

125 FINCHLEY ROAD, LONDON NW3 6HY

PLANNING STATEMENT

Prepared By



CONTACTS

MANDIP SINGH SAHOTA

PARTNER

ms@ntaplanning.co.uk

LUKE CAMPBELL

PLANNER

lc@ntaplanning.co.uk

**NTA PLANNING LLP**
TOWN PLANNING CONSULTANTS**LONDON (HEAD OFFICE)**46 JAMES STREET,
LONDON
W1U 1EZ

T: +44 (0)20 7636 3961

HARROGATECLARENDON HOUSE
VICTORIA AVENUE
HARROGATE
HG1 1JD

T: +44 (0)75 96896216

WWW.NTAPLANNING.CO.UK
INFO@NTAPLANNING.CO.UKJanuary 2023
Our Ref: 1185

CONTENTS

	Page No.
1. INTRODUCTION	4
2. DESCRIPTION OF THE SITE AND SURROUNDING AREA	5
3. PLANNING HISTORY	7
4. THE PROPOSED DEVELOPMENT	8
5. PLANNING FRAMEWORK	11
6. PLANNING ASSESSMENT	12
a. Principle of Development	12
b. Design	12
c. Neighbourhood Amenity	14
7. SUMMARY AND CONCLUSIONS	16

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by NTA Planning LLP on behalf of Countryroad Investments Ltd, proprietors of no. 125 Finchley Road, London NW3 6HY (the **Site**).
- 1.2 The existing building was built in the 1980's and is characterised by its robust uniform redbrick façade design, standing at 9 storeys, at the Swiss Cottage junction in the London Borough of Camden.
- 1.3 The building comprises retail at ground level, with office space over first and second floors. Residential units occupy the floors above. The building also accommodates an exit from the Swiss Cottage Underground Station on its north elevation.
- 1.4 To the rear of the property is a large area of flat roof. The flat roof currently houses existing services and plant machinery but is inaccessible.
- 1.5 Transport for London had occupied part of the ground floor and all the first and second floor as long-term tenants but have now vacated. Therefore, the applicants will be undertaking refurbishment works prior to letting it to new incoming tenants. As part of those works, they seek to invest in some associated external improvements for which prior planning permission is required.
- 1.6 Minor amendments are sought to the external building fabric to improve the streetscape appearance and experience, namely an improved entrance from Finchley Road, and the consolidation of M+E services into a more efficient, building regulations compliant and an acoustically treated design at first floor to the rear of the building.
- 1.7 The applicants also seek to make the flat roof at first floor accessible, providing a roof terrace amenity for office workers, as well as providing additional landscaping and biodiversity improvements.

Structure of this Statement

- 1.8 Section 2 of this Statement provides a description of the Site and its surrounding area.
- 1.9 Section 3 provides a summary of relevant planning history.
- 1.10 Section 4 provides a description of the proposed development. This should be read in conjunction with the Design and Access Statement produced by the project architects, Outpost.
- 1.11 Section 5 outlines the relevant planning policy framework.
- 1.12 Section 6 provides an assessment of the proposed development against relevant policy and any other material considerations.
- 1.13 Finally, this statement is concluded at section 7.
- 1.14 The planning application is supported by the following documents, which should be read alongside this Planning Statement.

Document	Prepared by
- Design and Access Statement	Outpost
- Planning Drawings	Outpost
- Noise Assessment	KP Acoustics

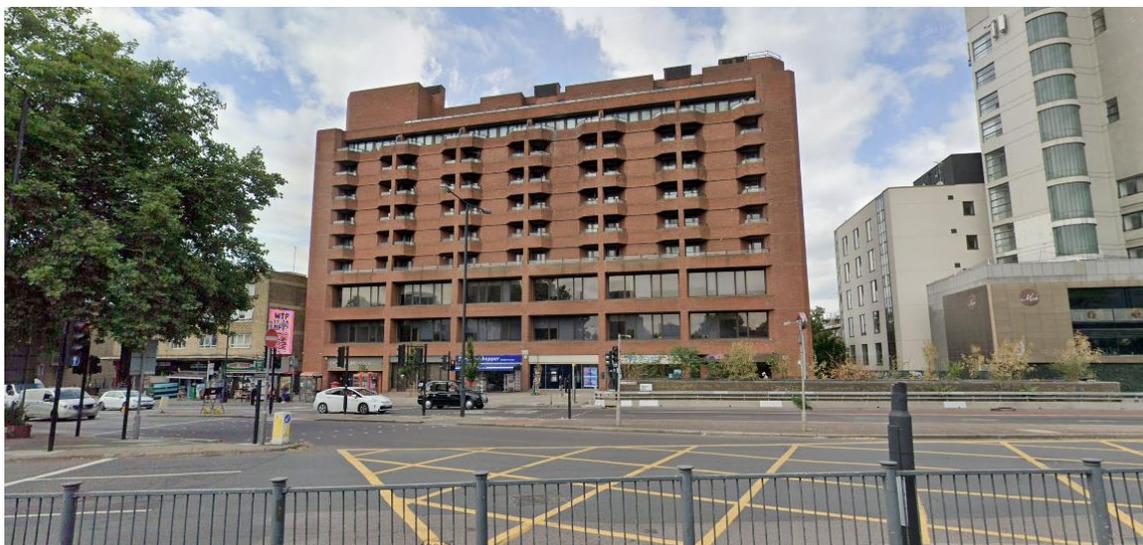
2.0 DESCRIPTION OF THE SITE AND SURROUNDING AREA

- 2.1 The application Site, comprising no.125 Finchley Road (also known as Overground House) lies the west side of Finchley Road, opposite the junction of College Crescent, Avenue Road, and Finchley Road.



SITE LOCATION PLAN

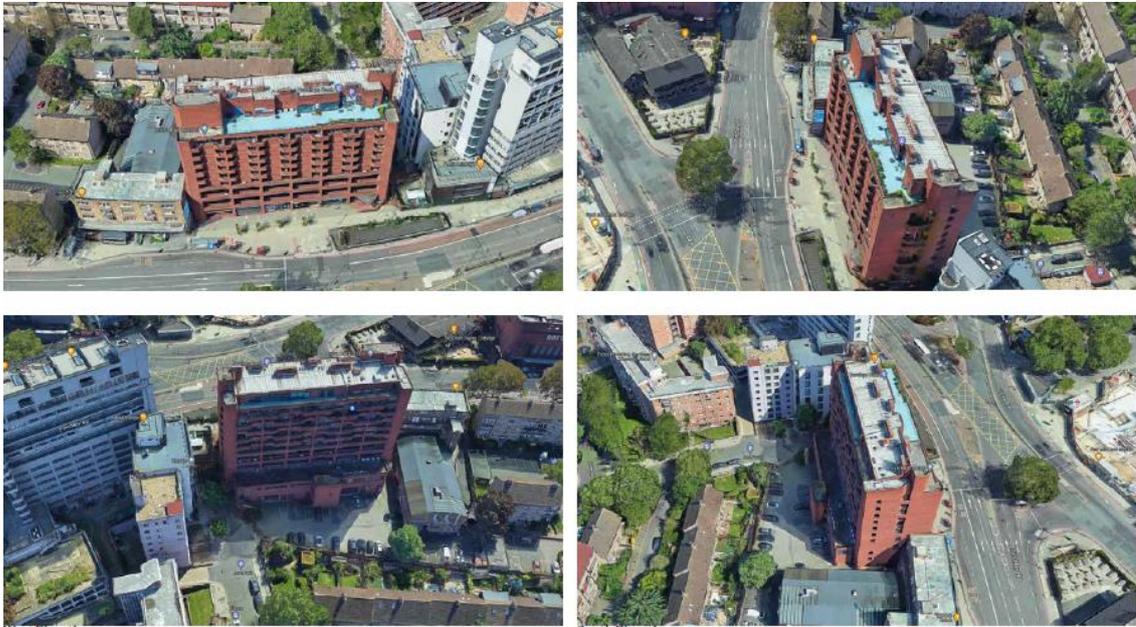
- 2.2 The Site accommodates the 1980's, concrete frame, and redbrick building, which provides a robust and fairly uniform façade design. The building comprises nine storeys, with additional set back level above, as well as a lower ground level comprising services and a car park area.
- 2.3 The building is divided into retail on the ground floor, with office spaces at first and second floors. Residential units occupy the upper floors. The building's exterior reflects the internal uses through its change in form and particularly its fenestration, providing an honest reflection of its mixed-use nature.



APPLICATION SITE VIEW FROM EAST SIDE OF JUNCTION

- 2.4 The building accommodates an exit from Swiss Cottage Underground Station on its north elevation. The office and retail areas are all accessed off the main frontage (Finchley Road) through dedicated entrances. The residential upper storeys also benefit from their own independent entrance at the North end of the property.
- 2.5 To the rear of the property is a dedicated car park accessible from the west, via Belsize Road. The car park is utilised by several of the existing commercial tenants, as well as public spaces serving the high street via 'JustPark'.

- 2.6 The building plan is wider on the lower ground, ground and first floors, resulting in a large area of flat roof to the rear at first floor level. The flat roof currently houses existing services and plant machinery but is inaccessible from the first-floor level. The only access is via a small hatch from the rear lift overrun.
- 2.7 Transport for London occupied part of the ground floor and all the first and second floors for many years but have since vacated. These areas are therefore in need of refurbishment and modernisation.



AERIAL CONTEXT VIEWS

- 2.8 The surrounding area is characterised by a wide variety of uses, including high street uses, residential, leisure and education.
- 2.9 The context is further varied in terms of its appearance, hosting a wide variety of architectural forms, from traditional to overtly modern design, and a range of scales from the two storey 'Ye Old Swiss Cottage' public house opposite, to the circa 15 storey mixed-use building to the north (known as Centre Heights), accommodating mixed commercial over ground floors, with principally residential use over upper floors and at the rear.
- 2.10 To the west, beyond the existing car park are two storey terraced houses forming Dobson Close, with their rear elevations and rear gardens adjoining the west side of the Site's car park.
- 2.11 Given the Site's location above an Underground Station, it benefits from a PTAL of 6b, which is the highest possible rating on the PTAL scale. The Site is therefore very sustainably located in planning terms.

3.0 PLANNING HISTORY

a. The Application Site

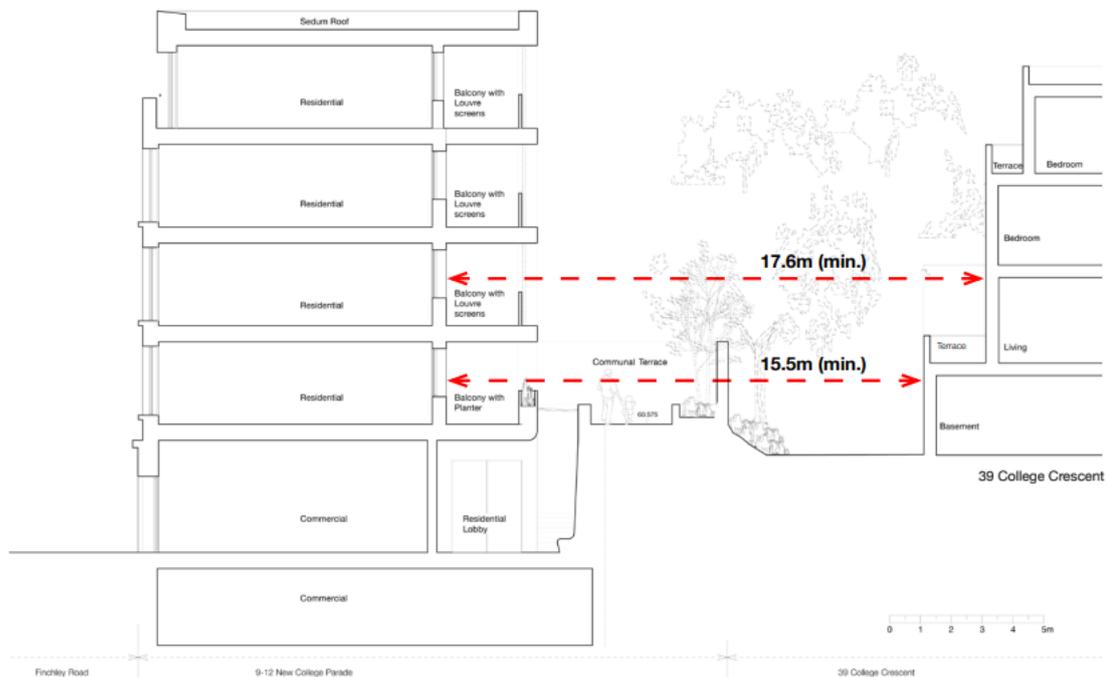
3.1 The application Site has been subject to several planning applications over the years since the building was first granted permission in 1979. However, the applications are limited to minor changes of use at the ground floor, display of illuminated signs and various plant. The applications are not considered relevant to the proposals for which permission is now sought.

b. The Surrounding Area

3.2 There have been several planning applications in the local area for various works including extensions, changes of use and redevelopment works. Overall, the consents in the local area are considered immaterial to the works proposed under this application.

3.3 However, of some relevance in regard to the proposed use of the first-floor terrace, is permission 2013/8191/P, at New College Parade, Finchley Road. Permission was granted for the erection of a 5-storey mixed use building with basement floor to provide commercial uses (Classes A1/A3) at ground and basement floor levels, and provision of 9 residential units on upper floors (4 x 1, 4 x 2, 1 x 3 bed) including a communal garden at 1st floor level and rear terraces at 1st-4th floor levels.

3.4 Regarding the approved communal garden and rear terraces, the officer report to committee noted that *“the proposed terraces to the rear in this proposed scheme have been designed with perforated shutters which provide adequate screening and help assist in mitigating any potential overlooking issues. As the flats at 39 College Crescent are currently under construction, loss of outlook will not be an issue, however the 15.5m distance along with the set-back rear elevation levels of 39 College Crescent will help alleviate any feelings of enclosure for future occupants of both buildings. On balance, given the urban nature of the development along with the fact that a minimum distance of 15.5m between properties will be upheld, no objection is raised in terms of amenity”*.



APPROVED DAS EXTRACT

4.0 THE PROPOSED DEVELOPMENT

4.1 Following a long-term tenancy by TfL, a full refurbishment is being undertaken to invest in the viability and let-ability of the building. The associated works for which planning permission is required are:

1. Alterations and replacement of the entrance façade to the main entrance and adjacent retail / office space, fronting Finchley Road;
2. The creation of a roof terrace at first floor level on the existing rear flat roof;
3. The replacement of existing condenser units on the rear flat roof with a new consolidated acoustically attenuated dedicated plant area on the same flat roof.
4. Replacement of all windows at first and second floor to the front and rear elevation, and repositioning of the windows along a new line.

Office Entrance Façade

- 4.2 The existing ground floor main entrance to the office floors is an uninviting façade of low quality. The proposal look increase the daylight into the lobby area and sense of connection to the street, match the glazing height to the adjacent retail units and reduce the bulk of the signage board, and retain the setback façade to the lobby entrance to create cover and definition of the key entrance point.
- 4.3 The proposed design is a metal curtain walling system in a matching bronze coloured finish with a matching reveal. The design removes the brick nib wall. This is a non-structural wall. Signage is to be integrated into the header panel with a more discreet smaller signage area than the existing entrance.
- 4.4 The existing façade to this unit will be replaced with a matching curtain walling system in the current location. The long-term goal is to replace all the shop-front façades in due course, to improve the overall ground floor appearance.



PROPOSED NEW ENTRANCE FROM FINCHLEY ROAD (LEFT), PRECEDENT IMAGE (RIGHT)

1ST Floor Roof Terrace

- 4.5 The existing flat roof to the rear of the first-floor space is currently inaccessible from the office space. The flat roof space is enclosed by a brick parapet and is currently only used to house several dispersed condenser units and plant machinery.
- 4.6 It is proposed to use part of the flat roof area as a roof terrace for use during office hours (9 to 6pm Monday to Friday). The proposal introduces the following key design elements to reduce any impacts:
1. **Set back handrail and planter.** A metal planter with integrated handrail is intended to form a screening device that ensures a generous set back from the existing parapet wall with overlooking in mind and the intention of preventing any access to the edge perimeter strip of the roof terrace.

The planting will provide a natural green barrier and add greenery to what is an unattractive flat roof.

2. **Dedicated intensive planting.** An area of more dedicated intensive planting at the north end of the terrace is designed to help screen the terrace from the adjacent Station House and Centre Heights and ensure all activity on the proposed roof terrace is kept at a significant distance from the parapet edge of the roof. As above this area will increase biodiversity and soften the existing flat roof to ensure a more attractive space.
3. **Acoustic pergola structure.** A specialist metal frame pergola with acoustic louvered roof allows a dedicated fixed table area to be created offering a more acoustically contained area for gatherings/ workspace, protecting residential amenity above, whilst also offering some cover from the elements.



ROOF TERRACE PRECEDENT IMAGE

4. **New sliding door access.** The proposed roof terrace is accessible from two sets of new metal frame sliding doors to match the existing window frames in a bronze colour.
- 4.7 It is proposed that the access to the roof terrace be limited from 9am to 6pm on Monday to Friday to ensure no adverse impact on the adjacent flats located within the upper floors of the application, and those within surrounding buildings.

New Dedicated Acoustically Enclosed Plant Room

- 4.8 The existing flat roof houses many individual inefficient and noisy condenser units spread over all areas of the roof. To meet the building heating and cooling needs to modern building regulations standards, a new dedicated plant zone with more efficient condensers is proposed.
- 4.9 The condensers are to be housed in an acoustically louvred proprietary plant enclosure at the south end of the flat roof at first floor. This proposed location on the south end of the flat roof terrace at first floor level is located furthest away from Swiss House and Station House and is not overlooked by any windows from 119 Finchley Road.
- 4.10 Please refer to the acoustic report on the proposed acoustic survey and measures to ensure the plant complies with the acoustic requirements. The acoustic enclosure will be designed and installed around the proposed external condenser plant to ensure that the target levels set out in section 7 of the noise report will be achieved.

Replacement of Windows at First and Second Floor

- 4.11 The proposal also includes the installation of new windows to the front and rear elevation. The existing windows are in disrepair and poor quality, and sit back front parapet line.
- 4.12 The new windows shall be modern frame, to match the existing in style, as dark colour painted aluminium frames. The windows will be thermally high performing, with thermally broken frames with double glazed units. The glass will have solar film to help mitigate against glare and summer overheating.

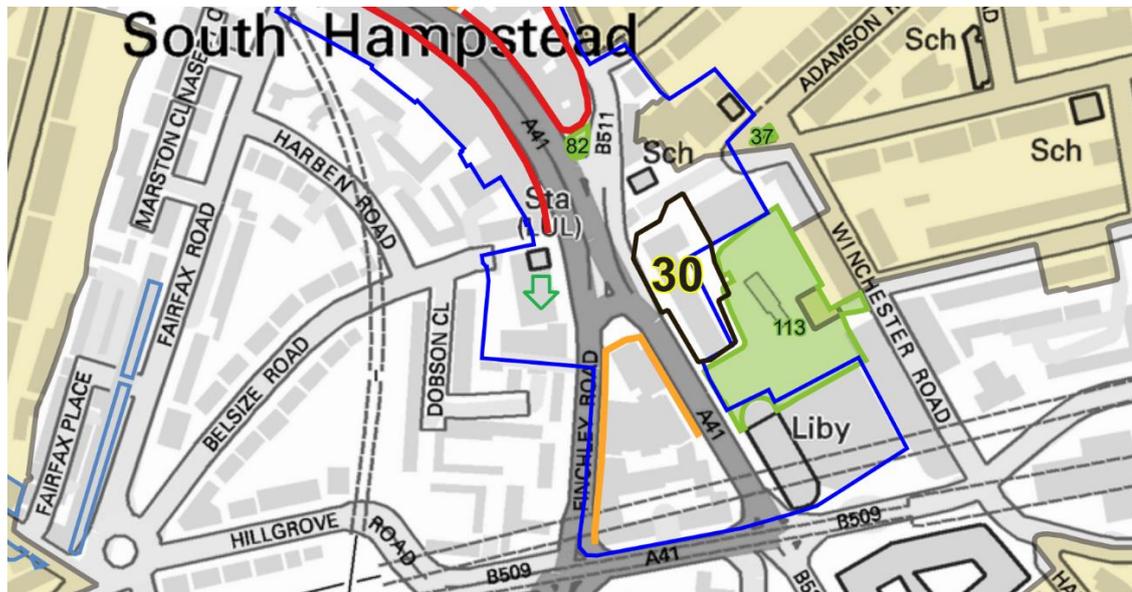
- 4.13 The new windows shall be pushed out to the outer parapet line, 100mm inboard of the outer façade line. In their new location, the new windows will offer far improved access to natural daylight, with more natural daylight gained to usable floor area.
- 4.14 At each end, where the brickwork is chamfered, the proposal is to locate these end-windows further inboard, to sit back from the chamfer. This maintains the vertical articulation of the brickwork to the existing building, and thus upholds the form and character of the building as a whole.

5.0 PLANNING FRAMEWORK

5.1 The relevant Planning Framework comprises the following.

- The National Planning Policy Framework (2021)
- The London Plan (2021)
- Camden Local Plan (2017)
- Supplementary Planning Documents
 - a. Access for All CPG (2019)
 - b. Air Quality (2021)
 - c. Amenity (2021)
 - d. Design (2021)
 - e. Energy Efficiency and adaptation (2021)
 - f. Planning for Health and Wellbeing (2021)

5.2 The Council's Proposals Map identifies the Site's only designation is that it sits at the south-west corner of the Finchley Road/Swiss Cottage Town Centre.



PROPOSALS MAP EXTRACT (MARKED GREEN ARROW)

6.0 PLANNING ASSESSMENT

6.1 The following are considered to be principal material planning matters, which we assess in turn below.

- a. Principle of Development
- b. Design
- c. Neighbouring Amenity

a. Principle of Development

6.2 The NPPF, paragraph 81 states that planning policies and decision should help to create conditions in which business can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity.

6.3 Regarding town centres, paragraph 86 of the NPPF adds that planning policies and decision should support the role that town centres play at the hear of local communities, by taking a positive approach to their growth, management, and adaptation.

6.4 The London Plan echoes the NPPF, policy SD6 noting that the vitality and viability of town centres should be promoted and enhanced by strengthening the role of town centres. With specific regard to offices, Policy E1 of the London Plan states that *'improvement to the quality, flexibility and adaptability of office space of different sizes should be supported by new office provision, refurbishment and mixed-use development'*.

6.5 Camden Local Plan (Policy E1) further supported local business and seeks to secure a successful and inclusive economy.

6.6 Following a long-term tenancy by TfL, a full refurbishment is being undertaken to invest in the viability and let-ability of the building. As part of those works the applicants seek permission to impact the entrance façade fronting Finchley Road; create a useable roof terrace for use by office staff, and to replace and consolidate roof plant, within better, acoustically attenuated housing. In light of the recent pandemic and the importance of needing outside and ventilated space, the proposed external amenity will vastly improve the quality and function of the existing office space.

6.7 The proposed works should be strongly supported in principle, subject to compliance with other policies in the development plan.

b. Design

6.8 The NPPF, paragraph 130 notes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. The London Plan further supports the need for good design in all schemes, regardless of their scale.

6.9 At a local level, Camden Local Plan Policy D1 states that the Council will seek to secure high quality design in development. Development should respect local context and character, comprise high quality detailing and materials, promote health, and incorporate high quality landscape design.

6.10 With specific regard to terraces on non-residential buildings, the Camden Planning Guidance (Design) (January 2021) notes that roof terraces can provide valuable amenity space for workers who would

otherwise have little or no exterior space. Terraces should complement the elevation upon which they are located, and consideration should be given to detailed design, choice of materials.

- 6.11 The existing ground floor entrance is an uninviting façade of low quality. The proposals look to improve the quality of the entrance to the building through provision of a new glazed entrance with setback façade to the lobby entrance to create cover and definition of the key entrance point. The proposed design is a metal curtain walling system in a bronze-coloured finish and reveal and looks to incorporate discreetly an area for signage. The result will be a far superior, well detailed entrance, using high quality materials, making a positive contribution to the streetscene.



PROPOSED NEW ENTRANCE FROM FINCHLEY ROAD (LEFT), PRECEDENT IMAGE (RIGHT)

- 6.12 To the rear of the building, the existing flat roof is cluttered with various condenser units and plant machinery. The roof is utilitarian and unattractive. The proposals seek to activate the terrace making it useable for the office at first floor, provide areas of landscape amenity

- 6.13 A metal planter with integrated handrail is intended to form a screening device. The planting will provide a natural green barrier and add greenery to what is an unattractive flat roof. An additional area of more dedicated intensive planting at the north end of the terrace is also provide, increasing biodiversity and soften the existing flat roof to ensure a more attractive space. It will further provide visual amenity to users of the terrace, as well as adjacent properties with a view over the site.



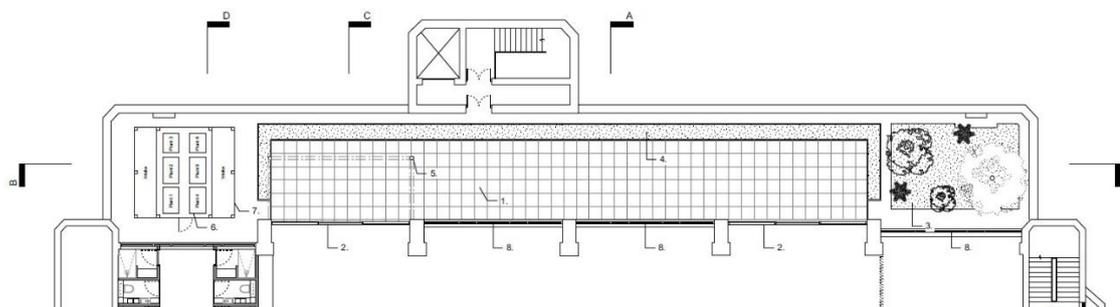
ROOF TERRACE PRECEDENT IMAGE

- 6.15 The existing scattered condenser units spread over all areas of the roof are to be replaced and consolidated with a dedicated plant zone. The condensers are housed in an acoustically louvred enclosure at the southern end of the flat roof. The enclosure, which will be constructed quality metal finish and detail will remove the unattractive plant from view and incorporate the enclosure into the wider landscape amenity.

- 6.16 Finally, the existing windows to the front and rear elevations are to be replaced. The modern new frames, that will match the existing style, will provide facades that will give a more streamlined aesthetic. The proposed dark colour of the aluminium frame ensures that the new windows will visually accord with the new façades, ensuring that the front and rear elevations have an acceptable design in this location.
- 6.17 The proposed rooftop amenity and plant enclosure will deliver a vastly improved design for the benefit of the future occupants of the building, but also for those surrounding the site.

c. Neighbouring Amenity

- 6.18 Local Plan Policy A1 (Managing the impact of development) states that the Council will seek to protect the quality of life of occupiers and neighbours. The Council will grant permission for development unless this causes unacceptable harm to amenity. Development should ensure that the amenity of communities, occupiers and neighbours is protected. The relevant factors include visual privacy, outlook, and noise.
- 6.19 With specific regard to terraces on non-residential buildings, the Camden Planning Guidance (Design) (January 2021) notes that roof terrace can provide valuable amenity space for workers who would otherwise have little or no exterior space. However, they can cause nuisance to neighbours. Terraces should complement the elevation upon which they are located, and consideration should be given to the use of setbacks to minimise overlooking as well as screening and landscaping to mitigate impact.
- 6.20 Camden Planning Guidance (Amenity) (Jan 2021) adds that to ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed (either residential or non-residential) development, assuming a level topography. The 18m should be measured between the two closest points on each building (including balconies). However, the policy acknowledges that there may be circumstances where a separation distance of 18m cannot be achieved. In these instances, mitigation measures should be incorporated to ensure overlooking is reduced to an acceptable level.
- 6.21 Soft landscaping, such as the use of trees and shrubs can act as privacy screens. Balconies and roof terraces should therefore be carefully sited and designed to reduce potential overlooking of habitable rooms or gardens of neighbouring residential buildings.
- 6.22 The proposed roof terrace is sought to be served with a metal planter with integrated handrail, forming a screening device that will ensure that a generous set back is provided from the existing parapet wall, and alleviate any potential concerns of overlooking to neighbouring properties. The planter and balustrade will prevent any access to the edge perimeter strip of the roof terrace and the planting will further provide a natural green barrier further enclosing the terrace from neighbours.



PROPOSED FIRST FLOOR TERRACE PLAN

- 6.23 An additional, more intensively planted area is incorporated at the northern end of the terrace, which will effectively screen the proposed terrace from the adjacent Station House and Centre Heights and providing a suitable set back from these properties which are closest to the application site. This

inaccessible, landscaped area will ensure all activity on the proposed roof terrace is kept at a significant distance (23m) from the closest residential properties to the north (Swiss Terrace), as illustrated below.



SECTION B-B

- 6.24 Properties to the west in Dobson Close will be unaffected given they lie approx. 33m away from the proposed terrace (see section AA (drawing number (GA)_300)).
- 6.25 Having regard to the existing residential units in the application site (3rd floor upwards) a specialist metal frame pergola with acoustic louvered roof is incorporated to provide a dedicated fixed table area for most frequent use, to be created offering a more acoustically contained area for gatherings/ workspace. This will ensure that the most well used area of the roof is designed to protect residential amenity above.
- 6.26 It is proposed that the access to the roof terrace be limited from 9am to 6pm on Monday to Friday to ensure no adverse impact on the adjacent flats located within the upper floors of the application, and those within surrounding buildings.
- 6.27 Finally, as stated above, the existing flat roof houses many individual inefficient and noisy condenser units spread over all areas of the roof. A new dedicated plant zone with more efficient condensers is proposed.
- 6.28 The condensers will be housed in an acoustically louvred enclosure at the south end of the flat roof. The location has been chosen as it sits furthest away from the residential unit to the north and west, thereby preserving their amenity.
- 6.29 The acoustic enclosure will be designed and installed around the proposed external condenser plant to ensure that the target levels set out in section 7 of the noise report will be achieved. Please refer to the acoustic report on the proposed acoustic survey and measures to ensure the plant complies with the acoustic requirements.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 No.125 Finchley Road was built in the 1980's and comprises a robust uniform redbrick façade standing at 9 storeys, at the Swiss Cottage junction in the London Borough of Camden.
- 7.2 The building comprises retail, office, and residential units. To the rear of the property is a large area of flat roof which houses existing services and plant machinery but is inaccessible.
- 7.3 Transport for London had occupied part of the ground floor and all the first and second floor as long-term tenants but have now vacated. The applicants will be undertaking refurbishment works prior to re-letting. As part of the refurbishment works, they seek minor amendments to the building fabric to improve the streetscape appearance and experience (a new entrance from Finchley Road); make the rear roof at 1st floor accessible for the benefit of office tenants and increase the amenity and biodiversity; consolidate M+E services into a more efficient, building regulations compliant and acoustically treated design that will be more energy efficient and allow improvement in impacts on the neighbouring properties both visually and acoustically; and, the replacement of windows to the front and rear elevations.
- 7.4 This document has demonstrated how the proposed works are compliant with national, regional and local plan policies. The proposals will improve the appearance of the building, will improve the function of the office space through provision of an external amenity area, whilst also ensuring that neighbouring amenity is preserved and respected through a design led solution.
- 7.5 For the reasons set out in this Statement and supporting documents, we respectfully ask that permission is granted.