

# 307 (AND 309) FINCHLEY ROAD, CAMDEN

## PLANNING, DESIGN AND ACCESS STATEMENT

Prepared By

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*PROJECT: 307-309 FINCHLEY ROAD, CAMDEN*

*REFERENCE: 702*

*DATE: SEPTEMBER 2021*



**Client(s)**

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**carlton**  
PROPERTY

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## 1.0 INTRODUCTION

- 1.1 This Planning, Design and Access Statement has been prepared on behalf of The Carltone Group and accompanies their planning application in respect of proposed works at 307 (and 309) Finchley Road, Camden NW3.
- 1.2 No.307 Finchley Road occupies the corner of Finchley Road and Lithos Road. It is not within a conservation area but does form part of a group of Locally Listed Buildings (nos.289-315 Finchley Road). The local listing notes that no.307 retains a good original shopfront at the corner with Lithos Road. The rear part of no.307 fronts Lithos Road, is much more utilitarian, detracting from the locally listed host. This rear part has clearly been added to over the years, resulting in a largely ad-hoc modern/ post war addition of commercial/office appearance. Of particular note are large expanses of curtain glazing and corrugated metal sheeting at second and third floor levels, which are now failing. No.307 accommodates retail and office floorspace at ground floor, with self contained flats over upper floors.
- 1.3 No.309 Finchley Road, which falls under the Applicants ownership, but is unaffected by the proposed works, comprises a 4 storey Victorian property of a consistent aesthetic to its neighbour at no.307. Prior to the Applicants ownership, the property lawfully accommodated the Secrets Strip Club (Sui Generis) which included the basement level under no.309 as well as no.307. Upper floors are in residential use. The club use caused many issues over the years and its unsavoury history had been well documented in the press. The use attracted anti-social behaviour, noise and disturbance at the expense of local residents.
- 1.4 Accordingly, in 2017, the Applicants sought permission for change of use of part of the 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. Additionally, it was sought to relocate a bike store and change the use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis).
- 1.5 Façade alterations were also sought to the Lithos Road elevation of No.307 and alterations to the rear elevation at basement and ground floors together with roof extensions to the rear of 307 to provide 4 self-contained units (2xstudio, 1x1 bed and 1x2 bed). It was also proposed to convert No.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.
- 1.6 Planning permission was granted in March 2019 under reference 2017/3710/P (decision notice attached at Appendix 1). The permission was subject to affordable housing payment (in line with Camden Local Plan Policy H4, as well as the requisite CIL payment). Both payments are due on or prior to commencement of the development.
- 1.7 The Applicants discussed the payments with the LPA and explained that the approved proposals could not be viably implemented where it was insisted that payments were due on commencement of works. Officers had offered some relaxation to the payment of the affordable housing contribution, but not relaxation to the larger CIL payment which was the principal obstacle to the development.
- 1.8 Accordingly, to allow the development to proceed, viably, the Applicants sought to implement the development in two phases.
- 1.9 In 2019, the Applicants sought permission for phase 1 of the works, namely, the *change of use of part of the 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 (ground floor only), fire escape from the basement to ground floor to the rear or 309 Finchley Road and alterations to shopfront of 309 Finchley Road. Relocation of bike store and change of use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis).* Planning permission was granted under application 2019/1438/P on 15 August, and the works have since been completed on Site.

- 1.10 Now that the Phase 1 works have been completed, the Applicants are returning to the LPA for consent to implement Phase 2, comprising façade alterations to the Lithos Road elevation of No.307 (upper levels) together with roof extensions to the rear of 307 to provide 4 self-contained units (2xstudio, 1x1 bed and 1x2 bed).
- 1.11 Previously (under application 2017/3710/P, it had been proposed to convert No.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 associated extensions at upper levels. However, the Applicants have resolved to abandon those works and have retained and let the accommodation in its existing form. No works are therefore proposed at no.309.

#### Statement Structure

- 1.12 This statement first provides a description of the site and surrounding area (section 2), followed by a summary of relevant planning history (section 3).
- 1.13 Section 4 provides a description of the proposed development.
- 1.14 In section 5 we identify the relevant planning policy framework; section 6 provides an appraisal of the development proposals against current policy and other material planning considerations.
- 1.15 This statement is concluded in section 7.

## 2.0 DESCRIPTION OF THE SITE AND SURROUNDING AREA

2.1 Nos.307 Finchley Road occupies the junction of Finchley Road and Lithos Road.

2.2 The frontage of no.307 Finchley Road, also known as Carltone House, comprises a Victorian (c.1891) red brick building with grey painted base, formed of 3 floors with highly articulated and decorative elevations together with elaborate pediment detail at roof level. This property is locally listed, identified as a building of Townscape Merit.



307 FINCHLEY ROAD

2.3 The rear part of no.307 (known as Lithos House) comprises a largely modern part 3, part 4 storey addition. The extension is formed of red brick, with large areas of fenestration at second floor level, corrugated metal third floor, and a large, projecting glass atrium/core feature further along Lithos Road. The extension is not considered to respect the host or setting. The glazed areas, particularly at second floor level, are failing and require complete replacement.

2.4 At ground floor level, at the junction with Lithos Road, no.307 accommodates an A2 use (now Class E). The remainder of the ground and basement level accommodates short let accommodation (sui generis, as approved under permission 2019/1438/P).

2.5 The neighbouring property at no. 309, last accommodated Secrets Strip Club (Sui Generis) but now comprises office floorspace at ground floor and basement level, together with a large bicycle store which serves the upper floors of both no's 307 and 309 Finchley Road (as approved under 2019/1483/P).

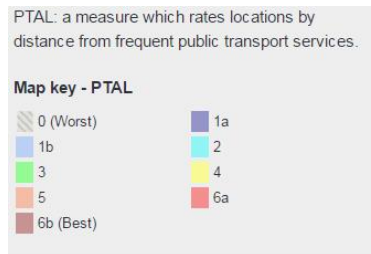
2.6 The character and appearance of the surrounding area is mixed. Finchley Road accommodates predominantly 4 storey buildings, largely Victorian albeit with some modern infill's. Ground floor levels accommodate a range of commercial uses including retail, restaurant and business uses, upper floors typically accommodate residential uses.



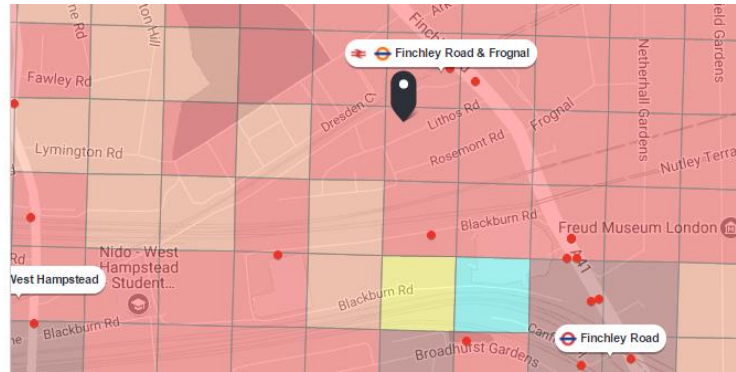
FINCHLEY ROAD (307 FINCHLEY ROAD ON LEFT)



- 2.7 Lithos Road is more residential in both character and appearance, characterised by 3-4 storey terraces, largely Victorian, also with some modern infill developments to the northern side of the Road. Further west along Lithos Road the scale of development increases, accommodating buildings of up to 7 storeys in height.
- 2.8 The site has a confirmed Public Transport Accessibility Level (PTAL) of 6; on a scale where 1 is the worst and 6 is the best, making it one of the most accessible and sustainable locations in London.



**PTAL output for Base Year  
6a**



**PTAL MAP (SOURCE: TFL WEBCAT 2021)**

### 3.0 PLANNING HISTORY

- 3.1 The Site has a long planning history. We provide a summary of the pertinent applications below;

#### **2017/3710/P**

*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.*

- 3.2 In recommending the scheme for approval, the loss of the strip club, which has had a negative impact on neighbouring amenity in terms of anti-social behaviour, noise and disturbance, was welcomed. The relocation of the office floorspace was also considered acceptable and the uplift in the office floorspace in the Finchley Road / Swiss Cottage Town Centre would accord with policy E1.
- 3.3 The proposed extensions and alterations to the Lithos road elevation were assessed to provide an improved façade treatment and an enhancement to the street scene. The new façade was noted to be more in keeping with the 19th century building and the wider context of this part of Finchley Road. Moreover, the extension would preserve the architectural and townscape significance of the locally listed buildings.
- 3.4 The proposal provided 5 additional self-contained flats. Officers considered such provision would accord with Policy H1 which identifies self-contained housing as the priority land use of the Local Plan.
- 3.5 Regarding the basement and ground floor levels of the building, due to the quality of the spaces it was considered appropriate for use as short term let accommodation only. The site was noted as falling within the Finchley Road / Swiss Cottage Town Centre and therefore the 5 short-term lets would be easily reached by public transport and would not harm residential amenity, in accordance with Policy E3.
- 3.6 In conclusion, Planning Permission was granted subject to conditions and a Section 106 Legal Agreement covering the following Heads of Terms:-
- Affordable housing contribution (£78,713)
  - Construction management plan (CMP)
  - CMP implementation support contribution (£3,240)
  - Car free
  - Open space contribution £10,375
  - Sustainability Plan
  - Energy efficiency plan
  - Servicing management plan
- 3.7 It should be noted that when the above application was originally submitted, Camden's latest Local Plan was not adopted, accordingly Policy H4 did not apply. By the time the application was determined in 2019, the New Local Plan was in full effect. This financial contribution was therefore not anticipated when the proposal was being prepared (which included circa 12 months pre-app discussion etc prior to its formal submission in 2017).



- 3.8 In addition to the affordable housing payment, the 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. The relevant charge is £14,925 (298.5sqm x £50) for Mayoral CIL and £148,250 (298.5sqm x £500) for Camden's CIL for the Camden CIL.
- 3.9 Payment of the above, together with the associated build costs of the development renders the scheme unviable. Accordingly, to render the scheme more manageable, the applicants propose split the approved development into two phases.

#### 2019/1483/P

- 3.10 Following the above, the Applicants sought consent for phase 1 of the approved works, namely *'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 lightwell and other alterations to Lithos Road elevation (ground floor only), fire escape from the basement to ground floor to the rear or 309 Finchley Road and alterations to shopfront of 309 Finchley Road. Relocation of bike store and change of use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis)'*.
- 3.11 Permission was granted 15<sup>th</sup> August 2019. A copy of the decision notice is attached at Appendix 2.
- 3.12 In recommending the scheme for approval, informative 1 attached to the decision noted that *'planning permission was granted 08/03/2019 for the works proposed under application ref: 2017/3710/P. The applicant has proposed to take a phased approach to the proposal so that phase 1 only includes the works at basement and ground floor and excludes the creation of dwellings at roof level and within 309 Finchley Road'*.
- 3.13 The informative goes on to note that *'the proposed alterations to the ground floor elevations of Lithos Road and Finchley Road have been modified from those previously approved. All the works hereby proposed were assessed under the previous application and considered to be acceptable'*.
- 3.14 With regard to uses, officers confirmed that *'here are no policies in the Local Plan which protect strip clubs and the existing use has a negative impact on neighbouring amenity in terms of anti-social behaviour, noise and disturbance. The proposal would relocate the office accommodation to a single unit split over basement (86.16sqm) and ground floor (66.7sqm). In total 152.86sqm of office floorspace would be provided which would be located to the front of 307 and the whole of 309 Finchley Road at basement level and the whole of 309 at ground floor level. The development would result in an uplift of 68.76sqm of B1 use. The relocation of the office floorspace is considered acceptable and the uplift in the office floorspace in the Finchley Road / Swiss Cottage Town Centre would accord with policy E1'*.
- 3.15 With regard to the duplex units for short term lets (Sui Generis) officers noted that *"While permanent residential accommodation is the priority land use of the Local Plan, in this instance the provision of permanent self-contained housing at basement and ground would provide an unacceptable quality for long-term use and would not meet residential development standards. Policy E3 (Tourism), recognises the importance of the visitor economy in Camden and supports smaller-scale 4 visitor accommodation in the Town Centres. A condition would be included to ensure that the short term let units could not be occupied as permanent residential accommodation. A management plan for the short term let accommodation would be secured by legal agreement"*.
- 3.16 In conclusion the informative states *"the planning and appeal history of the site has been taken into account when coming to this decision. No objections have been received and a letter of support was received from the Neighbourhood Forum. As such, the proposed development is in general accordance with policies D1, D2, D3, E1, E3, T1, T2, TC4 and A1 of the Camden Local Plan 2017; and Policy 2, 3, 7, 8 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan. The development also accords with the NPPF and the London Plan 2016"*.

#### 4.0 THE PROPOSED DEVELOPMENT

- 4.1 The works under the above phase 1 have been completed.
- 4.2 Phase 2, the works for which permission are sought under this application, comprise façade alterations and extension to the Lithos Road elevation and roof extension to provide 4 self-contained units (2xstudio, 1x1 bed and 1x2 bed) together with associated terraces (Class C3).
- 4.3 Part of the works to alter and extend the Lithos Road elevation allow the improvement and enlargement of 3 existing flats, at first, second and third floors.



- 4.4 The bike store at basement level in 309 reflects that approved under 2017/3710/P and 2019/1483/P, comprising a total of 22 spaces, (re-providing the 16 in situ) as well as the new spaces required for the flats to be implemented over upper levels (in this phase 2).
- 4.5 The above works are in line with the original consent in 2017/3710/P.

## 5.0 THE PLANNING FRAMEWORK

- 5.1 The site falls within the Finchley Road / Swiss Cottage Town Centre and the Fortune Green and West Hampstead Neighbourhood Area.
- 5.2 The site does not fall within a conservation area but the group of buildings of which the site forms a part (along Finchley Road, not Lithos Road), is locally listed (289-315 and 164 to 200 Finchley Road). The nearest conservation area (Redington Froggnal) is located approximately 60m away on the opposite side of Finchley Road.
- 5.3 The following policies are relevant to the application proposals:

### **NPPF (2021)**

#### **The London Plan (2021)**

#### **Camden Local Plan (2017)**

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

#### **Fortune Green and West Hampstead Neighbourhood Plan**

Policy 1 Housing  
 Policy 2 Design & Character  
 Policy 3 Safeguarding & enhancing Conservation Areas & heritage assets  
 Policy 7 Sustainable Transport  
 Policy 8 Cycling

Policy 12 Business, Commercial and Employment Premises & Sites

**Supplementary Planning Policies**

**Camden Planning Guidance**

CPG1 Design

CPG2 Housing

CPG3 Sustainability

CPG5 Town centres, retail and employment

CPG6 Amenity

CPG7 Transport

CPG8 Planning obligations

## 6.0 PLANNING ASSESSMENT

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

- Land use/ Housing (quality, mix and affordable)
- Design and Appearance
- Daylight/Sunlight
- Overlooking
- Transport
- Sustainability

### a. Land Use/Housing

#### *New Housing*

- 6.2 Local Plan Policy H1 (Maximising housing supply) states that the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31, including 11,130 additional self-contained homes. Camden will seek to exceed the target for additional homes, particularly self-contained homes by regarding self-contained housing as the priority land-use of the Local Plan.
- 6.3 The proposal provides four additional self-contained flats at roof level (4th floor level) of 307 Finchley Road and improved accommodated within the converted and extended frontage along Lithos Road. Such provision would accord with Policy H1 of the Local Plan and would be acceptable subject to it providing acceptable quality of residential accommodation.
- 6.4 Prior approval was previously granted 04/12/2013 for a change of use of ground floor (part), 1st, 2nd and 3rd floors from offices (Class B1) to 21 residential units (C3) at 307 Finchley Road (planning ref: 2013/5640/P). The current application would enlarge three of the existing studio units, at first second and third floor level, to create three 1-bed flats. The 35sqm studio at 1st floor level would be enlarged to provide a 1-bed flat measuring 57sqm. The 32.5sqm studio at 2nd floor would be enlarged to provide a 1-bed flat measuring 59.8sqm. The 32.5sqm studio at 3rd floor would be enlarged to provide a 1-bed flat measuring 56.7sqm. The existing studios are undersized and do not comply with the minimum floorspace requirement set out in the London Plan (37sqm). The 1-bed flats proposed would exceed the minimum size requirement for this type of accommodation (50sqm).
- 6.5 At 4th floor level, a set-back roof extension would provide 4 self-contained flats (2xstudio, 1x1 bed and 1x2 bed) with terraces on Lithos Road and to the east (facing towards the flank elevation of the neighbouring property, Jesmond Dene, Lithos Road).
- 6.6 Whilst the conversion of 2- bed flats to 1-bed flats in No. 307 appears to result in the loss of a unit type which is a higher priority, the existing floorspace of these units (53sqm) demonstrates that they did not comply with the minimum floorspace requirement for 2-bed flats (a 2- bed flat for 3 people should have a minimum floorspace of 61sqm, while a 2-bed flat for 4 people should have at least 70sqm of floorspace). The proposed floorspace of the newly created 1-bed units within No. 307 would accord with the London Plan standard (minimum floorspace 50sqm).
- 6.7 Taking into account the loss of the two undersized 2-bed flats within 307 Finchley Road (converted to 1-bed flats), the development would provide three additional 1- bed flats and 2 studio flats. One-bedroom units and studios are a lower priority for market housing. However, the overall increase in 1-bed units is in part down to the undersized 2-bed flats becoming 1-bed flats.

- 6.8 Under application 2017/3710/P, the Council acknowledged that there is a need and demand for dwellings of every size shown in the dwelling size priorities table (Policy H7). The Council expects most developments to include some homes that have been given a medium or lower priority level. While the majority of the flats are a lower priority dwelling size, this is due to the existing mix of flat sizes within the site. The addition of four flats in a lower priority is considered acceptable in this particular instance as it would allow some of the existing flats to be resized so that they accord with London Plan space standards, improving the standard of accommodation.
- 6.9 All of the flats would meet or exceed the London Plan minimum space standards for floorspace (London Plan Policy 3.5). The four flats provided in the 4th floor roof extension to 307 Finchley Road would have access to a terrace providing private outdoor amenity space ranging in size from 4.5sqm to 21sqm. All but one of the terraces would exceed the requirements (5sqm) set out in the Mayor's Housing SPG (Standard 26).
- 6.10 The terrace for Flat 3 and 4 at fourth level would require a privacy screen between the two terraces. Details of the privacy screen can be secured by condition.

#### *Affordable Housing*

- 6.11 Policy H4 aims to maximise the supply of affordable housing. The Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more.
- 6.12 A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity. The proposed development comprises 4 new homes, totalling 194.8sqm GIA, generating an 8% affordable housing requirement.
- 6.13 Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing. It is understood that the payment in lieu would be c£5000 per sqm. The Applicant would secure the required affordable payment by legal agreement to any forthcoming consent.
- 6.14 Accordingly, based on the above, it is considered that an affordable payment of c. £78,000<sup>1</sup>

#### *Waste/recycling*

- 6.15 A communal residential waste and recycling store is incorporated at ground floor level along Lithos Road. The bin store measures 2m by 2.25m. This bin store is consistent with that approved under 2017/3710/P and will serve the 5 short let units sought under phase 1, as well as the 4 additional flats sought under this phase.
- 6.16 Provision of bins are split equally between refuse and recycling including provision for food waste.

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<sup>1</sup> Additional floorspace (194.8sqm), additional homes (4), affordable housing % target (8%)  
 Affordable housing target = 8% x 195sqm = 15.60  
 Payment in Lieu = 15.60 x £5,000 = £78,000



## b. Design and appearance

- 6.17 The approved development comprised various alterations and extensions, including replacement of the existing late 20th century Lithos Road frontage of the building.
- 6.18 Phase 1 involved works to the ground and basement levels only. Minor changes have been implemented to the shopfront. A lightwell has been created at ground and basement level on the Lithos Road elevation within the existing footprint.
- 6.19 Under the current application, works are limited to the upper floors along Lithos Road, and the top floor extension to no.307, which are identical to the approved works under 2017/3710/P. In approving the works previously, officers provided the following assessment, concluding that the works were acceptable and in accordance with Local Plan Policy. Firstly, with regard to the works to the Lithos Road elevation the officer report stated;

*“The proposals seek to extend and replace the existing late 20th century Lithos Road frontage of the building. It is proposed to remove the existing 1980’s sloping glazed curtain walling with new façade, expressed in brick with tall and elegant fenestration elements framed by layered brickwork surrounds. At each level, the new façade would constantly step back creating a more open junction with the original No 307 building and therefore would highlight the corner as the centre piece of the entire composition. At the western end the proposed development would include an extension at ground, first and second floor level which would bring this part of the building in line with the building line of the elevation proposed along the remainder of the Lithos Road elevation. This extension would step forward by 4.1m with the most western portion of the building (4.3m wide) remaining in line with the neighbouring buildings on Lithos Road (Jesmond Dene and 2 Lithos Road). This extension is considered to re-balance the overall composition of the Lithos Road elevation”.*

- 6.20 With regard to the 4<sup>th</sup> floor roof extension, officers said;

*“The proposed 4th floor roof extension would be expressed in lightweight materials, metal cladding and glass. This volume would be set back substantially from the main building line. The proposed setback and material palette would give a lightweight appearance and ensure minimum visibility from the street level. It is considered that the proposals would provide an improved façade treatment and an enhancement to the street scene. The new façade would be more in keeping with the 19th century building and the wider context of this part of Finchley Road”.*

- 6.21 With regard to the heritage impact on the adjacent locally listed terrae, officers considered that “the late 20th Century modern extension along Lithos Road, especially its upper mansard roof and projecting glazed stair riser, are constructed of relatively poor quality and visually obtrusive materials and are not considered to be of architectural or historic interest. The modern extension is therefore assessed as a negative attribute that detracts from the historic building’s contribution to local views. Partial demolition of the existing Lithos Road elevation would remove features which detract from the significance of no. 307 Finchley Road and the positive contribution that it makes to the local townscape. Despite the slight increase in massing represented by the redeveloped building, several key design features would preserve the significance and setting of the host building. Most notable would be the effect of reducing the visible flank wall of the glazed stair core of the existing Lithos House, reducing its visual dominance in views west along Lithos Road. The entire redeveloped elevation would be slightly set back from the historic building line of no. 307 Lithos Road, thereby ensuring that it is read as a visually recessive element in the composition”.
- 6.22 Officers further noted that the façade would be constructed of high-quality brick which would incorporate moulded brick window surrounds to the second and third storeys. This will complement the high-quality brick construction of no. 307 whilst presenting a simplified range of materials that appears contemporary but coherent alongside the host building. The fenestration of the redeveloped façade would incorporate tall rectangular windows slightly set back from the building line. These are similar in

size and proportion to the existing windows found along Finchley Road and would reinforce the vertical rhythm of the elevation.

- 6.23 Given this assessment, it is concluded the proposed works would continue to preserve the architectural and townscape significance of the locally listed buildings, and the wider townscape.

**c. Daylight and sunlight**

- 6.24 Under planning permission 2017/3710/P, there was much discussion regarding daylight and sunlight impact, largely due to the proposed works at upper levels which including extensions and reconfiguration of existing self-contained flats (Use Class C3).

- 6.25 The proposed works are consistent with the above consent, and the immediate context has not changed in terms of the analysed impacts of the development. Accordingly, the proposals are deemed to remain acceptable in daylight and sunlight terms, as was concluded under the 2017 permission. A copy of the original assessments is submitted herewith for reference.

**d. Overlooking**

- 6.26 Similar to daylight/sunlight above, permission 2017/3710/P raised potential overlooking concerns largely due to the proposed permanent residential accommodation (Use Class C3) over upper levels. This was particularly relevant to proposed flats with an aspect to the rear of the site which is characterised by a relatively tight courtyard arrangement.

- 6.27 The proposed works at no307 Finchley Road remain consistent with the 2017 permission. In approving that development, the officers report concluded that there is a tight relationship between the rear of 309 Finchley Road and the rear of 307 Finchley Road with many windows looking onto a communal lightwell. A condition was applied to ensure that obscure glazing would be fitted to relevant windows in accordance with the submitted plans (and retained as such).

**e. Transport**

*Car Free*

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

*Cycle parking*

- 6.29 In line with Policy T1 of the adopted Local Plan, cycle parking should be provided in accordance with the standards set out in the London Plan. A cycle store for 22 spaces is provided at basement level. This re-provides the existing 16 cycle parking spaces in a secure cycle store at ground floor level, as well as the cycles for the residential proposed under this application.

**f. Sustainability**

- 6.30 The Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during

construction and occupation. The Council promotes zero carbon development and requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy.

- 6.31 The Phase 1 works did not trigger the need for an energy/sustainability statement under Camden Local Plan policy. Nonetheless, it was acknowledged that the proposed works were part of a wider strategy for the building involving the net addition of residential flats.
- 6.32 Accordingly, under the previous applications the Applicants submitted an Energy & Sustainability Statement which was approved under 2017/3710/P. This demonstrated that the Energy Hierarchy (for Phases 1 and 2) has been implemented and the development is expected to achieve regulated CO2 savings of 63% (44.6% total) across the entire site: 26.6% for the new build domestic part, 64.7% for the domestic refurbishment, and 67.6% for the non-domestic part of the development, against an existing building baseline for the refurbishment portion of the scheme, and a Part L 2013 Baseline for new build elements where relevant. The reductions in CO2 were secured by condition.
- 6.33 Since the above consents, the new London Plan (2021) has been adopted. Furthermore, the conversion works to no309, which were proposed under the previous applications, are no longer sought. Accordingly, the Applicants instructed XC02 to prepare an updated strategy for the site, factoring in the implemented phase 1 works, together with the works now proposed under this phase 2 application. Please see enclosed Energy and Sustainability report by XC02 herewith. We provide a summary below.
- 6.34 The proposed development has been designed in line with the targets set out by Camden and the Greater London Authority (GLA). By implementing the three step Energy Hierarchy, the Regulated CO2 emissions for the development have been reduced against a Part L 2013 compliant scheme through on-site measures alone by 28.6% (2.6 tonnes per annum) across the whole site.
- 6.35 A range of renewable technologies were considered for generating on-site renewable energy. Photovoltaic panels were considered a suitable technology for this development due to adequate roof space, easy installation process, and substantial CO2 savings. The incorporation of this technology into this development would contribute a reduction of 10.5% (over the sitewide baseline) resulting in a total offset of 28.6% of regulated CO2 emissions over the baseline emissions.
- 6.36 Water efficient fittings are specified to limit water consumption to less than 105 litres per person per day for domestic uses.
- 6.37 The proposals further proposed improvement of biodiversity and SUDS on site through the introduction of green roofs.
- 6.38 Overall, the proposed development has been designed in line with the 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.

#### *Surface water run off*

- 6.39 The Council seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The Council requires development to utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible (policy CC3).
- 6.40 Storage in the form of a rainwater attenuation tank (4.2 cubic metres) was provided at basement level as part of the 2019. This system provides storage for the wider development (phases 1 and 2). In addition, sustainable urban drainage systems (SuDS), comprising green roofs, are now incorporated on site and the buildings' fabric and structure will be designed to minimise risk of infiltration and damage via flooding where possible. The green roof also assists in addressing the new London Plan's ambitions for Urban Greening (Policy G5).

## 7.0 SUMMARY AND CONCLUSIONS

- 7.1 Planning permission was granted in March 2019 under reference 2017/3710/P for the following works;

*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.*

- 7.2 The permission was subject to affordable housing payment (in line with Camden Local Plan Policy H4), as well as CIL. Both payments are due on or prior to commencement of the development.
- 7.3 The applicants discussed these payments with the LPA and explained that the approved proposals cannot be viably implemented where it is insisted that payments are due on commencement. Whilst some relaxation was offered on the affordable housing contribution, no such relaxation could be offered on CIL. Accordingly, the Applicants sought to implement the development in phases, to make the financial implications more manageable.
- 7.4 In 2019 the Applicants obtained permission for 'phase 1' (ref: 2019/1483/P), namely '*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 lightwell and other alterations to Lithos Road elevation (ground floor only), fire escape from the basement to ground floor to the rear or 309 Finchley Road and alterations to shopfront of 309 Finchley Road. Relocation of bike store and change of use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis)*'. The works have been completed.
- 7.5 The current application (phase 2) seeks permission for the remainder of the works, namely, façade alterations and extension to the Lithos Road elevation and roof extension to provide 4 self-contained units (2xstudio, 1x1 bed and 1x2 bed) together with associated terraces (Class C3). Part of the works to alter and extend the Lithos Road elevation also allow the improvement and enlargement of 3 existing flats, at first, second and third floors. The works are in line with the original consent in 2017/3710/P.
- 7.6 This statement has provided an assessment of the latest proposals against the Local Plan (2017), and the more recently adopted London Plan. For the reasons set out above, it is considered that the proposals remain acceptable and in accordance with the adopted planning policies.

## APPENDICES

**APPENDIX ONE**

**DECISION NOTICE 2017/3710/P**



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

Nicholas Taylor + Associates  
31 Windmill Street  
W1T 2JN



Development Management  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
Phone: 020 7974 4444  
[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

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 sill), 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

- a detailed scheme of maintenance
- sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- 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.

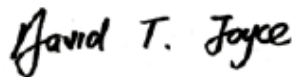
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council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



David Joyce  
Director of Regeneration and Planning

**APPENDIX TWO**

**DECISION NOTICE 2019/1438/P**

Application ref: 2019/1438/P  
Contact: David Peres Da Costa  
Tel: 020 7974 5262  
Date: 15 August 2019

Nicholas Taylor + Associates  
46 James Street  
London  
W1U 1EZ  
England



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

Phone: 020 7974 4444

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

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 lightwell and other alterations to Lithos Road elevation (ground floor only), fire escape from the basement to ground floor to the rear of 309 Finchley Road and alterations to shopfront of 309 Finchley Road. Relocation of bike store and change of use of office (B1) on Lithos Road to 1 short term let unit (Sui Generis).

Drawing Nos: Site location plan (69-001); 79:-010; -011; -300; 321 Rev A; -322 Rev A; -100 Rev A; -101 Rev A; Energy & Sustainability Statement prepared by XCO2 dated March 2018

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 and D2 of the London Borough of Camden Local Plan 2017.

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

Site location plan (69-001); 79-010; -011; -300; 321 Rev A; -322 Rev A; -100 Rev A; -101 Rev A; Energy & Sustainability Statement prepared by XCO2 dated March 2018

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

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

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

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

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

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

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

- 5 The cycle storage area for 22 cycles shown on the plans hereby approved shall be designed in accordance with London Cycling Design Standards and 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.

- 6 Short-term lets

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.

- 7 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.

Informative(s):

1 Reason for granting permission

Planning permission was granted 08/03/2019 for the works proposed under application ref: 2017/3710/P. The applicant has proposed to take a phased approach to the proposal so that phase 1 only includes the works at basement and ground floor and excludes the creation of dwellings at roof level and within 309 Finchley Road. The proposed alterations to the ground floor elevations of Lithos Road and Finchley Road have been modified from those previously approved.

All the works hereby proposed were assessed under the previous application and considered to be acceptable. There are no policies in the Local Plan which protect strip clubs and the existing use has a negative impact on neighbouring amenity in terms of anti-social behaviour, noise and disturbance.

The proposal would relocate the office accommodation to a single unit split over basement (86.16sqm) and ground floor (66.7sqm). In total 152.86sqm of office floorspace would be provided which would be located to the front of 307 and the whole of 309 Finchley Road at basement level and the whole of 309 at ground floor level. The development would result in an uplift of 68.76sqm of B1 use. The relocation of the office floorspace is considered acceptable and the uplift in the office floorspace in the Finchley Road / Swiss Cottage Town Centre would accord with policy E1.

Four duplex units for short term lets (Sui Generis) would be provided. In addition, the proposed development would also convert the existing cycle store and adjoining office to a further short term let unit at ground floor level. In total, 219.6sqm of short term let floorspace would be provided. While permanent residential accommodation is the priority land use of the Local Plan, in this instance the provision of permanent self-contained housing at basement and ground would provide an unacceptable quality for long-term use and would not meet residential development standards. Policy E3 (Tourism), recognises the importance of the visitor economy in Camden and supports smaller-scale



visitor accommodation in the Town Centres. A condition would be included to ensure that the short term let units could not be occupied as permanent residential accommodation. A management plan for the short term let accommodation would be secured by legal agreement.

Minor changes are proposed to the shopfront of 309 Finchley Road which would replace the current, unsympathetic shopfront design, with simpler, but more harmonious elements. A lightwell would be created at ground and basement level on the Lithos Road elevation within the existing footprint. The proposed lightwell would have minimal impact on the appearance of the building.

All of the proposed short term lets would be designated as being car free (Policy T2). This would be secured by legal agreement. The existing cycle store would be relocated to basement level accessed by a platform lift. This is considered acceptable and would be secured by condition. With regard to deliveries, the applicant acknowledges the red route and has stated all traffic would be directed to Lithos Road where permit parking, red route loading bay and the single yellow line, across the frontage of Lithos House, would be utilised. A highways contribution is not required in this instance. Given the scale of construction works a CMP would not be required.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections have been received and a letter of support was received from the Neighbourhood Forum.

As such, the proposed development is in general accordance with policies D1, D2, D3, E1, E3, T1, T2, TC4 and A1 of the Camden Local Plan 2017; and Policy 2, 3, 7, 8 and 12 of the Fortune Green and West Hampstead Neighbourhood Plan. The development also accords with the NPPF and the London Plan 2016.

- 2 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).
- 3 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.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at



<https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319>  
or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

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



Daniel Pope  
Chief Planning Officer