (short-stay).
- 7.77. In terms of the flexible retail uses (A1-A5), the current London Plan only requires cycle parking provision for these uses from a threshold of 100sqm, therefore no cycle parking is required for these uses.
- 7.78. Based on the above, this equates to a requirement for three long stay parking spaces and to short-stay spaces. The Proposed Development proposes six cycle parking spaces (three stands) along the Site frontage on Finchley Road. In accordance with the London Plan, all cycle parking will be provided in convenient, safe and well-lit locations.
- 7.79. The development cannot provide more than current London Plan cycle parking standards due to the physical limitations on the Site, including the reuse of the

existing buildings and the fact there is no public realm within the Development – it fronts straight onto the public highway.

- 7.80. Officers have confirmed that a Travel Plan is not required for this application. In terms of servicing and deliveries, the Transport Statement concludes that based on similar size, mixed-use aparthotel sites, it is estimated that the Proposed Development will generate up to four general supply deliveries per day. This will include food, drink, couriers and postal/parcel deliveries, general offices supplies and linen. In addition, it is likely the small retail unit will generate occasional vehicle deliveries. It is anticipated that they will be carried out from Finchley Road, where parking is available between 7am-4pm for up to 30 minutes.
- 7.81. Details of the refuse strategy for the Development are included in the Design and Access Statement at Section 3.5. In summary, the refuse strategy has been based on the Camden Waste and Recycling Storage Requirements and will be via a commercial arrangement with the Council for the collection of the waste produced from the premises.
- 7.82. The apart hotel rooms will incorporate segregated recycling and refuse bins and will feature a minimum three compartments (for recyclables, kitchen waste and refuse). This refuse would be managed by the apart-hotel.
- 7.83. Appropriate internal waste storage will also be provided for the commercial units within the building's curtilage. Refuse for the apartment hotel, co-working space, café and flexible retail will be collected from Finchley Road. This strategy is similar to the current arrangement under the existing site use by the Language school, whereby waste is internally stored and placed on the kerbside in the evenings for commercial collection by Camden.

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- 7.84. Details of how traffic could be managed during Construction to ensure no adverse impacts on the road network are provided in the draft Outline Construction Traffic Management Plan which has been filled out using the Council's latest proforma. A final Construction Traffic Management Plan will be secured by planning condition or S106.

Energy and Sustainability

- 7.85. Local Plan Policy CC1 confirms that LBC 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. It confirms that they will:
- a. promote zero carbon development and require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy;
 - b. require all major development to demonstrate how London Plan targets for carbon dioxide emissions have been met;
 - c. ensure that the location of development and mix of land uses minimise the need to travel by car and help to support decentralised energy networks;
 - d. support and encourage sensitive energy efficiency improvements to existing buildings;
 - e. require all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building; and
 - f. expect all developments to optimise resource efficiency.
- 7.86. The planning application is supported by separate Energy and Sustainability Statements, prepared in line with the GLA's Energy Assessment Guidance 2018 and Camden's Energy and Efficiency CPG (2019).

7.87. The Statements confirm the development is targeting the achievement of BREEAM 'Excellent' and is expected to reduce on-site regulated carbon emissions by 26.1% against a pre-refurbishment baseline. Refer to the Energy and Sustainability Statements for a full assessment of the Proposed Development against the relevant policies and guidance. In Summary, the Statements describe the key energy and sustainability features of the Proposed Development as follows

- Key features that impact the sustainability of the proposed project include:
 - i. The reuse of previously developed underused land;
 - ii. Thoughtful design to reduce energy demand through enhanced building fabric;
 - iii. Efficient design of the proposed massing, openings and internal layouts so that habitable spaces benefit from abundant daylight and sunlight levels, whilst impacts to neighbouring buildings are kept to a minimum;
 - iv. Reduced demand for the use of new materials as some elements of existing structure will be reused;
 - v. Training and support for occupants during handover to enable the building to be used efficiently;
 - vi. High efficacy lighting and advanced controls
 - vii. Effective pollution management and control:
 - viii. The development is not expected to have any significant adverse effects to air, noise, land or watercourses.
- Overall, the Proposed Development at 551-557 Finchley Road meets the targets set out by London Borough of Camden and the Greater London Authority (GLA). The apart hotel and co-working/café areas of

the scheme could achieve a BREEAM score of 71.8%, exceeding the BREEAM 'Excellent' target of 70%.

- The number of credits obtained in the BREEAM pre-assessment and the sustainability measures incorporated reflect the client and design team's aspirations in integrating sustainability measures and demonstrates that the project is designed to exceed the planning policy sustainability requirements.
- By implementing the three step Energy Hierarchy as detailed in the previous sections, the regulated CO2 emissions for the development have been reduced against a pre-refurbishment baseline through on-site measures alone by 26.1% (41.7 tonnes per annum) across the whole site.
- The tables in the following pages summarise the implementation of the Energy Hierarchy for the proposed scheme and detail the CO2 emissions and savings against the baseline scheme for each step of the hierarchy; as well as the savings achieved through carbon offset.
- Overall, the Proposed Development has been designed to be in line with energy policies set out by the GLA and the London Borough of Camden which demonstrates the client and the design team's commitment to enhancing sustainability of the scheme.
- The development has also been designed in line with Camden Planning Guidance: Energy efficiency and adaptation where feasible. The shortfall from 20% reduction from low and zero carbon technologies is due to spatial limitations. The project being of a refurbishment nature has some site constraints which limit any alteration to the character of the building. Communal gas boilers have been proposed to provide heating and hot water for the apart-hotel considering the Site constraints. Air source heat pumps (ASHP) require more plant space, noise attenuation measures and should be properly ventilated. These

are usually located on the roof, however due to the nature of the building, these were not found to be suitable for the development.

- Photovoltaic panels were not considered in the development as these would alter the character of the building. Hence the development is not able to meet the 20% carbon savings from renewables.
- However, high-performance thermal envelope and passive design measures have been implemented and the carbon savings through demand reduction measures alone exceeds the new efficiency target set by the GLA of 15% for non-domestic development.

Tree Impacts

- 7.88. An Arboricultural Impact Assessment has been provided with the Application to assess the impacts of the Proposed Development on nearby trees against relevant policies and guidance. It concludes as follows.
- 7.89. The existing site comprises a mixed-use property with substantive rear garden containing a number of trees potentially constraining development. The proposal includes the renovation and redevelopment of the Edwardian block into a multi-use building.
- 7.90. There are 5 trees on the property and adjoining land outside of the application boundary that are within close proximity to the development and need to be assessed. These are all judged as being moderate and low-quality trees.
- 7.91. The report has assessed the impacts of the development proposals and concludes there would be at most a low impact on the resource: a small portion of trees will be removed or pruned to facilitate construction. Those removed have more collective than individual specimen value, such that their

loss could be mitigated with new planting, bringing its own benefits to a relatively unmanaged resource.

- 7.92. Similarly, though pruning here is to serve development, if undertaken to best practice, the scale envisaged should not be altogether untoward in an occupied site.
- 7.93. Whilst the default position is that structures be located outside the Root Protection Area* (RPA) of trees to be retained, there are some modest encroachments that could not be avoided in the design of the scheme. The report has demonstrated that the tree(s) can remain viable and also proposes a series of mitigation measures to improve the soil environment that is used by the tree for growth. Net impacts are assessed therefore as being low.
- 7.94. Notwithstanding the above assurances, the report sets out a series of recommendations prior and during construction that will ensure impacts to trees are minimised. These are detailed in sections 6.3 and 8 of the report.
- 7.95. In conclusion, the proposal, through following the above recommendations, will have no, or very limited, impact on the existing trees and is considered acceptable.

8. PLANNING OBLIGATIONS & SECTION 106

8.1. Below we set out the draft Section 106 Heads of Terms for the Proposed Development. The draft Heads of Terms have been considered in relation to the Council's Developer Contributions CPG (2019) and comments received by Officers during pre-application. The draft S106 Heads of Terms are as follows:

- Car free development
- Construction Management Plan
- A one off financial contribution to cover the costs of reviewing the CMP (£tbc - to be agreed with Officers)
- Energy efficiency and renewable energy plan
- Sustainability Plan
- Construction Traffic Management Plan
- Construction and End Phase Employment and Training Opportunities (tbc)

8.2. The scheme will be liable to Community Infrastructure Levies for both the Mayor of London and the London Borough of Camden.

9. CONCLUSIONS

- 9.1. This Planning Statement has been prepared to accompany a full planning application for the following:

“Change of use from Use Classes B1a/B1c/A1/D1 and remodelling of the existing building to provide apart-hotel (C1) and co-working/café (B1/A3) and a flexible retail/non-residential institution/assembly and leisure unit (A1, A2, A3, A4, A5/D1/D2), alterations including partial demolition and extensions at the rear at lower ground, ground and first floor levels, extension to provide an additional storey at roof level, levelling of the lower ground floor level, remodelling and restoration of front façade, cycle parking and all associated works.”

- 9.2. The Planning Statement has assessed the proposals against the provisions of the NPPF, London Plan, LBC Development Plan and supplementary planning guidance. It is considered that the proposal generally accords with the relevant local, regional and national policies and delivers significant benefits. In particular:

- The delivery of a high quality mixed use development;
- Heritage benefits comprising the reinstatement of historic architectural features and installation of a traditional shopfront, enhancing the character, appearance and townscape setting including the adjacent Conservation Area;
- The delivery of an energy-efficient and sustainable building, which makes the best use of previously developed land;
- The provision of a new apart-hotel helping to meet both LBC and London demand;

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- The replacement of poor quality B1 and A1 floorspace with high quality employment generating floorspace including flexible and innovative co-working/café floorspace.
 - The provision of qualitative improvements to the outlook from adjacent properties;
 - The provision of new jobs both directly and indirectly during construction and operational phase;
 - Increased economic spend in the area;
 - Employment and training initiatives to be agreed with Officers; and
 - S106 and CIL contributions towards local infrastructure.

9.3. It is clear from the preceding sections that the proposal represents a sustainable form of development for which there is a “presumption in favour” as set out in national, regional and local planning policies. The Proposed Development would deliver an exemplary, sustainable and economically viable development which would have many regenerative and economic benefits for the Site and immediate surrounding area.

9.4. In summary, the change of use, extension and remodelling of the Site and the proposed mixed of uses would deliver significant benefits including heritage benefits and will generate jobs in both the construction and occupation phases of the scheme and increased spend in the local economy. The proposals represent an important opportunity to improve upon the existing quality of accommodation and uses and maximise the effective viable use of the Site for a mix of uses supported by the Development Plan to enhance the economy of the local area. For the reasons set out in our statement, the proposals broadly accord with the provisions of the Development Plan and should therefore be approved without delay.dp9