

Address:	100 Avenue Road London NW3 3HF		1
Application Numbers:	2025/0852/P	Officer: Christopher Smith	
Ward:	Primrose Hill		
Date Received:	27/02/2025		
<p><b>Proposal:</b> Variation of conditions to planning permission ref. 2014/1617/P (for demolition of building and provision of a mixed-use residential-led development, as allowed at appeal ref. APP/X5210/W/14/3001616 on 18/2/2016, and as amended by permission refs. 2016/2048/P, 2018/4239/P, 2019/1405/P, 2022/1609/P and 2024/5432/P) to secure alterations to the external appearance; internal residential, commercial and community space layouts; housing and affordable housing provision; cycle and car parking; hard and soft landscaping, and other associated amendments.</p>			
<p><b>Supporting Documents and Drawing Numbers:</b></p> <p>Drawing Nos:</p> <p>1016-CPA-ZZ-B1-DR-A-0100 Rev. P01  1016-CPA-ZZ-B1-DR-A-0101 Rev. P01  1016-CPA-ZZ-B1-DR-A-0200 Rev. P02  1016-CPA-ZZ-B1-DR-A-0201 Rev. P02  1016-CPA-ZZ-B1-DR-A-0202 Rev. P02  1016-CPA-ZZ-B1-DR-A-0203 Rev. P01  1016-CPA-ZZ-B1-DR-A-0204 Rev. P01  1016-CPA-ZZ-B1-DR-A-0205 Rev. P02  1016-CPA-ZZ-B1-DR-A-0206 Rev. P02  1016-CPA-ZZ-B1-DR-A-0207 Rev. P01  1016-CPA-ZZ-B1-DR-A-0208 Rev. P01  1016-CPA-ZZ-B1-DR-A-0209 Rev. P01  1016-CPA-ZZ-B1-DR-A-0210 Rev. P01  1016-CPA-ZZ-ZZ-DR-A-0600 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0601 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0602 Rev. P01  1016-CPA-ZZ-ZZ-DR-A-0603 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0604 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0610 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0611 Rev. P01  1016-CPA-ZZ-ZZ-DR-A-0701 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0702 Rev. P01  1016-CPA-ZZ-ZZ-DR-A-0703 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0704 Rev. P01  1016-CPA-ZZ-ZZ-DR-A-0705 Rev. P02  1016-CPA-ZZ-ZZ-DR-A-0706 Rev. P01  AR657-TML-ZZ-00-DR-L-0201 Rev. P06  AR657-TML-ZZ-00-DR-L-0501 Rev. P07</p>			

AR657-TML-ZZ-06-DR-L-0000 Rev. P04  
AR657-TML-ZZ-06-M2-L-0201 Rev. P04  
AR657-TML-ZZ-ZZ-DR-L-0000 Rev. P04  
AR657-TML-ZZ-ZZ-DR-L-0260 Rev. P04

Supporting documents:

Residential Travel Plan dated February 2025  
Workspace Travel Plan dated February 2025  
Ventilation Strategy Statement dated February 2025  
Arboricultural Impact Assessment dated February 2025  
Wind Microclimate Assessment Report dated February 2025  
Whole Lifecycle Carbon Assessment dated February 2025  
Overheating Assessment dated February 2025  
Sustainability Statement dated February 2025  
Transport Assessment dated February 2025  
Structural Statement dated February 2025  
Delivery, Servicing and Waste Management Plan dated February 2025  
Vehicle Swept Path Analysis Plans dated February 2025  
Energy Statement dated February 2025  
Drainage Report dated February 2025  
Health Impact Assessment dated February 2025  
Flood Risk Assessment dated February 2025  
Statement of Community Involvement dated February 2025  
Circular Economy Statement dated February 2025  
Construction Management Plan dated February 2025  
Contaminated Land Assessment dated February 2025  
Daylight and Sunlight Report dated February 2025  
Air Quality Assessment dated February 2025  
Preliminary Ecological Appraisal dated February 2025  
Heritage, Townscape and Visual Statement dated February 2025  
Noise and Vibration Assessment dated February 2025  
Area and Accommodation Schedule dated May 2025  
Fire Statement dated February 2025  
Design and Access Statement dated February 2025  
Design and Access Statement Addendum dated May 2025  
Planning Statement dated February 2025

**RECOMMENDATION SUMMARY: Grant conditional planning permission subject to conditions and a Section 106 deed of variation.**

**Applicant:**

Regal Avenue Road Ltd

**Agent:**

Mr James Leuenberger  
Montagu Evans LLP  
70 St Mary Axe  
London  
EC3A 8BE

## ANALYSIS INFORMATION

Land Use Details:		
	<i>Use Class and Description</i>	<i>Floorspace (GIA sqm)</i>
Approved Development ref. 2014/1617/P	<b><u>Class C3 Residential Use</u></b>	21,498
	<b><u>Flexible Town Centre Uses (Classes A1-A3) including safeguarded London Underground station entrance (Sui Generis)</u></b>	1,039
	<b><u>Class D1 Community Use</u></b>	1,350
	<b><u>PROPOSED TOTAL</u></b>	<b>23,887</b>
Proposed under this Section 73 amendment application	<b><u>Class C3 Residential Use</u></b>	24,126 (+2,628)
	<b><u>Class E Commercial, Business &amp; Service Use</u></b>	1,195 (+156)
	<b><u>Class F2(b) Community Use</u></b>	1,372 (+22)
	<b><u>PROPOSED TOTAL</u></b>	<b>26,685 (+2,798)</b>

Housing Details:			
	<i>Housing Type</i>	<i>Units</i>	<i>Habitable Rooms</i>
Approved Development ref. 2014/1617/P	<b><u>Private Rental Sector (PRS)</u></b> [non-discounted]	130	357
	<b><u>Discount Market Rent (DMR)</u></b>	18	45
	<b><u>Social Rent</u></b>	28	96
	<b><u>Intermediate Rent</u></b>	8	23
	<b><u>PROPOSED TOTAL</u></b>	<b>184</b>	<b>521</b>
	<b><u>AFFORDABLE (inc. DMR)</u></b>	<b>29%</b>	<b>31%</b>
Proposed under this Section 73 amendment application	<b><u>Private Rental Sector (PRS)</u></b>	0 (-130)	0 (-357)
	<b><u>Discount Market Rent (DMR)</u></b>	0 (-18)	0 (-45)
	<b><u>Market Sale</u></b>	167 (+167)	406 (+406)
	<b><u>Social/Affordable Rent</u></b>	36 (+8)	142 (+46)
	<b><u>Intermediate Rent</u></b>	34 (+26)	86 (+63)
	<b><u>PROPOSED TOTAL</u></b>	<b>237 (+53)</b>	<b>634 (+113)</b>
	<b><u>AFFORDABLE</u></b>	<b>30% (+1%)</b>	<b>36% (+5%)</b>

Parking Details:		
	Approved	Proposed
General Parking	0	0
Disabled Parking	13	8 (-5)

## **OFFICERS' REPORT**

**Reason for Referral to Committee:** Reason for Referral to Committee: Major development involving the construction of more than 10 new dwellings or more than 1000 sq. metres of non-residential floorspace.

The application comprises over 150 units of new housing and is over 30m in height and is therefore considered a 'strategic' application under the Mayor of London Order 2008. The application is thereby referable for his direction, whereby he has power to direct the local authority to refuse the application or call the application in for his own determination.

### **Environmental Impact Assessment**

A screening opinion was provided by the Council in 2024 whereby it was determined that development similar to that proposed did not constitute an EIA development under the EIA Regulations 2008 (as amended). An EIA is therefore not applicable to the development.

## **EXECUTIVE SUMMARY**

The original application was a mixed-used development that involved the demolition of the existing buildings and the erection of two buildings on the site to provide 184 homes, plus commercial and community floor space in the form of standalone tower on the northern part of the site and a lower scale building to the south. This application proposes alterations to that approved development that would accommodate 237 homes (53 additional homes), plus additional commercial and community floor space. Amendments are also proposed to the layout, affordable housing provision (which is increasing and improving tenure), housing mix, sustainability, landscaping, and parking provision of the development.

The land use changes involve an increase in residential, commercial and community floor space which have been achieved through rationalisations to the design and layout of the buildings. The increased number of homes, and affordable housing including social/affordable rent units, is supported at this well-connected site in a town centre.

The revised proposals do not amend the scale and massing of the buildings which were established in the approved scheme. Improvements have been made to the quality and appearance of the buildings. The buildings have been re-designed to respond to recently upgraded fire safety regulations, as well as to provide good quality accommodation and a safer and more verdant public realm. The amenity of local residents would not be significantly affected by the proposed amendments.

The sustainability of the development would improve significantly through improved building fabric, low carbon heating, provision of green roofs and photovoltaic panels, plus a carbon offset contribution.

The proposed development would be car free, and the amount of cycle parking would be increased. Construction, delivery and service arrangements would remain consistent with the principles set out in the approved extant development, but with

additional management measures secured through an updated s106 agreement to ensure the development operates in tandem with the adjacent markets.

The site has existing permission to be developed which is a realistic fallback position. This amended scheme would deliver substantial land use, employment and economic benefits and improvements over the extant scheme, including additional market and affordable homes, town centre and community activities, and high-quality architecture.

The changes proposed under this application are therefore considered acceptable and in accordance with the development plan as a whole.

## 1 SITE

- 1.1 The application site is bounded on its western side by Avenue Road and the Swiss Cottage/Finchley Road junction and gyratory. Ye Olde Swiss Cottage Pub (now closed) is located directly opposite on the western side of Avenue Road, facing on to the junction. The site has an area of 0.4ha, which includes the ramp underneath the Hampstead Theatre.

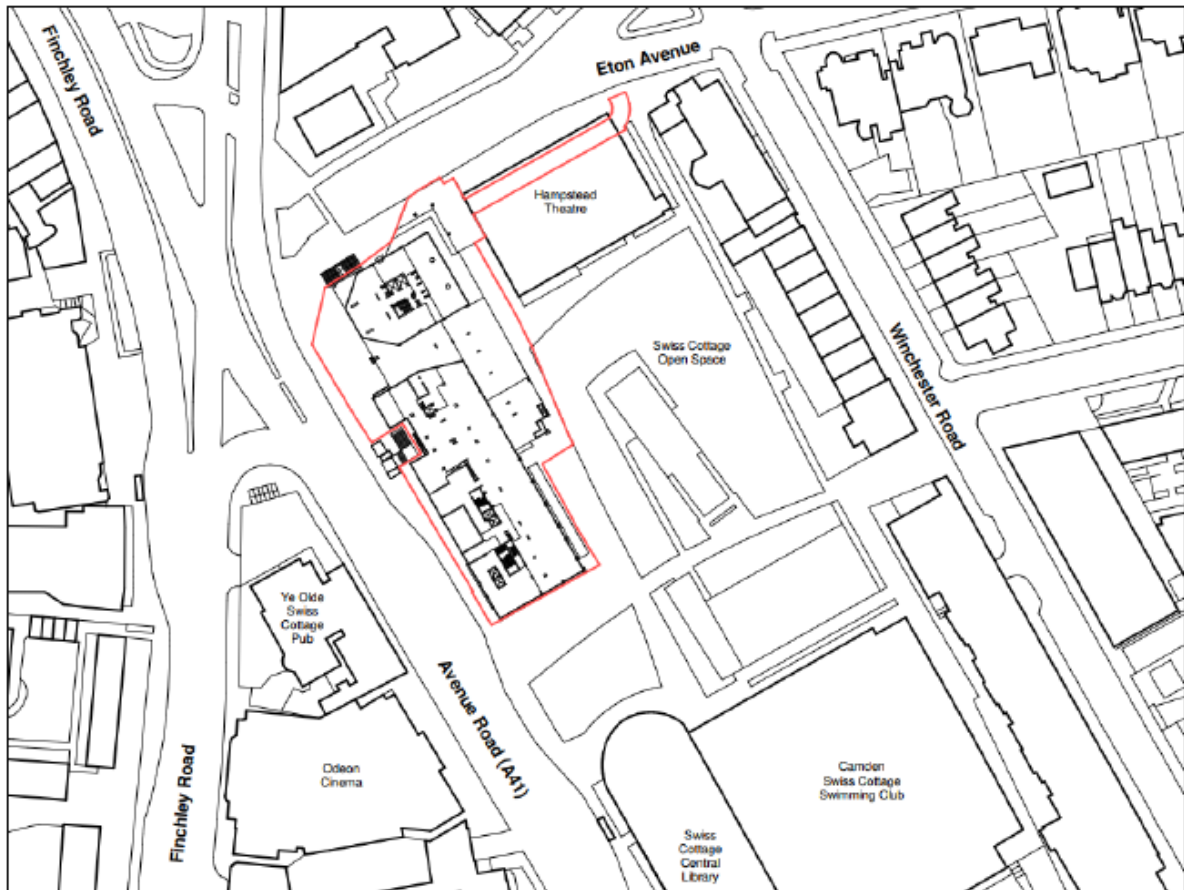


Figure 1: Site layout plan

- 1.2 The site is bounded on its northern side by the western end of Eton Avenue which is pedestrianised and is occupied by a market. To the northern side of Eton Avenue is the School of Speech and Drama which consists of 8 storeys. North-east of the site is the Hampstead Theatre, which fronts on to Eton Avenue. A pedestrian route between Eton Avenue and Swiss Cottage Open Space separates the site from the Hampstead Theatre.
- 1.3 To the east of the site is Swiss Cottage Open Space. To the east of this open space is the rear of properties fronting Winchester Road which are generally commercial at ground floor level and residential above. The Winchester Road frontage also includes a community centre (opposite the junction with Fellows Road). Beyond the open space to the south-east is the Visage residential development which is five to 16-storeys in height.
- 1.4 To the south of the site is a small area of open space and the Swiss Cottage Library which is Grade II listed. To the south-east of the site (on the southern side of the open space) is Swiss Cottage Leisure Centre. The Grade II listed sculpture which

was formerly located adjacent to the site has been temporarily moved and is currently located to the south of the leisure centre.

- 1.5 The site forms part of the Swiss Cottage Town Centre area and is identified as an allocated site within the Council's emerging Draft Camden Local Plan (site reference W12).
- 1.6 There are two entrances into the Swiss Cottage Underground Station next to the site. One is located immediately to the north of the site (on the junction of Avenue Road and Eton Avenue) and the other is to the west of it fronting Avenue Road. A third entrance is in the centre of the gyratory, immediately to the north of Ye Olde Swiss Cottage Pub.
- 1.7 The Belsize Park Conservation Area is the closest conservation area and is located to the east of the site. Other conservation areas in the wider area include Fitzjohns Netherhall located to the north of the Swiss Cottage Gyratory, South Hampstead located to the west, and Elsworth Conservation Area to the south-east.
- 1.8 The site is not covered by any strategically important view designations.

## **2 THE PROPOSAL**

### *Development Context*

- 2.1 The site is currently vacant and has been hoarded off following the demolition of the former office and restaurant buildings on the site. Construction works have commenced to implement the planning permission allowed at appeal in 2016 (application ref. 2014/1617/P and appeal ref. APP/X5210/W/14/3001616) and the approved basement area has now been substantially completed. The existing permission is therefore extant, and this development can now be completed as approved at any time, which is a significant material consideration.

### *Proposed Development*

- 2.2 The planning permission allowed at appeal (application ref. 2014/1617/P – for more details see 'Relevant History' section below) was for the demolition of the former office/restaurant building and erection of a 24 storey building and a part 7/part 5 storey building comprising a total of 184 residential units (Use Class C3) and up to 1,039sqm of flexible retail/financial or professional or café/restaurant floorspace (within the former Use Classes A1/A2/A3 – which all now fall within Use Class E), inclusive of part sui generis floorspace for a potential new London Underground station access fronting onto Avenue Road, and up to 1,350sqm for community use (Use Class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.
- 2.3 This Section 73 application proposes to amend the scheme by varying condition 2 (approved drawings) of 2014/1617/P. The amendments predominantly relate to the internal layouts of the buildings and their external appearance in terms of architecture and materiality. There are no changes proposed to the bulk and massing of the buildings as approved. Efficiencies in the design and mechanical



servicing mean that the design team have been able to reduce floor-heights, adding new floors within the same building heights. This has allowed the increase in floorspace without any increase in height or mass.

2.4 The proposed changes can be summarised as follows:

- External alterations to the approved buildings including in terms of their architecture, materiality and access arrangements
- Increase in the number of homes from 184 to 237 (an uplift of 53 units), including 16 additional affordable homes taking the proportion of affordable housing (from 31% to 36% by habitable room)
- Change in the tenure of homes from rental properties to a split of market sale and affordable homes
- Improvements to the quality of the internal accommodation, including upgrades to meet currently Building Regulations such as the introduction of additional staircases for fire safety purposes
- Increased provision of commercial space by 148sqm
- Rationalised layout and increased provision of community space by 22sqm
- Substantial upgrades to the sustainability of the development
- Reduction in off-site parking by five spaces
- Increase in cycle parking by 133 spaces
- Provision of additional greening and soft landscaping across the site and buildings

2.5 Further details regarding the proposed amendments are provided in the relevant sections of this report below.

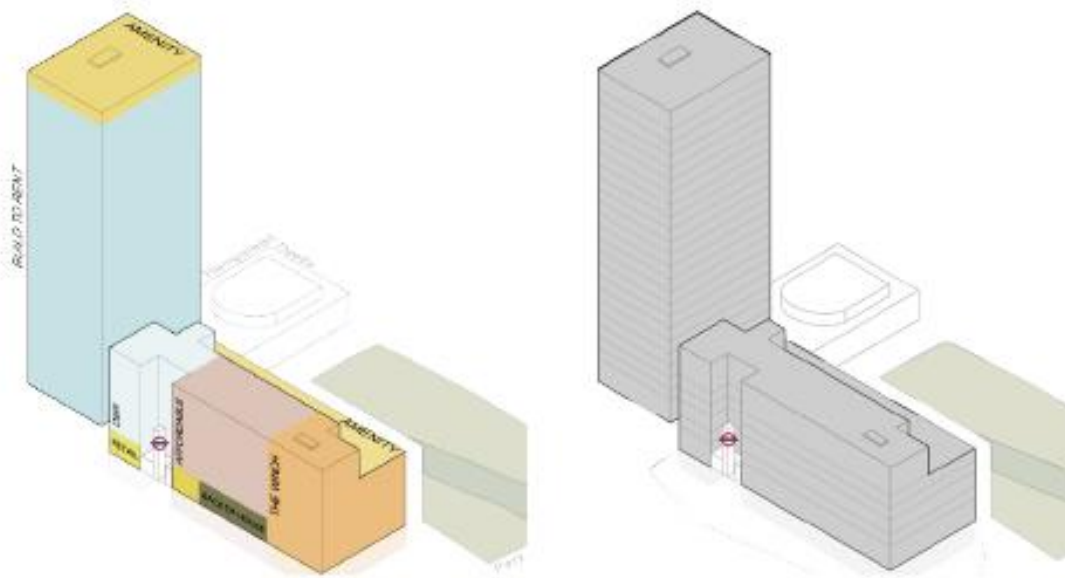


Figure 2 – Proposed massing of approved buildings (left) and the proposed (right).

### 3 RELEVANT HISTORY

- 3.1 The following planning history is relevant to this site. The list below includes only full planning, EIA and minor amendment applications which have been decided and are most relevant to this site and development, since the original planning application for this development was submitted in 2014. Minor material amendments, condition/obligation discharge applications, and other applications as appropriate, are not repeated here (they are instead shown in the table provided within **Appendix 1** to this report).
- 3.2 **2014/1617/P.** Demolition of existing building and redevelopment for a 24 storey building and a part 7 part 5 storey building comprising a total of 184 residential units (Class C3) and up to 1,041sqm of flexible retail/financial or professional or café/restaurant floorspace (Classes A1/A2/A3) inclusive of part sui generis floorspace for potential new London Underground station access fronting Avenue Road and up to 1,350sqm for community use (class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements. **Application refused 3/10/2014. Allowed at appeal (appeal ref. APP/X5210/W/14/3001616) 19/2/2016.**
- 3.3 **2024/3717/P.** Request for Environmental Impact Assessment (EIA) Screening Opinion for a mixed use re-development including 236 residential units, commercial and community uses. **EIA not required 24/9/2024.**

## 4 CONSULTATION SUMMARY

### External bodies

#### 4.1 Greater London Authority:

- Improved affordable housing offer is welcomed and meets the London Plan Fast Track route threshold. Affordable housing units must be secured in perpetuity and in line with the London Plan eligibility and affordability criteria.
- Construction methodology should be developed in discussion with TfL and HS2. Step free access is unlikely to be delivered at Swiss Cottage station and instead a contribution should be secured towards delivery of improvements at Finchley Road.
- Improvements to the energy strategy are welcomed. Provision of a circular economy statement and whole life cycle carbon assessments are provided in line with policy requirements.
- The Council may determine the application without further consultation of the GLA.

4.2 **Historic England** – no comments to make.

4.3 **Environment Agency** – no comments to make.

4.4 **Metropolitan Police** – no objection subject to comments and recommendations.

4.5 **TfL** – no objections subject to relevant conditions and obligations being secured.

4.6 **TfL (Crossrail 2)** – no comments to make.

4.7 **TfL (London Underground)** – no comments to make, subject to relevant conditions secured as part of the previous application being applied to this application as well.

4.8 **HS2** – no objections, other than requesting they are consulted on the detailed construction management plan.

4.9 **Health and Safety Executive (Planning Gateway 1)** – content with the proposed fire safety measures.

4.10 **City of Westminster** – no objection.

### Members

#### 4.11 Councillors Dixey, Kirk and Simon (all Belsize Ward)

Objection raised to this development on the following grounds:

1. Proposed provision of social housing does not meet the Council's policy target of 50%

2. Market homes for sale could be sold overseas for use as second homes and investment properties, which does not help towards helping with housing shortages and does not help create a thriving community.
3. Red brick material finish is not an improvement on the appearance previously approved development, given the nature, scale and massing of the building. The design of this proposal and the approved development are both flawed and will be of significant detriment to the Belsize Conservation Area.
4. Development scale and massing is not an improvement on the approved development.
5. Construction traffic must use Avenue Road and not Eton Avenue.
6. Development vehicle access must also be from Avenue Road in the main. The Eton Avenue market area cannot support large numbers of vehicles using it for servicing of the buildings. This would be dangerous for pedestrians and undermine the adjacent open space.
7. Please take these amenity, heritage and construction impacts into account.

Officer response:

- *London Plan policies allow for development to follow a fast-track route where 35% affordable housing is provided by habitable room, which the scheme exceeds. Furthermore, this is an improvement on the original application which is the starting point.*
- *The Council is unable to control to whom individual properties are sold and rented on the open market. Supplying homes of any tenure will generally help with housing supply by relaxing demand in other areas of the market.*
- *Design matters are considered in Section 9 below. Officers believe the design changes are an improvement on the original application.*
- *There is no change in the scale and massing and therefore no impact from this – the scale and massing of the extant original application is not open to consideration.*
- *Transport matters are considered in Section 14 below. The construction management will be subject to an updated Construction Management Plan in consultation with key stakeholders, and a Construction Working Group.*
- *The vehicle access is not changing in the scheme and remains as per the extant original permission. There will however be additional requirements to co-ordinate servicing with the markets to ensure safe operation.*

**Local groups and institutions**

**4.12 Belsize Conservation Area Advisory Committee**

- Ground floor accommodation should be kept open to reduce weight appearance of buildings.
- Balconies have been reduced in size.
- Proposed arrangement for The Winch is unsuitable for young children and buggies. The Winch should stay in its current location which should be upgraded.
- Wind microclimate assessment does not assess pedestrian spaces.
- Red cladding would make an unacceptable contrast with the sky and would contrast with other tall buildings locally.

- The proposed access arrangements through the market area mean the development would be unworkable.
- Change from rent to sale properties would leave the development empty and would reduce the sense of community in the area.

Officer response:

- *Design matters are considered in Section 9 below. The design of the building has been improved to ensure clear accesses, active frontages, and a hierarchy to the buildings.*
- *All flats will now have a balcony which is an improvement over the original permission. Quality of accommodation matters are considered in Section 11 below.*
- *The Winch is free to stay in its current location and any relocation is a matter for the Winch. The space has been redesigned in consultation with the Winch.*
- *The overall massing and scale of the buildings remains the same as the original permission. Updated modelling has shown that wind conditions for surrounding pedestrian areas would no longer require mitigation.*
- *Red brick is considered a more contextual approach, and a grey brick could appear more austere on the tower and would not blend into the sky – the tower will always be visible.*
- *Transport matters are considered in Section 14 below. The vehicle access is not changing in the scheme and remains as per the extant original permission. There will however be additional requirements to co-ordinate servicing with the markets to ensure safe operation.*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*

#### **4.13 The Belsize Society**

- Increased number of residential units would place strain on the local urban environment, local utilities and amenities.
- The proposed routes for vehicles related to the site are not safe or sustainable and do not respect the surrounding public realm and the activities that occur within it.
- The cladding material for the tower is obtrusive and inappropriate
- The unregulated sale of the market properties will not improve social cohesion and will not meet the demand for housing

Officer response:

- *Camden has an acute need for additional homes as identified in the London Plan and this is a highly sustainable location. Mitigation measures are secured through conditions and a s106 agreement where there are potential negative impacts, as described in the report below.*
- *Transport matters are considered in Section 14 below. The vehicle access is not changing in the scheme and remains as per the extant original permission. There will however be additional requirements to co-ordinate servicing with the markets to ensure safe operation.*

- *Red brick is considered a more contextual approach. Design matters are considered in Section 9 below*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*

#### **4.14 Combined Residents' Associations of South Hampstead (CRASH)**

- Current scheme is not an improvement on the previously approved development
- Support objections of other local groups
- Object to the use of the red brick in particular, which is currently visible on Cresta House and appears uncomfortable within the local aesthetic

##### Officer response:

- *The proposed amendments provide a range of improvements to the previously improved development as described in the report below.*
- *Red brick is considered a more contextual approach. Design matters are considered in Section 9 below*

#### **4.15 Save Swiss Cottage**

- Use of red brick cladding is unacceptable
- Car free development and approved level of disabled and cycle parking should be retained
- Access and egress for deliveries and servicing is unacceptable
- CMP should be updated and made easier to read
- Properties should only be sold as private residences
- Clear definition should be made between affordable and social rent homes
- Additional EIA is required
- It is unclear if wind issues are being mitigated

##### Officer response:

- *Red brick is considered a more contextual approach. Design matters including microclimate are considered in Section 9 below.*
- *Transport matters are considered in Section 14 below. The scheme would remain car-free and cycle parking has increased. The disabled parking spaces have been reduced in line with predicted demand rates.*
- *Servicing remains unchanged from the approved scheme, but with improvements in the management of servicing, particularly in terms of impact on Eton Avenue.*
- *The CMP will be updated.*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*
- *Housing matters are considered in Section 7 below. The tenure of homes is clearly defined – Social-Affordable Rent is a type of affordable home, as is Intermediate Rent.*

- *The number of additional units is minor in the context of the overall development and as such there would not be significant additional environmental impacts for a revised EIA to consider.*
- *Design changes were introduced to mitigate wind impacts on balconies. The massing and scale are not changing so impacts on surrounding areas are unlikely to be significant.*

#### **4.16 Save Swiss Cottage Action Group**

- Overdevelopment of the site
- Out of character with the wider area
- Red brick finish would increase the building's visual dominance
- Excessive height
- Overshadowing of the open space
- Excessive number of deliveries and service operations
- Unacceptable increase in local traffic
- Loss of local on-street parking availability
- All flats should be owner-occupied

##### Officer response:

- *The scale and massing remain the same as the original scheme. Camden has a need for additional homes as identified in the London Plan and this is a highly sustainable location. Mitigation measures are secured through condition and legal agreement where there are potential negative impacts, as described in the report below.*
- *The appearance is a more contextual improvement on the approved scheme.*
- *The materials give a more refined and contextual appearance.*
- *The height is not changing and remains the same as the approved scheme.*
- *The massing and scale are not being amended so there will be no material changes to overshadowing.*
- *Transport matters are considered in Section 14 below. The vehicle access is not changing in the scheme and remains as per the extant original permission. There will however be additional requirements to co-ordinate servicing with the markets to ensure safe operation.*
- *The additional trip generation should be able to be managed under the delivery management arrangements.*
- *The scheme would be car-free and is in a CPZ.*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*

#### **4.17 Cresta House Residents Association (CHRA)**

- Excessive increase in housing on site
- Impact on the pedestrianised market space from waste collections and deliveries
- Loss of local on-street parking availability
- Change in tenure from rent to sale
- Overseas occupiers will not contribute to the local community

Officer response:

- *Camden has a need for additional homes as identified in the London Plan and this is a highly sustainable location. Mitigation measures are secured through condition and legal agreement where there are potential negative impacts, as described in the report below.*
- *Transport matters are considered in Section 14 below. Servicing remains unchanged from the approved scheme, but with improvements in the management of servicing, particularly in terms of impact on Eton Avenue.*
- *The scheme will be car-free.*
- *Housing matters are considered in Section 7 below. The Council is unable to control to whom individual properties are sold and rented on the open market. There is no policy to prevent build to sale properties.*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*

**4.18 South Hampstead Flood Action Group**

- Submitted flood risk assessment says local flood risk is low but this is not the case, as the area has experienced flooding previously.
- Plans to install flood protection measures on site are welcomed. However, further measures such as permeable paving should be provided.

Officer response:

- *The scheme is designed to manage rainfall up to and including a 1 in 100-year storm event (with a 40% provision for climate change). Flood risk management matters are considered in Section 15 below.*

**Adjoining occupiers**

- 4.19 29 site notices were displayed around the site and in the local area from 7<sup>th</sup> March 2025 (with an expiry date of 31<sup>st</sup> March 2025). A press advert was also posted on 13<sup>th</sup> March 2025 (expiry date 6<sup>th</sup> April 2025).

*Summary of representations*

- 4.20 Separate objections were received from residents at 66 properties. The following objections were raised:

- Overdevelopment of the site
- Lack of affordable housing and unclear affordable housing offer
- Overly dominant appearance
- Inappropriate building architecture and materiality with negative impact on character and appearance of the area and surrounding heritage
- Poor quality homes
- Homes not for local residents
- Negative impact on the local community
- Increase in air pollution



- Increase in noise disturbance
- Overshadowing of local area
- Excessive additional local traffic
- Loss of on-street parking availability
- Excessive on-site parking provided
- Inappropriate site access, waste and delivery/servicing arrangements
- Inappropriate construction methodology
- Carbon dioxide emissions have not been minimised
- Lack of on-site energy generation
- Lack of urban greening
- Lack of on-site publicly accessible amenity spaces
- Negative impact on local trees
- Negative impact on local markets
- Negative impact on local services
- Negative impact on nearby open spaces
- Inappropriate supporting information
- Lack of public consultation

Officer response:

- *Camden has a need for additional homes as identified in the London Plan and this is a highly sustainable location. Mitigation measures are secured through condition and legal agreement where there are potential negative impacts, as described in the report below*
- *The Council is unable to control to whom individual properties are sold and rented on the open market*
- *Housing matters are considered in Section 7 below*
- *Heritage and design matters are considered in Sections 8 & 9 below*
- *Neighbouring amenity impacts are considered in Section 10 below*
- *Quality of accommodation is considered in Section 11 below*
- *Development sustainability is considered in Section 12 below*
- *Open space and site greening matters are considered in Section 13 below*
- *Transport matters are considered in Section 14 below*
- *Air quality matters are considered in Section 17 below*
- *The information provided with the application has been sufficient to enable an appropriate assessment of the proposed amendments.*
- *A formal public consultation has been undertaken by the Council in accordance with its Statement of Community Involvement. The Council cannot insist that applicants consult the public prior to submission though it appears in this case that applicant has also undertaken their own public consultations. A Development Management Forum was held prior to the submission of the application.*

## 5 POLICIES & GUIDANCE

### **National and regional policy and guidance**

[National Planning Policy Framework 2024 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[Written Ministerial Statement on First Homes \(May 2021\)](#)

## 5.1 The London Plan 2021

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD6 Town centres and high streets
- SD7 Town centres: development principles
- SD8 Town centre network
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H9 Ensuring the best use of stock
- H10 Housing size mix
- S3 Education and childcare facilities
- S4 Play and informal recreation
- E9 Retail, markets and hot food takeaways
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- HC5 Supporting London's culture and creative industries
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk

- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 (including T6.1-T6.5) Car parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the plan and planning obligations

## **5.2 Mayor's Supplementary Planning Guidance documents**

### **Local policy and guidance**

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

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H2 Maximising the supply of housing from mixed use schemes
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- C2 Community facilities
- C3 Cultural and leisure facilities
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites
- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements
- D1 Design
- D2 Heritage
- D3 Shopfronts
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- TC1 Quantity and location of retail development

- TC2 Camden's centres and other shopping areas
- TC4 Town centre uses
- TC6 Markets
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

#### 5.4 Camden Site Allocations 2013 – Site 30

The adopted [Site Allocations \(2013\)](#) identifies the site as a site allocation. It is allocated for mixed-use redevelopment including permanent (Class C3) residential, and other appropriate town centre uses such as retail and employment.

It makes clear development should optimise the potential of the site to provide new housing (including affordable housing).

#### 5.5 Supplementary Planning Documents

##### Camden Planning Guidance documents

- Access for all
- Air quality
- Amenity
- Artworks, statues and memorials
- Basements
- Biodiversity
- Community uses, leisure and pubs
- Design
- Developer contributions
- Employment sites and business premises
- Energy efficiency and adaptation
- Housing
- Planning for health and wellbeing
- Public open space
- Town centres and retail
- Transport
- Trees
- Water and flooding

#### 5.6 Draft Camden Local Plan

The council published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation in January 2024. Responses to the consultation and a [Submission Draft Camden Local Plan](#) (updated to take account of the responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination following a further period of consultation.

The Council has published the Camden Local Plan Proposed Submission Draft for consultation. The consultation closes on Friday 27 June 2025.

The Submission Draft is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

#### **DCLP Draft Site Allocation – W12**

The DCLP identifies the site as a draft site allocation. It is allocated for permanent self-contained homes, ground floor town centre uses and community use. The indicative capacity in the draft allocation is 184 additional homes which is based on the original planning permission.

#### **5.7 Other relevant documents**

- Camden Planning Statement on the Intermediate Housing Strategy and First Homes (March 2022)
- Belsize Conservation Area Statement (2013)
- Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan (2022)
- South Hampstead Conservation Area Character Appraisal & Management Strategy (2011)
- Elsworthy Road Conservation Area Appraisal & Management Strategy

## ASSESSMENT

The principal considerations material to the determination of this application are considered in the following sections of this report:

7	<b>Land use</b>
8	<b>Conservation and heritage</b>
9	<b>Urban design</b>
10	<b>Amenity of neighbouring properties</b>
11	<b>Quality of accommodation</b>
12	<b>Sustainable design and construction</b>
13	<b>Open space, urban greening and biodiversity</b>
14	<b>Transport and servicing</b>
15	<b>Flood risk and drainage</b>
16	<b>Fire safety</b>
17	<b>Air quality</b>
18	<b>Employment</b>
19	<b>Section 106 and CIL</b>
20	<b>Conclusion</b>
21	<b>Recommendations</b>
22	<b>Legal comments</b>
23	<b>Conditions</b>
24	<b>Informatives</b>

## 7 LAND USE

### *Introduction and Development Context*

- 7.1 The site is currently vacant and has been hoarded off following the demolition of the former office and restaurant buildings on the site. Construction works have commenced to implement the planning permission allowed at appeal in 2016 (application ref. 2014/1617/P and appeal ref. APP/X5210/W/14/3001616) and the approved basement area has now been substantially completed. This development can be completed as approved at any time and is a realistic fallback position that officers have given significant weight.
- 7.2 Whilst it is possible to build out the approved development, the applicant is seeking to secure amendments to the development to ensure its deliverability and compliance with up-to-date regulatory standards, including those set by the Building Safety Act 2022 in terms of building fire safety. This application for amendments also enables improvements to be secured in accordance with updated planning policy and guidance, as appropriate, particularly improved housing delivery, improved affordable tenures, and improved sustainability credentials.
- 7.3 Whilst a s73 application results in a new permission, the legislation states that “...*the local planning authority shall consider only the question of conditions subject to which planning permission should be granted*”. This means it is not possible to revisit the entire principle of the development and considerations are limited to matters which have changed.

### *Summary of Development*

- 7.4 The amendments proposed as part of this application include a 2,628sqm increase in residential floor space, a 148sqm increase in commercial space and a 22sqm increase in community space. The overall proposed increase in floor area across the approved buildings is 2,798sqm.
- 7.5 The additional floor space has been achieved without increasing the bulk and massing of the approved buildings through a range of design and layout efficiencies including through a decreased thicknesses of the structural slab floors and reductions in service areas. This allows additional floors to be inserted into the same building envelope. Further information on how this has been achieved is provided in the ‘Quality of Accommodation’ section below.

Land Use Details:		
	<i>Use Class and Description</i>	<i>Floorspace (GIA sqm)</i>
Approved scheme ref. 2014/1617/P	Class C3 Residential Use	21,498
	Classes A1-A3/Sui Generis Town Centre Uses & Safeguarded London Underground Station Entrance	1,039
	Class D1 Community Use	1,350

	<b>TOTAL</b>	<b>23,887</b>
Proposed under this Section 73 amendment application	Class C3 Residential Use	24,126 <b>(+2,628)</b>
	Class E Commercial, Business & Service Use	1,195 <b>(+156)</b>
	Class F2(b) Community Use	1,372 <b>(+22)</b>
	<b>PROPOSED TOTAL</b>	<b>26,685 (+2,798)</b>

*Figure 3 – Approved and proposed land uses table*

#### *Non-residential uses*

- 7.6 Policy E9 of the London Plan states that convenience retail uses should be supported in all town centres. Policy TC1 of the Camden Local Plan states that new retail and other commercial activities shall be focussed in existing town centres. Policy C2 of the Local Plan states that community facilities shall be developed and modernised to meet the changing needs of the community.
- 7.7 The proposed commercial uses are generally the same as those in the approved development, albeit these have been updated to match the appropriate use class of the amended Use Class Order which was updated in 2020. The main differences are that the new Class E (commercial, business and service uses) allows for a greater range of end uses than the former Classes A1-A3 (shop, financial/professional service/café only) previously did. The wider range of end uses now includes high street-type activities such as offices, health centres and gyms. It is considered that, as the site is within a designated town centre and the range of uses within Class E are of a nature usually seen within commercial street frontages, the expanded range of commercial activities proposed is acceptable.
- 7.8 Conversely the range of community activities that could be provided within Class D1 was formerly broad, including nurseries, schools, libraries, and would now be restricted to a Class F2(b) use as a community hall. This is still expected to provide space for 'The Winch' community facility, which would relocate from an existing building that fronts onto Winchester Road to the east of the site.
- 7.9 The proposed design has been discussed with The Winch which has resulted in the community space being consolidated on larger spaces on fewer levels with a larger entrance hall, a park-side frontage and improved circulation arrangements.
- 7.10 The proposal would result in the total removal of the space that was previously safeguarded for the provision of a potential new step-free entrance to the platform of the London Underground station below the site. In discussions during the assessment of this application TfL confirmed their priority was for step-free access at Finchley Road station as this serves two lines and can achieve step-free access to platform level. As such, TfL confirmed they do not require this safeguarded area. Further details of this matter are provided in the 'Transport and Servicing' section below. The area has reverted to Class E commercial space as a result.
- 7.11 It is therefore considered that the additional provision of amended commercial and community space at this site is acceptable. This provision of uses shall be secured through condition.



## *Residential use*

- 7.12 Policy H1 of the London Plan requires boroughs to optimise housing delivery on suitable brownfield sites particularly where these are close to a station or within the boundary of a town centre. The same policy also sets ten-year housing targets for through which Camden is required to achieve completion of 10,380 new homes over the plan period of 2019/20 to 2028/29. Policy H5 of the London Plan applies a threshold approach where developments providing a minimum of 35% affordable housing by habitable room are not required to submit a related viability assessment at application stage, subject to certain additional criteria.
- 7.13 Policy H1 of the Camden Local Plan states that the provision of new self-contained housing is the priority land use of the Plan. To achieve this the same policy states that where sites are underused or vacant the Council shall expect the maximum reasonable amount of housing to be provided on site. Policy H4 of the Local Plan states that the Council will aim to maximise the supply of affordable housing.
- 7.14 The proposal would increase the amount of self-contained housing, including affordable housing, on site. The number of homes would increase by 53, from 184 to 237. This includes an additional 16 affordable homes, which would increase the proportion of affordable housing in the development overall from 31% to 36% by habitable room. The following table summarises the proposed amendments to housing numbers across the tenures.

<b>Tenure</b>	<b>Approved</b>	<b>Proposed</b>	<b>Difference</b>
Discount Market Rent	18	0	-18
Social-Affordable Rent	28	36	+ 8
Intermediate Rent	8	34	+ 26
<b>Total Affordable</b>	<b>54</b>	<b>70</b>	<b>+ 16</b>
Market homes	130	167	+ 37
<b>Total homes (all tenures)</b>	<b>184</b>	<b>237</b>	<b>+ 53</b>

- 7.15 The market tenure of the proposal has been amended with homes now intended to be provided for sale and not as dedicated rental properties. The exact tenure of market homes is not governed by policy, other than how to secure affordable housing in those cases (see London Plan policy H11 for example). Nonetheless, this move to market sale is supported in principle as properties for sale tend to accommodate more permanent residents which should lead to a more permanent and stronger local community. The market units would also enable greater up-front sale receipts to be realised which allows for a greater immediate investment into the affordable housing provision on site.
- 7.16 As such, this amended development includes a higher proportion and improved mix of affordable housing. There would be an overall increase in the proportion of affordable housing in terms of unit (from 29% to 30%) and habitable room (from 31% to 36%). The larger increase in affordable habitable rooms (5%) compared to

units (1%) is an indication that the affordable units provided would also be of a larger size under this amendment application. For example, the amount of three-bedroom affordable homes would increase by 8 and the number of two-bedroom affordable homes would increase by 13. 40% of the additional affordable homes would be larger-sized two and three-bedroom homes.

- 7.17 It should also be noted that the former discount market rent (DMR) units would be replaced with a mix of social/affordable rent and intermediate rent homes. DMR accommodation is not considered to be affordable housing as it would not be affordable in perpetuity (just for 15 years in the case of the approved application). As such, the amended split of affordable housing by unit would now be 51% social-affordable rent (36) and 49% intermediate rent (34), in perpetuity.

<b>Amended development affordable housing split (by unit)</b>				
<b>Tenure</b>	<b>1B2P</b>	<b>2B4P</b>	<b>3B5/6P</b>	<b>Total</b>
Social-Affordable	4 (5.7%)	6 (8.5%)	26 (37.1%)	<b>36 (51.5%)</b>
Intermediate Rent	16 (22.8%)	18 (25.7%)	0	<b>34 (48.5%)</b>
<b>Total</b>	<b>20</b>	<b>24</b>	<b>26</b>	<b>70</b>

- 7.18 The national policy for 25% of affordable housing as First Homes no longer applies. Delivery of First Homes can, however, continue where local planning authorities judge that they meet local need. The Council has adopted a Planning Statement on the Intermediate Housing Strategy and First Homes, which indicates that some affordable housing tenures, including First Homes and DMR, would not be affordable to median income residents in Camden, and consequently First Homes and other unaffordable tenures will not be sought in the borough. Any homes delivered as part of the proposal are expected to contribute to the Council's preferred affordable housing types identified by Local Plan Policy H4 and CPG Housing 2021, namely social-affordable and intermediate rented housing. The changes to tenure meet these objectives.
- 7.19 Whilst this mix does not achieve the Council's affordable housing split guideline as stated in Policy H4 of the Local Plan of 60% social-affordable and 40% intermediate it is an improvement on the approved development and therefore acceptable on that basis. Furthermore, the removal of DMR and replacement with improved more affordable tenures is a significant improvement considered in the balance.
- 7.20 It is also relevant to note that the GLA have commented on this application stating that they are in support of the improved affordable housing offer and that it meets their guidelines for the 'fast-track threshold' route where no viability information is required to be submitted and assessed.
- 7.21 The amended affordable mix also overprovides three bedroom social-affordable (72% against a target of 50%) homes which is welcomed as there is strong demand in the borough for family-sized low-cost affordable housing which this site would be able to provide.

7.22 For the intermediate rent affordable housing, smaller units are proposed as these are more affordable to local residents and the amended development would include a split of one (16) and two (18) bedroom homes in line with the Camden Local Plan's dwelling mix priorities. Although there are slightly more two-bedroom than one-bedroom intermediate units, these are still welcomed given that it is important to have a mix of housing options on site. Furthermore, three-bedroom units, which would be the least affordable housing typology if provided as intermediate rent units, have instead been prioritised within the social/affordable rent tenure. The proposed two-bedroom intermediate units are expected to be allocated to a mix of families and sharers.

### *Housing Conclusion*

7.23 The Housing Delivery Test (HDT) is an annual measurement of housing completions introduced by the government. It measures whether development plan requirements (or, in some cases, local housing need calculated by the government's standard method) have been met over the last 3 years. The government's most recently published figure is for 2023, when the government's measurement for Camden was 53% - which means that Camden's development plan policies are treated as being out-of-date in relation to housing provision.

7.24 The presumption in favour of sustainable development in paragraph 11(d) of the NPPF is engaged, and great weight should be given to the provision of housing in decision making. The NPPF indicates that applications should be granted unless their adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.

7.25 The amended development would provide a significant uplift in housing overall which would contribute significantly towards the Council's housing target. There would also be a significant uplift in affordable housing provision compared to the approved scheme – from 31% to 36% by habitable room.

7.26 It would also provide a greater proportion of lower-cost affordable housing compared to the approved development plus a high proportion of larger three-bedroom social/affordable rent housing units. The GLA have welcomed the uplift in housing and the improved number and range of affordable provided and have confirmed the amended development is suitable for the Fast Track Route viability route, subject to the provision of an early-stage review being secured through the Section 106 legal agreement.

7.27 This improved housing provision complies with the development plan and the NPPF in land-use terms and has been given significant weight. As such, it is considered that the application is acceptable in land use terms.

## **8 CONSERVATION AND HERITAGE**

8.1 In accordance with Policy D2 of the Camden Local Plan the Council will not permit development that results in less than substantial harm to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

- 8.2 In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.3 The site is in the setting of five conservation areas. The character of the conservation areas is chiefly late 19th/early 20th century residential (largely terraces, detached and semi-detached houses and some purpose-built blocks of flats) in fabric combinations of both solely brick and brick and stucco.
- 8.4 The character of the immediate context of the site is chiefly inter-war and later 20th century commercial architecture, some civic buildings (notably the Swiss Cottage Library listed at Grade II) and low-to-high-rise blocks of flats in a mix of materials but with brick predominating.
- 8.5 *Amendments to approved buildings*
- 8.6 There is no proposed increase in bulk or massing to either approved building as part of this amendment application. In determination of the approved development, it was concluded that the proposals would cause less than substantial harm to the Belsize Conservation Area. It was also concluded that there would be no harm to the significance of all other heritage assets. Given the building envelopes remain within the previously approved parameters the chief effect of this application in heritage terms is the change to the façade design and the effect thereof on the setting of neighbouring conservation areas, listed buildings, and the general character of the townscape whether in a conservation area or not. This application must therefore be considered as it relates to matters of detailed design and materiality.



Figure 4 – verified view of the amended building from within the Belsize Conservation Area.

- 8.7 The pre-cast concrete of the approved development would be replaced with a set of brickwork facades which vary in tone between the two blocks. The scale of the proposed window openings would reduce the amount of glazing integrated within the scheme. It is noted that through the appeal process for the approved development the materials of the proposed building were not considered as being at the crux of its impact on heritage and ultimately it was secured that materials should be dealt with at condition stage.
- 8.8 The use of grey brick on the lower element is considered to successfully address the issue of the setting of the Grade II listed Swiss Cottage Library. When the library was built in the early 1960s its context was essentially 1930s red and brown brick, and it did not mimic any of the surrounding townscape in its materiality or tone. However, it is now a listed building (designated in 1997), and it is appropriate that future development within its context should defer to it in terms of materiality. The proposed use of a grey brick on the lower element would appear as an acceptable approach to tonality and materiality which allows the library to still read as being of different materials to everything else in the immediate vicinity (i.e. concrete fins and panelised cement).
- 8.9 In terms of the tower, a number of alterations have been undertaken to its detailed form, shape and ornamentation when compared to the approved development, albeit massing and scale remain the same. Horizontal banding was introduced along the taller element's façade to create a sense of rhythm and articulation. This articulation of brickwork, with recesses at the base and top of the tower, adds visual detail and breaks the scale of a tall building into a more traditionally "ordered" proportion.
- 8.10 The surrounding area is predominately characterised by brick and where tall buildings have deviated from this material (e.g. the tall buildings on Winchester Road) it is not readily obvious that they have been any less harmful in heritage terms than the materiality proposed in the proposed development. Any tall building will be visible in several key local views and contexts including both from a distance and local to the site. In the scales and contexts from which the amended development would be seen, the proposed use of a predominantly brick material finish of the generally red tones indicated (although final details are to be secured by condition) are considered not to be especially incongruous in the immediate and wider visual contexts. The external articulation of the building is also one not uncommon for a contemporary residential tower. As such, changes to the detailed design and materiality would have no additional impact on surrounding conservation areas or listed buildings.

#### *Nearby sculpture*

- 8.11 The Grade II Listed Hampstead Figure sculpture, which was formerly located close to the site, has been temporarily relocated to a site south of the leisure centre. It is expected that the sculpture will be moved back to an appropriate location north of the leisure centre and library in due course once works in the area have completed and it is less likely to be damaged. The amended development would have no impact on the heritage significance of this sculpture.

#### *Heritage Summary*

8.12 The Council has had special regard to the desirability of preserving the character and appearance of nearby Conservation Areas, and also nearby listed buildings, their settings, and their special interest.

8.13 As such it is considered that, on balance, there is no additional harm to any heritage assets by reason of the detailed design and materiality of the amended development and that in the context of the setting of the nearest listed buildings the amended development is a moderate improvement to the original permission.

## 9 URBAN DESIGN

9.1 Camden Local Plan policies D1, D2 and CPG Design are relevant to the consideration of design when assessing planning applications. London Plan Policies D3, D4, D5, D8, and D9 are also relevant.



*Figure 5 – approved development (left) and proposed (right) from the adjacent open space*

### *Context*

9.2 This application proposes to amend the previously approved development to ensure that updated Building Regulations are met, to improve the layout and build efficiencies of the development and to provide a higher quality external treatment to the buildings.

### *Layout*

9.3 The amended layouts of the proposed building feature significant rationalisations, notably the introduction of a second stair core in the tower to meet updated fire safety regulations, which has been achieved without expanding the envelope of the approved building. In the lower building, stair cores are positioned centrally with residential entrances available from both Avenue Road and the park-side, where the main entrance for both the affordable housing block and the community space will now be. This provides quieter dedicated access to these uses, away from the busy Avenue Road. The amended development would continue to provide a substantial



amount of active frontage and passive surveillance onto the park area, which is welcomed, as well as a commercial frontage onto Avenue Road which would appear as an extension to the retail frontage on Finchley Road.

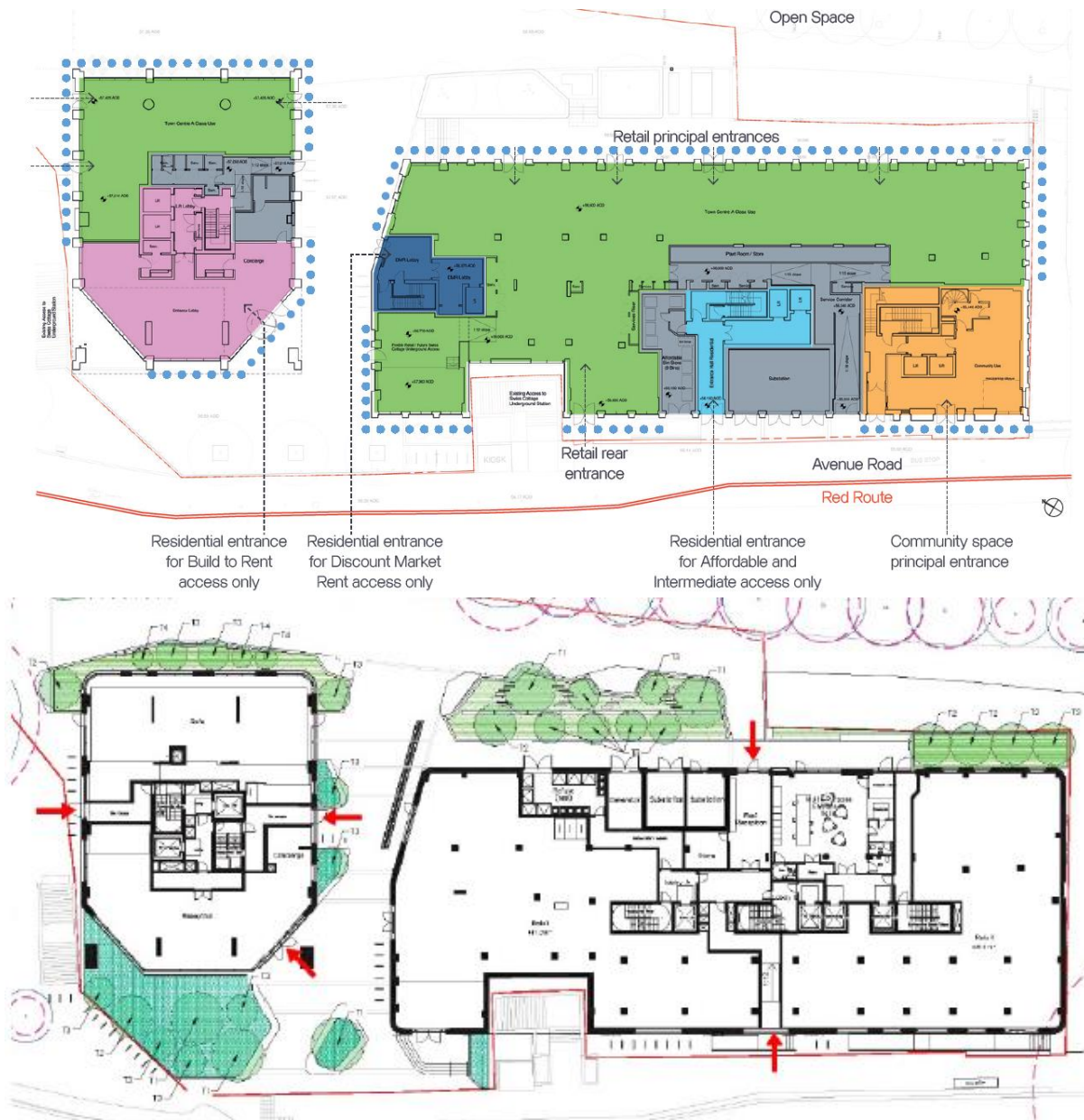
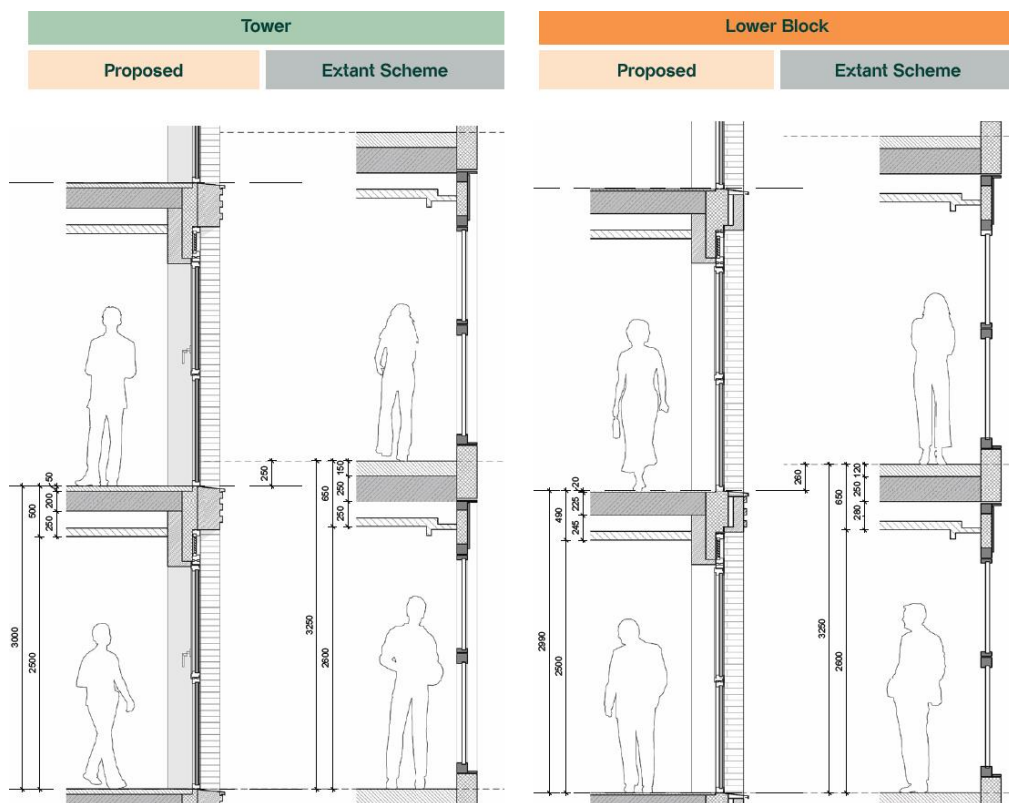


Figure 6 – approved ground floor (top) and the proposed development (bottom)

- 9.4 Plant and back-of-house functions would be consolidated away from Avenue Road for ease of servicing and to enhance the retail frontage, which now wraps around the lower building. This also means that domestic facilities arrangements would be located as close as possible to the main residential entrances (marked with red arrows on the above plan).
- 9.5 Above ground level the tower sees a rationalisation to seven apartments per floor while the lower building increases density to thirteen apartments per floor with larger flats strategically placed at corners for better daylight and ventilation. The community space would be consolidated across a reduced number of levels, in accordance with feedback received from the expected end user of the site (The Winch).

### *Floor efficiencies*

- 9.6 The provision of two additional floors in each building, and a corresponding amount of extra homes, without expanding the building envelopes has been achieved through reduced floor finish zones, a reduced slab depth, reduced service zones and reduced ceiling heights. This reduces the floor-to-floor heights between each floor whilst retaining floor-to-ceiling heights of at least 2.5 metres in accordance with the requirements of the London Plan Housing Design Standards LPG.



*Figure 7 – floor-to-floor heights for the approved (extant) and proposed developments*

### *Scale, massing and appearance*

- 9.7 As mentioned above, the scale and massing of the building would not change as the additional homes would be provided from the efficiency improvements to the internal layouts of both buildings. There would also be enhancements to the facades of the buildings to further improve residential quality. These will be explained further in the 'Quality of Accommodation' section of this report.
- 9.8 The external appearance of the building has been re-considered, with inspiration taken from the architectural context of this part of Swiss Cottage. The previously specified pre-cast concrete, now somewhat dated, has been replaced with pale red and light grey brickwork, carefully chosen to harmonise with the surrounding buildings. Large expanses of glazing have been replaced with appropriately



proportioned window openings, improving functionality, reducing heat loss, and enhancing energy efficiency while contributing to a more contextually appropriate aesthetic. The proposed development's texture and materiality have been carefully refined to improve its architectural character and ensure a cohesive integration with the surrounding conservation area and Swiss Cottage town centre.

- 9.9 The amended tower building would feature a distinct two storey base with horizontal banding, creating a robust street-level plinth and establishing a clear architectural hierarchy. This banding subtly transitions into the base of the columns, providing a sense of solidity and visually breaking up the façade to avoid appearing monolithic. On the typical floors of the tower, horizontal banding is expressed every third floor, enhancing the facade's rhythm. Window proportions have been optimised for daylighting and to prevent excessive overheating, and balcony balustrades have been carefully considered to provide optimal levels of safety and protection from wind. Notably, curved corners have been introduced to soften the tower's form, providing a contemporary nod to local art deco buildings and the Swiss Cottage Library. The Avenue Road elevation of this building features brick columns with corbelling as part of the double height ground level which would bring an element of craftsmanship to the street frontage in this area.
- 9.10 The lower building's appearance has also been carefully considered. It is articulated by distinct balcony bays grounded by a podium that reduces the building's apparent scale from the park side to provide a contextually sensitive design. At the lower levels, provision of commercial glazing has been limited; the solidity provided through the brickwork creates a human-scale design whilst retaining the active street presence. The entrances for the residential and community spaces are celebrated with an asymmetric stepping and the use of coloured glazed brick details, providing them with a distinct identity. Horizontal banding is integrated which extends up to first floor level, echoing the tower's base level treatment to retain elements of visual consistency across the development as a whole. The south elevation façade would feature intricate brick detailing elements, adding visual interest and preventing opportunities for anti-social behaviour through the elimination of recesses. Overall, the amendments would improve the appearance of the buildings over the original scheme, and would mitigate some of the visual impacts.

#### *Microclimate*

- 9.11 A detailed wind microclimate assessment was undertaken to evaluate wind conditions for the proposed development in comparison to the approved environment. The analysis identified the need for mitigation measures to ensure comfort and usability on the corner balconies of the tower building. These measures involve 1500mm high glazed balustrades for Avenue Road and solid balconies for open space-facing sides.



*Figure 8 – the bespoke glazing treatments designed to maximise quality of the balcony amenity areas on the tower can be seen on the left of this image*

- 9.12 The specific higher-level corner balconies will feature 2000mm full height glazed infills. Balcony features have been designed to integrate with the appearance of the buildings overall. Street conditions around the site were noted to not require any further mitigation from wind impacts with the detailed design and layout of the proposed buildings. With these measures integrated, the wind assessment confirms suitable conditions for all intended uses at both ground and elevated levels, ensuring a safe and pleasant outdoor environment for both residents and passers-by.

#### *Public Realm*

- 9.13 The proposed public realm is designed as a network of interconnected spaces that prioritises permeability and accessibility, responding to the site's strategic location at the convergence of key pathways to and from local points of interest. Proposed routes will facilitate clear connections between the development, the surrounding infrastructure, and nearby cultural hubs, with a focus on level access and a human scale. These routes will be thoughtfully integrated with trees, planting, and lighting to create a safe, inviting, and comfortable environment for all users. Enhancing biodiversity is a core landscape principle, with planting woven throughout the site, incorporating sustainable drainage systems and street-level planting where feasible. New tree planting will complement the existing greenery of the adjacent Swiss Cottage Open Space. Again, these moves improve on the original scheme.

#### *Design Review Panel*

- 9.14 The emerging scheme of amendments was reviewed by the Camden Design Review Panel (DRP) on 13th September 2024. The feedback considered that 'the panel is pleased to see proposals for such an important site, but makes recommendations on developing architecture, improving ground floors and landscape, improving accommodation, and developing sustainability ambitions.' Requests from the Panel (see **Appendix 2** for a copy of their comments) to further articulate the roof level

and north elevations of the tower, and to provide more texture and clarity to the ground floors of both buildings, have been taken into account during the evolution of the development's design. A major comment regarding safe residential entrance to the lower block has been addressed by the applicant team in the proposals, providing amendments to the design of those entrances, and a secondary entrance introduced on Avenue Road.

### *Conclusion*

- 9.15 The revised proposals build upon the approved scheme to display a considered and creative design response to this site, bringing it up to current design standards and contemporary architectural aspirations. Given that the site is in a highly accessible location, the proposals show generosity to the public realm and would help to activate and enhance Swiss Cottage Open Space. The design strategically and thoughtfully considers visibility, natural surveillance, openness, activation, lighting, and layout, collectively enhancing safety and securing a positive shift in the area's perceived security. The proposed materiality responds to the site conditions and historic context of the local built environment and would create a positive and dramatic feature for this site.
- 9.16 As such, it is considered that this proposal demonstrates a high-quality design that meets the aspirations of Local Plan policies D1 and D2. Furthermore, the amendments are a notable improvement over the original scheme. Details of the scheme relating to exact finishing materials, façade detailing, balcony designs and layout of hard and soft landscaping shall be secured by condition.

## **10 AMENITY OF NEIGHBOURING PROPERTIES**

- 10.1 Camden Local Plan policies A1 and A4 are relevant with regards to the impact on the amenity of residential properties in the area. There are no residential properties immediately adjacent to the site, with the closest being located across the street to the west, across the open space to the east, or on the northern side of Eton Avenue to the east of the drama school (all more than 60 metres away from the site).
- 10.2 There are no material increases in bulk and massing from the proposed amendments to the development and therefore there would be no material difference in terms of impact on daylight, sunlight or outlook to nearby residential properties. Whilst there would be additional homes provided within the amended development the layout and siting of windows and amenity spaces are such that no significant overlooking of any private residential amenity spaces would occur.
- 10.3 There would be amenity spaces provided at roof level of the lower block – one for residents of the block and another for the occupiers of the community space in the form of a ball court. The hours of use of these spaces are expected to mirror those of the surrounding open space and ball courts currently located adjacent to the leisure centre, and as such there is not expected to be any excessive or atypical increase in noise for this area that could potentially disturb nearby residents, especially given the busy location.
- 10.4 The development would be car free and therefore vehicle movements associated with it would be minimised. Additional deliveries and service movements are not

expected to be significant enough to cause excessive disturbance to existing residents in the area. More information on vehicle movements is provided in the 'Transport and Servicing' section below. Conditions ensure reasonable noise levels for plant.

- 10.5 As such, it is considered that there would be no significant detrimental impact on the amenity of local residents in terms of a loss of day/sunlight, outlook and privacy from the proposed changes to the approved development, nor in terms of excessive noise or other disturbance. In this regard, it would be comparable to the original application.

## **11 QUALITY OF ACCOMMODATION**

### *Daylight and sunlight*

- 11.1 The residential layouts have altered so there is likely to be a material difference in light for the proposed homes. A Daylight and Sunlight Report (DSR) has been submitted as part of this application which assesses the daylight and sunlight within the proposed flats.
- 11.2 In terms of daylight for new developments it is recommended by the BRE that rooms achieve the recommended median lux level (150 for kitchen-living-dining rooms, 100 for bedrooms) to at least 50% of the assessment points in the room for at least half of the daylight hours.
- 11.3 The DSR finds that 90% of the assessed rooms (living/kitchen/dining rooms, bedrooms and studio flats) within the development would achieve the BRE target values with regards to daylight.
- 11.4 96% of rooms assessed in the tower would meet the BRE guidelines. Within the tower most of the LKDs that fall below these guidelines are on the second to twelfth floors of the southern elevation where the main living space is set deep into the plan behind an inset balcony. This appears to be a function of the façade design and layout of these individual flats (particularly as the bedrooms to these flats have good levels of daylight) and as such further work should be undertaken to ensure the residential quality of the development is maximised. This can be secured by condition. The four studios that fall below the BRE target are on the lower levels of the tower facing south towards the lower block. The scale and massing of that block is not changing as part of this proposal and as such it is considered that the smaller residential units on the southern side of the tower are always likely to have lower levels of daylight than those on the upper parts of that building.
- 11.5 In the lower block 79% of the rooms assessed would comply with the BRE guidelines. The amended development has been designed to ensure that main living spaces have been located on the eastern and western sides of the lower building to maximise their light availability. As such, all but two LKDs meet the BRE targets and the remaining two fall below these by relatively small margins (2% and 6% below the 50% BRE recommendation). The remaining rooms that fall below the BRE guidelines for daylight are bedrooms and not main habitable rooms. Lower daylight levels are therefore considered to be tolerable for these rooms, particularly balanced against the need to avoid overheating.

- 11.6 Although not all flats meet the BRE daylight guidelines this is considered to be within acceptable limits and a condition will be secured to ensure that the layout of the development is reviewed to maximise the daylight levels provided to all flats.
- 11.7 The DSR also finds that 98% of the assessed rooms (341 rooms oriented within ninety degrees of due south) would receive at least one and a half hours of sunlight on 21<sup>st</sup> March. This is all but five rooms which is an excellent threshold for a development in a highly urbanised area. Two of these five rooms have another room within the unit which meets the necessary threshold and as such the flat as a whole is considered to receive adequate sunlight. The three remaining rooms are studio flats located on the south side of the tower facing the lower block. As such, it is difficult for direct sunlight to reach these units given the approved development layout. Sunlight levels no less than 1.1 hours of direct sunlight on 21<sup>st</sup> March for these units is considered reasonable given the overall scale of the development.
- 11.8 As such, the analysis shows a relatively high level of compliance for such an urban environment, and an effective balance between lighting and preventing overheating. It is considered that the day/sunlight levels for the development are acceptable, and the scheme complies with the development plan in this regard.

#### *Overshadowing*

- 11.9 The overall massing and scale of the development is unchanged, so there are unlikely to be any material changes in overshadowing of spaces within and around the development compared to the original application. Nonetheless, the DSR has also assessed sun-on-ground for the communal amenity areas within the red line site for this application and found that they meet the BRE requirements of more than 50% of the space receiving at least two hours of sunlight on 21<sup>st</sup> March. As such, the level of overshadowing to the proposed amenity spaces on site is considered acceptable. Impact on the adjacent open space is assessed in the 'Open space, urban greening and biodiversity' section below.

#### *Aspect*

- 11.10 The amended development design includes no north-facing single-aspect homes. However, aspect is also a function of block layout and form. Given that this would not be changing it is acknowledged that there is a significant proportion of single aspect units proposed. Providing an additional number of flats within the buildings has meant that the number of dual aspect units has increased compared to the approved development (from 106 to 124). This is partly because the number of smaller units within the tower has increased. However, it has also been shown that careful detailed design has led to the overall proportion of single aspect units decreasing from 57% to 52%, which is welcomed. This includes an increase in the proportion of dual aspect units within the lower block with the affordable housing (from 37% to 40% of the total number of units). The units in the lower block would also benefit from the use of a roof terrace at sixth floor level, which would face on to the open space at the rear.

#### *Noise and vibration*

- 11.11 With regards to noise and vibration, the dominant source would be from the traffic on Avenue Road and the Swiss Cottage gyratory. Underground trains would also cause some noise and vibration. The park and its related games areas would at times be a source of noise and the community space would also feature a roof level games area.
- 11.12 A Planning Stage Noise and Vibration Assessment Report (NVAR) has been submitted with this application which assesses the impact upon prospective occupiers of the flats. A mechanical ventilation strategy has been selected to prevent the need potential openings into habitable rooms other than from openable windows to provide purge ventilation. The building materials will be selected to minimise noise transfer internally and noise incursions from outside.
- 11.13 The NVAR identifies that vibration from underground trains is unlikely to be significant enough to impact residents within the building but that some parts of the building could experience re-radiated noise from trains above 35dBA which is above the level at which complaints could occur. Mitigation measures such as acoustic ceilings and floating floors are therefore recommended.
- 11.14 Higher noise insulation levels are also recommended within the NVAR to control noise emissions from the community and commercial spaces adjoining the residential accommodation, both in terms of air-borne sound and impact sound levels. Management agreements should also cover noise-creating activities, such as loading and unloading activities from a retail unit.
- 11.15 The required internal noise levels referenced above can be secured through appropriate conditions. Management agreements for the non-residential activities will also be secured through section 106 legal agreement.
- 11.16 The sixth-floor amenity and ball court spaces are also potential sources of noise. The lower building has been designed with flats located away from these areas to minimise impact from these spaces on the living conditions of residents. The hours of use of these spaces can also be controlled by condition.

#### *Wheelchair dwellings*

- 11.17 24 flats (10%) have been designed to be wheelchair dwellings in accordance with the standards of part M4(3) of the Building Regulations. 17 of these flats would be within the affordable housing of the lower block, in a range of sizes including one, two and three bedroom properties, which means that 24% of the affordable units would be wheelchair accessible or adaptable homes. 14 of the social/affordable rent flats would be fully adapted as wheelchair accessible under part M4(3)(2)(b) of the Regulations and available for occupation once the development is completed, which is 39% of the total number of social/affordable rent units. This would provide a flexible range of high-quality accessible and adaptable homes which is welcomed. The remaining 90% of flats would meet M4(2) Building Regulations standards. These accessible and adaptable dwellings shall be secured by condition and would benefit those with limited mobility – with age and disability being protected characteristics.

#### *Amenity and play space*

11.18 All the proposed units would benefit from balconies, which is an improvement on the previous application. Further external amenity space is provided in the form of a 360sqm roof terrace which also includes play space for children.

11.19 The amendments to the mix of housing on site results in a requirement for 1,030sqm of play space. 321sqm is provided in the public realm in addition to the roof level play space quantum referenced above. This is a total of 681sqm of play space, which again is an increase on the amount of on-site play space provided as part of the previously approved development. The play space within the application site is aimed at younger children of 0-11 years of age with play space for older children available in the adjacent park.



*Figure 9 – proposed play space layout within the site boundary*

11.20 Play equipment improvements off-site would be secured through section 106 legal agreement as part of the open space contribution for this development. Further information on this is provided in the 'Open space, urban greening and biodiversity' section below. Final details of the play space designs, layout and equipment can be secured by condition.

### *Summary*

11.21 Therefore, it is considered that the proposed amendments would secure a high-quality development with good levels of residential amenity, accessibility and supporting facilities, and therefore is considered acceptable. In most areas, the amendments would improve on the original scheme, albeit overall daylighting compliance is not as good. That said it is still an acceptable quality of accommodation in that regard and the scheme would comply with the development plan.

## **12 SUSTAINABLE DESIGN AND CONSTRUCTION**

- 12.1 In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.
- 12.2 It is relevant to note that the approved development has been implemented through the construction of the previously approved basement, and that the buildings that formerly existed on site have already been demolished. The policy context as regards building sustainability has changed significantly since the approved development was allowed at appeal in 2016. The amended proposal is being assessed against the upgraded suite of Camden Local Plan and Local Plan policies as described above which have changed since the original application.
- 12.3 An Energy Statement and a Sustainability Statement have been submitted with the application. Whole Lifecycle Carbon Assessment and an Overheating Assessment have also been submitted.

#### *Carbon Reduction*

- 12.4 The overall carbon reduction for this amended development would be 76.5% which significantly exceeds the minimum carbon reduction requirement in the development plan of 35%. To achieve zero carbon a carbon offset payment is required. This has been calculated at £152,729 (in order to offset 53.6 tonnes of carbon at £95 per tonne for 30 years). This shall be secured through Section 106 legal agreement.
- 12.5 At 'be lean' stage (energy efficiency measures) the development would secure a 10.3% reduction in emissions for the residential element of the scheme, which improves on current policy requirements for residential development and thus is supported. The proposed reduction of 2.5% for the non-residential element of the scheme does not meet the required 15% reduction benchmark. As such, the applicant is required to maximise the carbon reduction measures for the commercial use areas through the revised energy information to be secured through the Section 106 legal agreement.
- 12.6 At 'be clean' stage (energy supply) there are no significant carbon reductions that can be achieved as the development is not currently able to connect to an energy network. This is accepted given the site context as there are no existing or planned networks in the local area. Provisions will be made in the plant room for possible future connections to a district heating network. Future proofing of this connection for future use if required will be secured through Section 106 legal agreement.
- 12.7 At 'be green' stage (renewables) there would be significant reductions in carbon substantially improving on the 20% target for both residential (77.1% reduction) and non-residential (20.9% reduction) elements of the proposed development due to the provision of 600sqm of photovoltaic panels on roofs and ambient loop air source heat pump systems. These carbon reduction targets including specific details of the heat pumps will be secured through Section 106 legal agreement and conditions. Monitoring of these measures as required by Policy SI2 of the London Plan shall also be secured through Section 106 legal agreement.



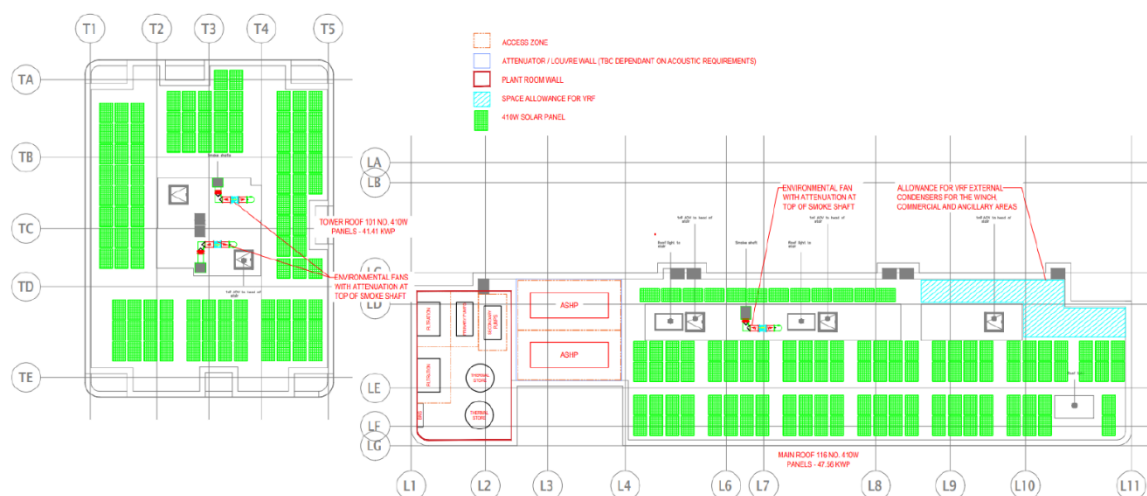


Figure 10 – proposed PV layout at roof level (to be mixed with biosolar roofs)

12.8 The original scheme was considered under different standards and a different policy landscape, with significant material changes in policy since then. The original scheme failed to meet the less stringent requirements of the time, with reductions of only 29% beyond those Building Regulations at the time. Not only are these proposed amendments a significant improvement on energy performance, but the current scheme also performs very well against current more stringent policy requirements. Officers have given this notable improvement significant weight.

### Overheating

12.9 Bedroom windows are required to be shut overnight for acoustic reasons due to the proximity of the site to main roads. The amended development has followed the cooling hierarchy by including features such as low g-value glazing, deep reveals, and external shading from balconies within the development design. It is also proposed that all dwellings will be fitted with MVHR (mechanical ventilation with heat recovery) equipment. The lower block will have MVHR with tempered air.

12.10 Of the 237 residential units proposed 78 have been sampled for dynamic thermal modelling (DTM). The rooms analysed are located on the top floors of their buildings (tower block at 25<sup>th</sup> floor, lower block at 4<sup>th</sup> and 7<sup>th</sup> floor). Some bedrooms must also be sampled that are not on topmost floor to allow better understanding of the likely overheating issues throughout the proposed development. As such, a further overheating analysis is required and measures to minimise overheating must be integrated into the development where appropriate once this analysis has completed. This can be secured through condition.

12.11 Further information is also required that clarifies the Global Warming Potential (GWP) of the refrigerant for the proposed VRF/air conditioning system in respect of policy CC1 of the Camden Local Plan which requires developments to minimise the effects of climate change and meet the highest feasible environmental standards. This can also be secured by condition.

### Water efficiency

- 12.12 The requirement of Policy CC3 of the Camden Local Plan to control water use to a maximum of 105 litres per day can be achieved. This shall be secured through condition.

#### *Green roofs*

- 12.13 Green roofs would be secured on the roofs of both buildings, which is welcomed. Details of these shall be secured by condition.

#### *BREEAM*

- 12.14 BREEAM excellent can be achieved with at least 60% of credits for energy and 40% for materials. 60% for water has not been achieved. However, the overall rating of excellent is in accordance with Policy CC2 of the Camden Local Plan. These measures shall be secured through Section 106 legal agreement and credits will be expected to be maximised through the final design of development.

#### *Whole Life Carbon and Circular Economy*

- 12.15 Assessing the Whole Life Carbon of the buildings is now a policy requirement. The proposed development meets the aspirational benchmarks for predominantly residential development (see table below). The development is also proposed to meet or exceed the target of 95% for appropriate reuse of construction/demolition and excavation waste. The GLA have reviewed the application from a WLC & CE perspective and raised no objections.

Module	WLC Benchmark for resi (kgCO <sub>2</sub> e/m <sup>2</sup> GIA)	Aspirational Benchmark for resi (kgCO <sub>2</sub> e/m <sup>2</sup> GIA)	Proposed De- velopment
A1-A5	<850	<500	<b>497</b>
B-C (excluding B6 and B7)	<350	<300	<b>236</b>
Total A-C (ex B6&B7 in sequestration)	<1200	<800	<b>717</b>

- 12.16 Whole life carbon and circular economy measures shall be secured through appropriate conditions.
- 12.17 Therefore, the carbon reduction measures and overall sustainability of the proposed development is considered to be a significant improvement on the approved development and is acceptable and in accordance with the development plan.

### **13 OPEN SPACE, URBAN GREENING AND BIODIVERSITY**

- 13.1 Policy A2 of the Camden Local Plan states that the Council will resist development that fails to protect or would compromise the setting of public open spaces. Policy G4 of the London Plan states that developments should not result in a loss of public open space.

- 13.2 Policy G5 of the London Plan recommends a target urban greening factor score of 0.4 for developments which are predominantly residential in use, a policy introduced since the original application.
- 13.3 The proposed amendments would not change the size or siting of either of the previously approved buildings. As such, this development proposal would not lead to any materially different overshadowing of the adjacent open space. The proposal would be of benefit to the open space as it would enliven a side of the park that has been unoccupied for many years. The proposal would provide additional and upgraded public realm for passers-by to use, plus seating and planting that would provide a high-quality verdant environment for the local community to use. The public realm areas around the site would be completed to accord with the Council's ongoing landscaping and public realm works that are currently under way in the local area. Exact details of the soft and hard landscaping within the site will be secured through condition and Section 106 legal agreement as appropriate.
- 13.4 The approved development secured a financial contribution towards the public open space that was based on the number of residents within it. As the occupancy of the buildings would increase it therefore follows that an additional open space contribution of £159,300 shall be secured through Section 106 agreement in order to provide additional resources to protect, manage and enhance the open space including providing related play equipment. This accounts for the additional pressure put on that infrastructure by the amendments. To be clear, this is in addition to the public realm and landscaping contributions secured through the approved development, which have already been paid.
- 13.5 The new commercial frontages and building entrances would increase security of the open space through passive surveillance and increased pedestrian activity.
- 13.6 Trees around the site would be protected during construction. The approved development secured seven new trees which will be increased to 36 as part of the proposed amendments. Provision of trees and other landscaping has been carefully designed to maximise urban greening within the site boundary. The urban greening factor achieved at the site is 0.28. Although this is below the policy target for a predominantly residential development of 0.4, it is a significant increase on the estimated UGF of the approved development of 0.06 (no UGF policies were in existence at the time of the approval of the implemented scheme) and the space for further UGF improvements is limited by the layout of the approved buildings, use of building roofs for other activities, and requirement to ensure appropriate pedestrian routes are retained. Therefore, the original application is a significant material consideration with respect to the application of the new policy. The applicant should maximise urban greening on site and this can be secured by condition. Details of tree management, irrigation, and protection will also be secured by condition.
- 13.7 Lighting will be designed to maximise security but also to respect wildlife habitats in the area. Details of lighting shall be secured by condition.
- 13.8 The original application to which the approved development relates was submitted before the 12th of February 2024 and therefore Biodiversity Net Gain (BNG) is not applicable to this application for proposed amendments to that earlier approval. Nevertheless, the proposed improvements to site landscaping are substantial and

are expected to result in a significant increase in biodiversity on-site. Green roofs will be provided on the roofs of both buildings, with details to be secured by condition. Bird and bat boxes will also be incorporated into the buildings on site and details of these will also be secured by condition.

- 13.9 As such, it is considered that the open space impacts of the development, the proposed landscaping and urban greening measures, and expected increases in biodiversity, would be acceptable, subject to conditions and planning obligations. The impacts are also an improvement over the original application.

## **14 TRANSPORT AND SERVICING**

- 14.1 Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough. Policy T2 seeks to limit the availability of car parking and requires all new developments in the borough to be car-free.
- 14.2 Policy T3 sets out how the Council will seek improvements to transport infrastructure in the borough. Policy T4 addresses how the Council will promote the sustainable movement of goods and materials and seeks to minimise the movement of goods and materials by road.
- 14.3 London Plan policies of relevance include Policy T1 (Strategic approach to transport), Policy T2 (Healthy Streets), Policy T3 (Transport capacity, connectivity, and safeguarding), Policy T4 (Assessing and mitigating transport impacts), Policy T5 (Cycling), Policy T6 (Car parking), Policy T7 (Deliveries, servicing, and construction), and Policy T9 (Funding transport infrastructure through planning).
- 14.4 The site is adjacent to the Belsize Park Conservation Area and is bounded by Eton Avenue to the north-east and A41 Avenue Road to the west, which forms part of the Transport for London Road Network (TLRN). The site is easily accessible by public transport with a Public Transport Accessibility Level (PTAL) rating of 6a (excellent). Swiss Cottage Underground station is located next to the site, and Finchley Road Underground station is located approximately 700m to the north. South Hampstead London Overground station is located approximately 550m metres south-west of the site. The closest bus stops are located outside Swiss Cottage London Underground station on Avenue Road and Finchley Road, and on College Crescent.
- 14.5 The nearest local cycle route is located on College Crescent, Eton Avenue and Winchester Road. The nearest Cycleway C-link on King Henry's Road connects with the Cycleway 6 on Prince of Wales Road and Haverstock Hill via Chalk Farm.

### *Trip generation*

- 14.6 The anticipated residential and commercial use person trip generation for the proposed development was calculated using trip rates obtained from TRICS and the modal share from 2011 Census. Table 5.10 presented in the Transport Assessment and reproduced below shows the anticipated travel demand generated by the proposed development.

Table 5.10: Proposed Development Total Multi-Modal Trip Generation									
Travel Mode	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)			Daily (06:00-24:00)		
	In	Out	Total	In	Out	Total	In	Out	Total
Underground	34	93	127	64	44	108	695	714	1,410
Train	5	10	16	8	6	15	94	96	190
Bus	35	51	87	48	43	90	579	583	1,163
Taxi	2	3	4	2	2	4	27	27	54
Motorcycle	3	5	8	4	4	8	53	53	106
Driving Car	1	3	4	2	2	4	25	25	50
Car Passenger	1	2	2	1	1	2	12	12	24
Bicycle	8	13	21	12	10	22	138	139	277
On Foot	70	87	157	89	83	172	1,103	1,106	2,209
<b>Total</b>	<b>160</b>	<b>267</b>	<b>427</b>	<b>231</b>	<b>195</b>	<b>425</b>	<b>2,726</b>	<b>2,757</b>	<b>5,483</b>
<i>*Minor numerical discrepancies due to rounding.</i>									

14.7 The trip generation for the community use was not included because it was expected that most trips will be local by those living and working in the local catchment area. Any increase in patronage as the result of another operator managing the site should be reflected in trip generation analysis. This can be secured by condition in the event another operator (other than The Winch, currently located on Winchester Road) ultimately become the initial occupiers of the community space, with appropriate mitigation measures secured if the additional trip generation is significant.

14.8 Based on other developments in the area, it is anticipated that a high volume of the walking trips is likely to be made from Swiss Cottage and Finchley Road London Underground and South Hampstead London Overground stations, and bus stops on Avenue Road, College Crescent, and Finchley Road. Due to the high level of cycle and walking trips the applicant has agreed to provide a financial contribution towards public realm improvements in the local area. This shall be secured through Section 106 legal agreement.

#### *Travel planning*

14.9 A Residential Travel Plan was submitted with the application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport. The targets for active travel are acceptable. A Workplace Travel Plan was also submitted with the application. Detailed Residential and Workplace Travel Plans will be secured by Section 106 legal agreement supported by associated monitoring and measures contribution of £11,348 per travel plan. This contribution is in addition to the travel plan contribution secured as part of the approved development, which has already been paid.

#### *Vehicle access*

14.10 There is an existing vehicle ramp to the basement level which is located immediately to the east of the Hampstead Theatre fronting onto Eton Avenue. This ramp enables access to an area for blue badge parking and deliveries. The acceptability of this arrangement has been established by the earlier planning permission. Crucially, the basement has been constructed in commencing the original application, so the ability to review and amend this part of the scheme is seriously limited. That said, the proposal is no worse than the extant original permission in this regard.

14.11 The approved development permitted servicing by large vehicles, which cannot fit through the basement access ramp, via the pedestrian zone at the west end of Eton Avenue. There is also a requirement to retain emergency access to the building. Emergency access via Avenue Road is not suitable due to the very busy nature of that main road and the additional complexities and safety risks stopping vehicles would cause on that street. The future layout of market stalls will need to be designed to allow for the swept path requirements of fire tender and other emergency vehicles. The Council's Markets Officer has been consulted on this application and has confirmed that market stalls can be adequately arranged to allow emergency access, if required, to the application site through Eton Avenue without excessively compromising the needs of the market. Further details of these arrangements and the ongoing management of both the market and the proposed development to ensure the compatibility of both uses will be secured through the Section 106 legal agreement. This is an additional level of control being introduced under this amended scheme, allowing greater control and careful management of this access than the original application allowed.

#### *Deliveries and servicing*

14.12 A Delivery and Servicing Management Plan (DSMP) was submitted with the application which builds on the principles of the delivery and servicing arrangements agreed as part of the previous application.

14.13 This updated DSMP has stated that the proposed management of deliveries has been designed to avoid conflict with market traders. The market area is active from Tuesday to Saturday, between the hours of 10:00-17:00, with the Wednesday market consisting of a farmers' market with hours of 10:00-15:00. It is therefore unoccupied by traders on Mondays and Sunday and would also be unoccupied in early mornings and late evenings. It is not unusual for waste collections and commercial deliveries to occur outside of these periods and therefore such an arrangement is also considered to be suitable here.

14.14 The proposal has the potential to generate 38 daily servicing trips, based on evidence provided by previously built development. Table 2.2 presented in the DSMP and reproduced below shows the projected servicing vehicle profile likely to access the site. Most deliveries would use the Eton Avenue basement entrance due to the small size of the vehicles undertaking the deliveries.

Table 2.2: Proposed Development Delivery Demand Profile*		
Delivery Vehicle Type		Total Proposed Development Deliveries
Vehicle	Percentage	
Car	12%	5
LGV	58%	21
Motorcycle	24%	8
OGV 1 (HGV)	5%	2
OGV 2 (HGV)**	1%	2
<b>Total</b>	<b>100%</b>	<b>38</b>

\*Minor numerical discrepancies due to rounding.

\*\*Data includes residential use delivery percentages, with convenience store deliveries added as OGV 2 deliveries in addition.

14.15 The basement ramp has height restrictions which limits servicing to cargo cycles, motorcycles, cars, and panel vans. This leaves a maximum of four HGV deliveries per day accessing the proposed development's ground floor public realm. These would include commercial and residential deliveries that would be scheduled to occur outside of market hours. Swept path diagrams demonstrate that the largest types of HGVs such as refuse trucks will be able to enter and exit the site safely in a forward gear.

14.16 The DSMP states that residents shall be informed that specialist deliveries or any other requirements necessitating use of a large vehicle may only occur outside of market hours. It is expected that measures such as bollards would prevent access to the site during market hours. All deliveries are expected to be carefully managed by the site management team with residents and commercial operators advised to use the basement access area as a priority. The Council's Waste Management Officer has raised no objections to the proposals.

14.17 These matters can be secured through a detailed delivery and servicing plan via a Section 106 legal agreement. Again, the scheme builds on the existing permission in terms of delivery management, and the extant permission in this regard is a significant material planning consideration. The additional requirements to co-ordinate with the market will make the impact of servicing more manageable, and the mitigation measures being secured more robust.

### *Cycle parking*

14.18 The long-stay cycle parking for the implemented scheme will be provided in line with the previously agreed standards, whilst the residential uplift, commercial and community uses will benefit from the current London Plan standards. 340 long-stay spaces and 88 short-stay spaces (332 residential long-stay and 7 short-stay, 7 commercial long-stay and 60 short-stay, and 1 community long-stay and 14 short-stay) will be provided, which is supported.

14.19 Residential long-stay cycle parking will be provided within basement level cycle stores for each block, accessible via lifts and stairs with cycle channels. Lifts will meet London Cycle Design Standards (LCDS) which require bikes to be transferrable in a horizontal position. 5% parking for larger cycles will be available for occupants of both the tower and lower blocks, located within the basement.

Sheffield stand cycle parking will also be available. Convenient cycle parking for the commercial and community spaces are not shown in detail but can be secured by condition.

- 14.20 Cycle parking for visitors will be provided on-site within the external landscaping. 16 Sheffield stands are proposed to be located outside the red line boundary. A financial contribution of £4,800 will be requested towards providing these cycle parking stands on the public highway. Full cycle parking details will be secured by condition.

#### *Car parking*

- 14.21 The site is in Controlled Parking Zone (CPZ) CA-B Belsize, which operates 09:00-18:30 Monday to Friday and 09:30-13:30 on Saturday or pay and display with maximum stay of four hours. The development would be secured as car-permit free by Section 106 legal agreement. This means that occupants would be unable to obtain permits to park vehicles on the public highway during CPZ operating hours and would help to minimise trips by motor vehicle.

- 14.22 The number of car parking spaces in the basement would be reduced to eight as part of this proposal. This reduction in parking is justified on the expectation that no more than 3% of residents are likely to have a need for a disabled parking bay and the scheme is otherwise controlled to be car free development. The applicant has also agreed to support this reduction in parking through provision of a £50,000 contribution towards public realm improvements in the area which will contribute towards improving local accessibility for mobility-impaired individuals. This contribution will be secured through Section 106 legal agreement. To be clear, this is in addition to the public realm and landscaping contributions secured through the approved development, which have already been paid.

#### *Step free access*

- 14.23 Neither Swiss Cottage nor Finchley Road London Underground stations currently offer step free access to train platforms. The approved development included a safeguarded area within the ground floor of the development which secured an area '*set aside for Transport for London to improve the access to the Swiss Cottage Underground Station*'. TfL have now confirmed through the public consultation process for this application that they will not be providing step-free access to Swiss Cottage station and as such there is no longer a requirement for this area to be safeguarded. Continuing to safeguard it, without a demonstrable need from TfL (which is outside council control) would not meet the tests for planning obligations, as it would be unnecessary.

- 14.24 TfL has instead committed to improving step-free access to Finchley Road station (a short bus ride from the site) which will help to enable step-free connectivity to two London Underground lines (Jubilee and Metropolitan) rather than just one at Swiss Cottage (Jubilee). To facilitate this step-free access a contribution would be secured through Section 106 legal agreement for £75,000. This would help to support further work on Finchley Road, with an area already safeguarded for that station as part of the O2 masterplan site.



### *Construction management*

- 14.25 Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). A draft CMP has been provided in support of this application.
- 14.26 The submitted CMP states: *'All construction traffic approaches the site from the north following the A41. The A41 is a major road and part of the TLRN (Transport for London Road Network). The primary access point to the site is from the A41 where there are two access gates for construction vehicles to enter and exit the site in a safe one-way gyratory action. In addition to these access points, there is a pit lane which takes the inner lane of the A41 which has space for two construction vehicles.'*
- 14.27 The CMP makes clear that access for construction vehicles will be from main roads to the west of the site as previously agreed. Two temporary crossovers and a temporary pit lane will be provided to the west to enable this to occur. The construction management of the scheme would be very similar to the previously approved arrangements with other measures to manage construction disturbance including: deliveries to be scheduled outside of peak times, ongoing monitoring of air quality, noisy works scheduled to avoid weekends/evenings and theatre performances, and being part of the considerate constructor scheme.
- 14.28 The works will not require any access from Eton Avenue other than occasionally for small scale deliveries and then only via the existing ramp adjacent to the theatre. A detailed CMP document will be secured by Section 106 legal agreement..
- 14.29 The development will require input from officers at demolition and construction stage. This will relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of demolition and construction works. As such, an implementation support contribution of £30,513 and a construction impact bond of £32,000 will be secured by Section 106 legal agreement, in addition to a requirement to form a Construction Working Group consisting of representatives from the local community prior to commencement of demolition or construction works. These contributions towards management of construction works are in addition to the suite of measures secured as part of the approved development.
- 14.30 *Pedestrian, cycling and environmental improvements*
- 14.31 The proposed amendments to the approved development would generate additional walking and cycle trips in the local area and would be further promoted by the requested travel plans and associated measures to minimise the use of private motor vehicles. The approved development secured a significant contribution towards public realm improvements and this application will secure a further contribution of £150,000 (which includes the £50,000 secured to mitigate for a reduction in on-site disabled parking) towards additional pedestrian, cycling and environmental improvements locally. This increased contribution shall be secured by Section 106 legal agreement. To be clear, this is in addition to the public realm and landscaping contributions secured through the approved development, which have already been paid.

## *Summary*

- 14.32 The proposed amendments to the scheme have little impact on transport and servicing. Where they do (additional cycle demand for example) additional mitigation is included through increase storage provision, or through additional contributions, like the additional public realm contribution. The servicing would still be subject to a management plan, but now with requirements to co-ordinate with the markets to allow safe access for pedestrians, market users, and traders. The construction management will be subject to the same robust controls and monitoring as the original scheme. The proposed amendments to the approved development are acceptable in transport terms, both in relation to the development plan, and taking account of the extant original permission.

## **15 FLOOD RISK AND DRAINAGE**

- 15.1 The site is located within Flood Risk Zone 1 where there is a low probability of flooding. However, it is also acknowledged that Avenue Road and Finchley Road are previously flooded streets.
- 15.2 Green roofs and two attenuation tanks are proposed to mitigate surface water run-off. The planted areas of the site would also intercept rainwater. These systems would be designed to accommodate all storms up to and including a 1 in 100-year storm event (with a 40% provision for climate change), such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve run off rate of not more than 27.5l/s. A condition would be secured to ensure this is designed as shown and appropriately maintained in perpetuity.
- 15.3 Further information is required to show that, so far as is reasonably practicable, flows resulting from rainfall in excess of a potential 1 in 100 year rainfall event are managed via exceedance routes that minimise the risks to people and property, including avoiding the entrances to Swiss Cottage station. As such, a condition shall also be secured to ensure this information is submitted for the Council's approval.
- 15.4 Thames Water have confirmed they have no comments to make on this application.
- 15.5 Therefore, subject to conditions the drainage and flood risk of the development is considered acceptable and in accordance with development plan requirements.

## **16 FIRE SAFETY**

- 16.1 Policy D12 of the London Plan also requires the application to be accompanied by a fire statement, prepared by a suitably qualified third-party assessor. London Plan Policy D5 seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users.
- 16.2 The Building Safety Act 2022 introduced several changes to fire safety regulations for residential buildings, including a requirement for new residential buildings over 18 metres in height to provide second staircases. In March 2024, the government

published new guidance in respect of second staircases through amendments to Approved Document B of the Fire Safety regulations.

- 16.3 Although the development was commenced before relevant requirements took effect, the applicant has brought the development into alignment with the new requirements. The amended layouts of the proposed buildings feature significant rationalisations, notably the introduction of a second stair core in the tower to meet updated fire safety regulations, which has been achieved without expanding the envelope of the approved tower building.
- 16.4 This application includes a Fire Statement prepared by Ashton Fire. This strategy focuses on safeguarding residential, retail, and community spaces, providing robust provisions for fire detection, evacuation, and firefighting access. Both proposed buildings incorporate protected cores, firefighting/ evacuation lifts, and mechanical smoke ventilation systems. Active fire safety systems play a central role in the strategy. Smoke ventilation is achieved through mechanically ventilated corridors and lobbies. Structural fire resistance is designed to meet minimum regulatory requirements. The use of fire-resisting walls, floors, fire stopping and cavity barriers would limit the spread of fire and smoke.
- 16.5 The evacuation strategy has been tailored to the specific uses within the development. A stay-put strategy is adopted for residential units, while non-residential spaces, including the community space and retail areas, will follow a simultaneous evacuation plan. To support mobility-impaired persons, evacuation lifts and protected refuge areas are provided. The community space's atria include smoke reservoirs and ventilation systems to ensure safe evacuation in the event of a fire.
- 16.6 Firefighting shafts, lifts, and lobbies are incorporated into both buildings, with vehicle access provided within 18 meters of fire main inlet points and building entry points. Hydrants, wet rising mains, and dry risers ensure adequate water supplies for firefighting.
- 16.7 The Health and Safety Executive have been consulted on this application through Planning Gateway 1 and have stated that they are content with the fire safety proposals for this amended development.
- 16.8 The fire safety strategy has been reviewed by the Council's Building Control Officer and no objections have been raised. The GLA also raised no objections to this fire safety strategy.
- 16.9 The provision of a detailed fire safety strategy shall be secured through condition and the further detail of fire safety will be dealt with under Fire Gateway 2.
- 16.10 Therefore, subject to conditions the fire safety of the development is considered acceptable and in compliance with the development plan.

## **17 AIR QUALITY**

- 17.1 Camden Local Plan Policy CC4 states that the impact of development on air quality shall be mitigated and that exposure to poor air quality shall be reduced in the borough.
- 17.2 An Air Quality Assessment by Logika Group has been submitted with the application that demonstrates the proposed development would not lead to further deterioration of the existing low air quality in the area. It would use air source heat pumps and would be car free. As such, the development would not lead to exceedances of legal air quality limits and would be air quality neutral. This is a notable improvement on the original scheme.
- 17.3 Design-based solutions have been integrated into this amended development to ensure that air quality for the users of the development is maximised. A generator is proposed on-site, and the flue would not be within 20 metres (horizontally) of any residential unit which is anticipated to prevent negative impacts to any residents.
- 17.4 In terms of construction, real-time construction dust monitoring is required to ensure that the medium level risk from construction dust can be adequately mitigated in accordance with best practice (i.e. the GLA's The Control of Dust and Emissions During Construction and Demolition SPG). This will be secured by condition. Further mitigation measures can be secured through the CMP via Section 106 legal agreement.
- 17.5 Therefore, subject to conditions and planning obligations the development is considered acceptable in air quality terms.

## **18 EMPLOYMENT**

- 18.1 The Council's Employment CPG and Policy E1 of the Camden Local Plan requires that large developments secure local employment and procurement through the construction process.
- 18.2 As the build cost for this scheme will exceed £3 million the applicant must recruit at least one construction apprentice (paid at least London Living Wage) per £3million of build costs (39 apprentices in this case) and pay the council a support fee of £1,700 per apprentice. Recruitment of construction apprentices should be conducted through the Council's Euston Skills Centre. This is a significant uplift on the approved scheme, which secured 19 construction apprenticeships.
- 18.3 The applicant should also provide nine work experience placements of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's Euston Skills Centre.
- 18.4 20% of the workforce should be recruited locally through the Euston Skills Centre advertising with the Council for no less than a week before the roles are advertised more widely. The applicant must also sign up to the Camden Local Procurement Code, which sets a target of 10% of the total value of the construction contract to be procured locally.

18.5 The applicant has agreed to these measures which shall be secured through Section 106 legal agreement.

## 19 SECTION 106 AND CIL

### *Section 106 legal agreement*

19.1 As described in the relevant sections above, should the application be granted it will be subject to a Section 106 Legal Agreement with the following heads of terms:

- **AMENDED** Affordable Housing Provision
  - 36 social/affordable rent homes
  - 34 intermediate rent homes
  - Early-stage viability review
- **AMENDED** Housing Management Plan
  - Concierge arrangements
  - Tenure split and details
  - Management of communal areas
- Wheelchair Accessible Homes Provision
- Car Free Development
- Construction Management Plan
  - **NEW** Implementation Support Fee of £30,513
  - **NEW** Impact Bond of £32,000
- **NEW** Construction Working Group
- **NEW** Markets Management Plan
- Delivery and Servicing Management Plan
- Waste and Recycling Plan
- **NEW** Disabled Parking Space Contribution of £4,000
- Residential and Workplace Travel Plans
  - **ADDITIONAL** Monitoring and Measures fee of £16,694
- **AMENDED** TfL Step Free Access Contribution of £75,000
- **ADDITIONAL** Pedestrian, Cycling and Environment contribution of £150,000
- **NEW** Cycle Parking Stands contribution £4,600
- Section 278 Agreement with TfL
- **ADDITIONAL** Open Space Contribution of £159,300
- **NEW** Public Realm Delivery and Management Plan
  - Hardstanding details
  - Edge treatments and level changes
  - Management across ownership boundaries
- **AMENDED** Energy and Sustainability Report
  - Maximisation of BREEAM credits
  - Maximise carbon reductions for non-residential areas
- **NEW** Carbon Offset Contribution of £152,729
- **NEW** 'Be Seen' Energy Monitoring
- **NEW** Future Heat Network Pipework Connection Plan
- **AMENDED** Community Facility Management Plan

- 125-year lease for end occupier
- Fit out beyond 'shell and core'
- Sound insulation
- Details of management
- **AMENDED** Retention of Project Architect (Cartwright Pickard)
- **ADDITIONAL** Employment and Training Measures
  - 39 Construction Apprentices and Associated Support Fee of £1,700 per Apprentice (£17,000)
  - Nine Work Experience Placements
  - Local Recruitment (Target of 20% of Workforce, Working with Euston Skills Centre)
  - Local Procurement (Target of 10% of Value of Construction Contract, Camden Local Procurement Code)

### *Community Infrastructure Levy (CIL) payments*

- 19.2 The CIL applies to all proposals which add 100m<sup>2</sup> of new floorspace. The amount required is the increase in floorspace (m<sup>2</sup>) multiplied by the rate in the CIL charging schedule.
- 19.3 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (MCIL2) with a rate of £80. Indexing has not been applied to this figure.
- 19.4 The proposal will also be liable for the Camden Community Infrastructure Levy (CIL). The site lies in Zone C (Highgate & Hampstead) where CIL is calculated using rates based on the relevant proposed uses. For residential development ten or more units in this area the CIL rate is £644 per sqm and for retail uses it is £32 per sqm. Indexing has not been applied to these figures.
- 19.5 The net increase in floor space from this development is 17,855.96sqm according to the submitted CIL form. The final CIL liability will be determined by the CIL team.

## **20 CONCLUSION**

- 20.1 The original application was a mixed-used development that involved the demolition of the existing buildings and the erection of two buildings on the site to provide 184 dwellings, plus commercial and community floor space in the form of standalone tower on the northern part of the site and a lower scale building to the south. This application proposes alterations to that approved development that would accommodate 237 dwellings, plus additional commercial and community floor space. Amendments are also proposed to the layout, affordable housing provision, housing mix, sustainability, landscaping and parking provision of the development.
- 20.2 The land use changes involve an increase in residential, commercial and community floor space which have been achieved through rationalisations to the design and layout of the buildings. The increased number of homes, and affordable housing including social/affordable rent units, is supported at this well-connected site in a town centre.

- 20.3 The revised proposals do not amend the scale and massing of the buildings which were established in the approved scheme. Improvements have been made to the quality and appearance of the buildings. The buildings have been re-designed to respond to recently upgraded fire safety regulations as well as to provide good quality accommodation and a safer and more verdant public realm. The amenity of local residents would not be significantly altered by the proposed amendments.
- 20.4 The sustainability of the development would improve significantly through improved building fabric, low carbon heating, provision of green roofs and photovoltaic panels, plus a carbon offset contribution.
- 20.5 The proposed development would be car free, and the amount of cycle parking would be increased. Construction, delivery and service arrangements would remain consistent with the principles set out in the approved development, with additional management measures secured through legal agreement to ensure the development operates in tandem with the adjacent markets.
- 20.6 The scheme would deliver substantial land use, employment and economic benefits, including housing and affordable housing, town centre and community activities, and high-quality architecture. The changes proposed under this application are therefore considered acceptable and in accordance with the development plan as a whole.
- 20.7 The extant original scheme is an important material consideration. Whilst not all elements of the original scheme have been improved upon, many elements have – most markedly the number of homes and the affordability of homes. The improved housing delivery should be given significant weight. Similarly, the significant energy improvements to the scheme have been given significant weight, in line with the NPPF and London Borough of Camden objectives.

## **21 RECOMMENDATIONS**

- 21.1 **It is recommended that Planning Permission is granted subject to conditions and a Section 106 (Deed of Variation) Agreement. Modifications to the legal agreement include:**

- Affordable Housing Provision
  - 36 social/affordable rent homes
  - 34 intermediate rent homes
  - Early-stage viability review
- Housing Management Plan
  - Concierge arrangements
  - Tenure split and details
  - Management of communal areas
- Construction Management Plan Implementation Support Fee of £30,513 and Impact Bond of £32,000
- Construction Working Group
- Markets Management Plan
- Delivery and Servicing Management Plan
- Waste and Recycling Plan

- Disabled Parking Space Contribution of £4,000
- Residential and Workplace Travel Plans Additional Monitoring and Measures fee of £16,694
- TfL Step Free Access Contribution of £75,000
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- Public Realm Delivery and Management Plan
  - Hardstanding details
  - Edge treatments and level changes
  - Management across ownership boundaries
- Energy and Sustainability Report
  - Maximisation of BREEAM credits
  - Maximise carbon reductions for non-residential areas
- Carbon Offset Contribution of £152,729
- 'Be Seen' Energy Monitoring
- Future Heat Network Pipework Connection Plan
- Community Facility Management Plan
  - 125-year lease for end occupier
  - Fit out beyond 'shell and core'
  - Sound insulation
  - Details of management
- Retention of Project Architect (Cartwright Pickard)
- Employment and Training Measures
  - 39 Construction Apprentices and Associated Support Fee of £1,700 per Apprentice (£17,000)
  - Nine Work Experience Placements
  - Local Recruitment (Target of 20% of Workforce, Working with Euston Skills Centre)
  - Local Procurement (Target of 10% of Value of Construction Contract, Camden Local Procurement Code)

## **22 LEGAL COMMENTS**

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



## 23 CONDITIONS

1.	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed below.</p> <p>Drawings and plans:1016-CPA-ZZ-B1-DR-A-0100 Rev. P01 1016-CPA-ZZ-B1-DR-A-0101 Rev. P01 1016-CPA-ZZ-B1-DR-A-0200 Rev. P02 1016-CPA-ZZ-B1-DR-A-0201 Rev. P02 1016-CPA-ZZ-B1-DR-A-0202 Rev. P02 1016-CPA-ZZ-B1-DR-A-0203 Rev. P01 1016-CPA-ZZ-B1-DR-A-0204 Rev. P01 1016-CPA-ZZ-B1-DR-A-0205 Rev. P02 1016-CPA-ZZ-B1-DR-A-0206 Rev. P02 1016-CPA-ZZ-B1-DR-A-0207 Rev. P01 1016-CPA-ZZ-B1-DR-A-0208 Rev. P01 1016-CPA-ZZ-B1-DR-A-0209 Rev. P01 1016-CPA-ZZ-B1-DR-A-0210 Rev. P01 1016-CPA-ZZ-ZZ-DR-A-0600 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0601 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0602 Rev. P01 1016-CPA-ZZ-ZZ-DR-A-0603 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0604 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0610 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0611 Rev. P01 1016-CPA-ZZ-ZZ-DR-A-0701 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0702 Rev. P01 1016-CPA-ZZ-ZZ-DR-A-0703 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0704 Rev. P01 1016-CPA-ZZ-ZZ-DR-A-0705 Rev. P02 1016-CPA-ZZ-ZZ-DR-A-0706 Rev. P01 AR657-TML-ZZ-00-DR-L-0201 Rev. P06 AR657-TML-ZZ-00-DR-L-0501 Rev. P07 AR657-TML-ZZ-06-DR-L-0000 Rev. P04 AR657-TML-ZZ-06-M2-L-0201 Rev. P04 AR657-TML-ZZ-ZZ-DR-L-0000 Rev. P04 AR657-TML-ZZ-ZZ-DR-L-0260 Rev. P04</p> <p>Supporting documents:</p> <p>Residential Travel Plan dated February 2025 Workspace Travel Plan dated February 2025</p>

	<p> Ventilation Strategy Statement dated February 2025  Arboricultural Impact Assessment dated February 2025  Wind Microclimate Assessment Report dated February 2025  Whole Lifecycle Carbon Assessment dated February 2025  Overheating Assessment dated February 2025  Sustainability Statement dated February 2025  Transport Assessment dated February 2025  Structural Statement dated February 2025  Delivery, Servicing and Waste Management Plan dated February 2025  Vehicle Swept Path Analysis Plans dated February 2025  Energy Statement dated February 2025  Drainage Report dated February 2025  Health Impact Assessment dated February 2025  Flood Risk Assessment dated February 2025  Statement of Community Involvement dated February 2025  Circular Economy Statement dated February 2025  Construction Management Plan dated February 2025  Contaminated Land Assessment dated February 2025  Daylight and Sunlight Report dated February 2025  Air Quality Assessment dated February 2025  Preliminary Ecological Appraisal dated February 2025  Heritage, Townscape and Visual Statement dated February 2025  Noise and Vibration Assessment dated February 2025  Area and Accommodation Schedule dated May 2025  Fire Statement dated February 2025  Design and Access Statement dated February 2025  Design and Access Statement Addendum dated May 2025  Planning Statement dated February 2025 </p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>No part of the development hereby permitted shall be occupied until the following have been submitted to and approved in writing by the Local Planning Authority.</p> <p>1) full details of hard and soft landscaping and means of enclosure of all un-built, open areas [such details/shall include details of any proposed earthworks including grading, mounding and other changes in ground levels as well as the delivery of a feature of public art.]</p> <p>2) a scheme for replacement trees, including details of tree pit locations, viability and a planting programme.</p> <p>3) a planting programme and landscape maintenance and aftercare plan.</p> <p>4) details showing suitable routes through the landscaping from key local nodes to main entrances and security enhancements where appropriate.</p> <p>The development shall be undertaken in accordance with the approved details including the planting program.</p>

	Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with policy D1 of the Camden Local Plan 2017.
4.	<p>Development works (other than demolition) shall not take place until plans showing the levels at the interface of the relevant phase of development with the boundary of the property and the public highway have been submitted to and approved in writing by the council. Thereafter the development shall be carried out in accordance with the details approved.</p> <p>Reason: To ensure that the scheme promotes the use of sustainable transport means in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy.</p>
5.	<p>No plant or machinery shall be installed on the external parts of the building other than in the areas indicated as plant areas on the plans hereby approved.</p> <p>Reason: To ensure that the appearance of any external plant is compatible with the appearance of the building and the area and to ensure that residential amenities are protected, in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies. DP24, DP25 and DP28 of the London Borough of Camden Local Development Framework Development Policies.</p>
6.	<p>Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.</p> <p>Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
7.	<p>The external noise levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
8.	<p>No more than 1400sqm gross external area of floorspace shall be provided within use class E(a)-(c).</p> <p>Reason: To ensure that the future occupation of the premises does not undermine the vitality and viability of the Finchley Road/Swiss Cottage Town Centre, in accordance with policy TC1 of the Camden Local Plan 2017.</p>

9.	<p>Before any ducting and ventilation is installed associated with the proposed Class E uses details of extract ventilating systems shall be submitted to and approved in writing by the Local Planning Authority. Such details to include routing of ducts and discharge points and associated acoustic isolation and sound and vibration attenuation measures and an Acoustic Impact report prepared by a suitably qualified and experienced acoustic engineer which sets out how the equipment would meet the council's published noise and vibration standards.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the Camden Local Plan 2017.</p>
10.	<p>The acoustic isolation shall thereafter be maintained in effective order. In the event of no satisfactory ventilation being provided, no primary cooking shall take place on the premises.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 and DP26 of the London Borough of Camden Local Development Framework Development Policies.</p>
11.	<p>Any Class E use hereby permitted shall not be carried out outside the following times: 08:00hrs to 23:00hrs Sunday to Thursday and Bank Holidays and 08:00hrs to 00:00hrs on Friday and Saturday.</p> <p>Reason: To safeguard the residential amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.</p>
12.	<p>Any outdoor seating areas associated with the Class E uses shall be cleared of customers between 22:00 and 08:00 hours, 7 days a week.</p> <p>Reason: To safeguard the residential amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP12 of the London Borough of Camden Local Development Framework Development Policies.</p>
13.	<p>The shop front windows to the retail and food drink units shall be used for display purposes and the window glass must not be painted or obscured.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area and to prevent the introduction of dead frontages within the development in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.</p>

14.	<p>Development shall be undertaken (1) in accordance with the details agreed by the Council under application ref. 2017/5859/P. Prior to the first occupation of the development details of (2) a verification report scheme shall be agreed in writing with the Local Planning Authority.</p> <p>The scheme as approved shall be implemented before any part of the development hereby permitted is occupied.</p> <p>Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous uses of the site in accordance with policy A1 of the Camden Local Plan 2017.</p>
15.	<p>Development shall be completed in accordance with the Wind Microclimate Assessment Report dated February 2025 as submitted with this application.</p> <p>Reason: To ensure that suitable measures are incorporated within the design to mitigate potential adverse wind environments arising from the development and to safeguard the amenities of the area generally in accordance with the requirements of policy A1 Camden Local Plan 2017.</p>
16.	<p>Prior to the occupation of the first residential unit three of the proposed basement car parking spaces shall include access to an electrical charging point.</p> <p>Reason: In the interests of sustainable transport in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.</p>
17.	<p>Works below ground level shall be completed in accordance with details approved by the Council under application refs. 2018/1098/P and 2019/2275/P with respect to the impact of piling and construction relative to HS2 structures and tunnels. HS2 shall also be consulted with respect to the revised construction management proposals for the above ground works.</p> <p>Reason: To manage the structural impact of the development upon the HS2 proposals in accordance with policy T3 of the Camden Local Plan 2017.</p>
18.	<p>Development works (other than demolition) shall not take place until details of the following have been submitted to, and approved in writing by, the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>a) Facing materials of all buildings</li> <li>b) Details including typical sections at 1:10 of external windows and door frames.</li> <li>c) Details including materials typical of balconies and roof terraces.</li> </ul> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details approved.</p> <p>Reason: To safeguard the appearance of the site and the character of the</p>

	<p>immediate area in accordance with the requirements of Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.</p>
19.	<p>Prior to first occupation details of the following shall be submitted to, and approved in writing by, the Local Planning Authority:</p> <p>- Shopfronts; including sections, elevations and materials The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To safeguard the appearance of the site and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.</p>
20.	<p>Replacement trees that do not survive for five years after they are planted shall be replaced within the first available planting season.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.</p>
21.	<p>Before any development commences details demonstrating how trees to be retained shall be protected during demolition and construction work shall be submitted to and approved in writing by the council. Such details shall be implemented as approved before any development commences and retained during the demolition and construction works, unless otherwise agreed in writing by the Local Planning Authority. The approved works shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.</p>
22.	<p>None of the residential units shall be occupied until details of external lighting have been submitted to and approved by the Local Planning Authority. The external lighting details shall be implemented and retained in accordance with the approved details before any residential unit is occupied.</p> <p>Reason: In the interests of amenity and security in accordance with policies CS17 and CPG1 (Design).</p>

23.	<p>Before the occupation of any part of the development full details of cycle parking shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details. The approved cycle parking facilities shall be designed in accordance with London Cycling Design Guide standards and permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017, CPG Transport, and Policy T5 of the London Plan.</p>
24.	<p>Air quality monitoring should be implemented on site. No development shall take place until real time dust monitors appropriate to the dust risk have been installed:</p> <ol style="list-style-type: none"> <li>prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;</li> <li>a confirmation email should be sent to <a href="mailto:airquality@camden.gov.uk">airquality@camden.gov.uk</a> no later than one day after the monitors have been installed with photographic evidence in line with the approved details.</li> <li>prior to commencement, a baseline monitoring report including evidence that the monitors have been in place and recording valid air quality data for at least 3 months prior to the proposed implementation date shall be submitted to the Local Planning Authority and approved in writing.</li> </ol> <p>The monitors shall be retained and maintained on site in the locations agreed with the local planning authority for the duration of the development works, monthly summary reports and automatic notification of any exceedances provided in accordance with the details thus approved. Any changes to the monitoring arrangements must be submitted to the Local Planning Authority and approved in writing.</p>
25.	<p>Before any plant is installed details of the proposed CHP (combined heat and power) engine and any required mitigation measures to demonstrate that the Mayor's 'Band B' NOx emissions standards will be adhered to must be submitted to the Local Authority and approved in writing. The measures shall be installed in accordance with the approved details.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.</p>
26.	<p>Prior to installation of the proposed air source heat pump details, drawings and data sheets showing the location, SCOP of 3.2 or more with the aim to achieve SCOP of 3.4 or more (or Seasonal Performance Factor of at least 2.5 or COP</p>

	<p>of 4), and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The details submitted should include evidence that the SCOP has been reviewed and revised at detailed design stage, and justification of the proposed SCOP figure. It shall also include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe 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.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.</p>
27.	<p>Before the relevant part of the development commences details of proposed u-values and the approach to thermal bridging shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies</p>
28.	<p>The development shall achieve BREEAM excellent with at least 60% of credits for energy and 40% for materials score for the non-residential uses within the buildings.</p> <p>Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of policies CC2 of the Camden Local Plan 2017.</p>
29.	<p>Prior to commencement of above-ground development, full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth (expected to be at least 150mm for substrate) is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan policies.</p>



30.	<p>Before the first residential unit is occupied details of mechanical ventilation shall be submitted to and approved in writing by the council. Prior to occupation of any residential unit the mechanical ventilation shall be installed and be in full working in the residential units, as the approved details. All such measures shall thereafter be retained and maintained.</p> <p>Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.</p>
31.	<p>Before development commences detailed design and assessment reports and outline method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning authority, such reports shall:</p> <ul style="list-style-type: none"> <li>- provide details on all structures over and adjacent to LU assets</li> <li>- accommodate the location of the existing London Underground structures and tunnels</li> <li>- accommodate ground movement arising from the construction thereof</li> <li>- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels and mitigate against any EMC (Electromagnetic Compatibility) issues arising from the construction of the new plant.</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance with the approved design and assessment report, method statements and subject to an agreed monitoring strategy, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
32.	<p>The proposed Class E uses will operate within use classes E(a), E(b) and E(c) only.</p> <p>Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise and disturbance in accordance with policy A1 of the Camden Local Plan 2017 and to protect the viability of Swiss Cottage Town Centre in accordance with policy TC1 of the Camden Local Plan 2017.</p>
33.	<p>Before any residential unit is occupied a scheme to demonstrate that each dwelling hereby approved achieves a maximum internal water use of 105</p>

	<p>litres/person/day, allowing 5 litres/person/day for external water use, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and retained thereafter.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water).</p>
34.	<p>The development hereby approved shall be restricted in development quantum to the following: Development of a 26 storey building and an 8 storey building comprising: 237 residential units (Class C3); Up to 1,195 sqm of flexible commercial, business and service use (Class E); and up to 1,372sqm of community use (Class F2(b)).</p> <p>Reason: In the interests of proper planning and for clarity over the development hereby approved.</p>
35.	<p>Prior to commencement of works on the relevant part of the proposed buildings 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:</p> <ul style="list-style-type: none"> <li>a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors and canopies</li> <li>b) Detailed plan, elevation and section drawings for final review (including details of all main entrances and ground floor facades at a scale of 1:10);</li> <li>c) Typical plan, elevation and section drawings of all balustrading to terraces and balconies;</li> <li>d) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and sample panels at a minimum of 1m x 1m of those materials (to be provided on site). For the tower, a whole sample panel shall be made up on site for the Council's to review and retained on site until the development is completed;</li> <li>e) Details of cladding and façade treatment/louvres to any mechanical plant or machinery enclosures at roof terrace levels;</li> <li>f) Typical elevation (minimum 2m x 2m in size) of each building including a glazed opening showing reveal and header detail and facing materials</li> <li>g) Details of relevant gates, railings, doors and louvres on all parts of buildings which face the public realm.</li> </ul> <p>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 for the relevant building.</p> <p>Reason: In order to safeguard the appearance of the buildings and the character and appearance of the wider area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.</p>

36.	<p>Prior to the commencement of above ground works to submit for the written approval of the Council a revised daylight study that confirms the level of daylighting to all dwellings has been maximised. Once agreed the development shall be completed in accordance with the approved documentation.</p> <p>Reason: In order to ensure the quality of new development in accordance with policies A1 and D1 of the Camden Local Plan 2017.</p>
37.	<p>The detailed design (including external material finish; floor treatments; planting location, species and management; and play equipment) of the proposed communal amenity spaces on the lower block (including the community space ball court) shall be submitted to the Council for its written approval prior to the completion of relevant works. Works shall be completed in accordance with the approved details. These communal amenity spaces shall not be used between 22:00 and 08:00 hours, 7 days a week.</p> <p>Reason: To safeguard the residential amenities of the adjoining premises in accordance with policy A1 of the Camden Local Plan 2017.</p>
38.	<p>The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.</p> <p>Reason: To ensure that the amenities of future occupiers are protected.</p>
39.	<p>The proposed construction management plan (secured by legal agreement) shall include the control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 07:00–19:00 Monday to Friday daily, 08:00–13:00 Saturdays. There shall be no works shall be undertaken on Sundays or bank holidays, advance notification shall be given to neighbours and other interested parties of proposed works and there shall be a public display of contractor contact details, including accessible phone contact to persons responsible for the site works, for the duration of the works. These measures shall be implemented throughout the project period.</p> <p>Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with Policy A1 of the Camden Local Plan 2017.</p>
40.	<p>Prior to commencement of the relevant works, drawings and data sheets showing the location, extent, of at least 600m<sup>2</sup> and predicted energy generation of photovoltaic cells at least 88.97kWp and associated equipment 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 a meter 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 cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p>

	<p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.</p>
41.	<p>Prior to commencement of works to superstructure of the development the development shall provide additional information to show that overheating risk has been minimised and can be appropriately managed. It needs to demonstrate that the development has reduced cooling demand as far as possible and that the cooling hierarchy has been followed and any feasible measures implemented.</p> <p>Reason: To ensure that all development reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.</p>
42.	<p>Prior to the first occupation of the development:</p> <ul style="list-style-type: none"> <li>a) the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at: <a href="mailto:ZeroCarbonPlanning@london.gov.uk">ZeroCarbonPlanning@london.gov.uk</a>, along with any supporting evidence as per the guidance and</li> <li>b) confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority</li> </ul> <p>Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Policy SI2 of the London Plan.</p>
43.	<p>The Circular Economy Statement dated February 2025 hereby approved shall be delivered to achieve at least 95% reuse/recycling/recovery of construction and demolition waste and 95% beneficial use of excavation waste.</p> <p>Reason: To ensure all development optimise resource efficiency in accordance with policy CC1 of the London Borough of Camden Local Plan 2017 and to reduce waste and support the circular economy in accordance with policy SI7 of the London Plan.</p>
44.	<p>Prior to the first occupation of the development the Global Warming Potential (GWP) of the refrigerant for the proposed VRF/ AC system should be submitted to the Council for its written approval. The development shall be completed in accordance with the approved details.</p> <p>Reason: In accordance with policy CC1 of the Camden Local Plan 2017 which aims to minimise the effects of climate change and meet the highest feasible environmental standards.</p>

45.	<p>Prior to the first occupation of the development full details of the urban greening factor proposals for the development shall be submitted for the written approval of the Council. The proposals should demonstrate that steps have been taken to maximise the greening factor achievable on the site.</p> <p>Reason: In accordance with the urban greening objectives of Policy G5 of the London Plan.</p>
46.	<p>Prior to commencement of above ground works details of the location of 10no. bird and 10no. bat boxes shall be submitted to and approved in writing by the Local Planning Authority. These should be incorporated into the fabric of the building where feasible.</p> <p>The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter permanently retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.</p>
47.	<p>Prior to the first occupation of the development hereby permitted, a safety and security management plan shall be submitted to and approved in writing by the local planning authority in consultation with the Metropolitan Police Designing Out Crime Officer. The plan should ensure the development can achieve secured by design accreditation, which must subsequently be submitted to the design out crime officer.</p> <p>For the site shall thereafter achieve a secured by design accreditation to silver award and shall maintain this standard through the life of the development.</p> <p>The uses hereby permitted shall thereafter be operated in accordance with the approved details.</p> <p>Reason: To ensure the development preserves and enhances community safety in accordance with policy C5 of the Camden Local Plan 2017.</p>
48.	<p>Prior to works on the superstructure being commenced a detailed design stage fire safety statement including an appropriate fire engineering analysis shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in complete accordance with such statement as has been approved.</p> <p>Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
49.	<p>The sustainable drainage system as approved shall be installed as part of the development to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve run off rate of not more than 27.5l/s. The system shall include at the</p>

	<p>minimum attenuation of 32.25m<sup>3</sup> from green roofs, 75.5m<sup>3</sup> from bioretention/tree pits, and 173m<sup>3</sup> from attenuation tanks, as stated in the approved drawings and shall thereafter retained and maintained in accordance with the approved maintenance plan.</p> <p>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 CC2 and CC3 of the London Borough of Camden Local Plan Policies and Policy SI 13 of the London Plan 2021.</p>
50.	<p>Prior to commencement of above-ground development, further details are required to show that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property. Details shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to reduce as much exceedance flows offsite by allowing retention of surface water within the site.</p> <p>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 CC2 and CC3 of the London Borough of Camden Local Plan Policies and Policy SI 13 of the London Plan 2021.</p>
51.	<p>In the event that the community facility is first occupied by a group other than The Winch then an updated version of the Transport Assessment shall be submitted to the Council for its written approval with an updated trip generation analysis undertaken and appropriate mitigation measures secured as appropriate. The development shall thereafter be completed in accordance with the approved details.</p> <p>Reason: To ensure walking, cycling and public transport is adequately prioritised in accordance with Policy T1 of the Camden Local Plan 2017.</p>

## 24 INFORMATIVES

1.	Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.
2.	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, 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.
3.	<p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at <a href="http://www.camden.gov.uk">www.camden.gov.uk</a>) 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)</p> <p>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.</p>
4.	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.
5.	Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

6.	This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, <a href="http://www.camden.gov.uk/planning">www.camden.gov.uk/planning</a> or the Camden Contact Centre on Tel: 020 7974 4444 or email <a href="mailto:env.devcon@camden.gov.uk">env.devcon@camden.gov.uk</a> ).
7.	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.
8.	This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at <a href="http://www.camden.gov.uk/cil">www.camden.gov.uk/cil</a> for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
9.	You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <a href="https://beta.camden.gov.uk/web/guest/construction-management-plans">https://beta.camden.gov.uk/web/guest/construction-management-plans</a> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
10.	<p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:</p> <ul style="list-style-type: none"> <li>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</li> <li>(b) the planning authority has approved the plan.</li> </ul> <p>The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.</p>



	<p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.</p> <p>Based on the information provided, this will not require the approval of a BGP before development is begun because <u>the planning application was made before 12 February 2024.</u></p> <p><u>++ Summary of transitional arrangements and exemptions for biodiversity gain condition</u></p> <p>The following are provided for information and may not apply to this permission:</p> <ol style="list-style-type: none"> <li>1. The planning application was made before 12 February 2024.</li> <li>2. The planning permission is retrospective.</li> <li>3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.</li> <li>4. The permission is exempt because of one or more of the reasons below: <ul style="list-style-type: none"> <li>- It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.</li> <li>- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).</li> <li>- The application is a Householder Application.</li> <li>- It is for development of a “Biodiversity Gain Site”.</li> <li>- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).</li> <li>- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).</li> </ul> </li> </ol>
11.	<p><u>+ Irreplaceable habitat:</u></p> <p>If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.</p> <p><u>++ The effect of section 73(2D) of the Town and Country Planning Act 1990</u></p> <p>If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission</p>

	<p>granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.</p> <p><u>++ <i>Phased development</i></u></p> <p>In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.</p>
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## APPENDIX 1 – FULL PLANNING HISTORY (most recent first)

Reference	Description / Summary of Application	Decision / Date
2024/5432/P	<b><u>NMA</u></b> Non-material amendment to Planning Permission ref. 2014/1617/P (allowed at appeal ref: APP/X5210/W/14/3001616) on 18 February 2016 to alter and simplify the description of development, and to add a condition containing the specific residential unit numbers, building storey heights and the quantum of floorspace following the removal of these details from the description.	Granted 17/01/2025
2024/3717/P	<b><u>Environmental Impact Assessment Screening Opinion</u></b> Request for Environmental Impact Assessment (EIA) Screening Opinion for a mixed use re-development including 236 residential units, commercial and community uses.	EIA not required 24/09/2024
2024/1964/P	<b><u>Hampstead Figure Sculpture NMA</u></b> Amendment to alter the description of development of planning permission ref. 2018/2340/P dated 27/6/2018 for 'Removal and temporary re-siting of the Hampstead Figure Sculpture for the duration of the construction associated with 100 Avenue Road under 2014/1617/P dated 18/02/2016', namely, to ensure the permission also applies to variations to the parent application.	Granted 18/07/2024
2024/1970/P	<b><u>Hampstead Figure Sculpture S73</u></b> Variation of conditions 1 (relocation deadline), 2 (permanent location review) and 4 (approved plans) of planning permission ref. 2018/2340/P dated 27/6/2018 to enable construction works in the area to be completed without causing harm to the statue.	Granted 15/07/2024
2024/1953/L	<b><u>Hampstead Figure Sculpture Listed Building Consent</u></b> Listed Building Consent application seeking to secure the re-location of the Hampstead Figure Sculpture before 31/12/2028 in order to align with the expected completion of nearby related construction works.	Granted 15/07/2024
2022/1609/P	<b><u>NMA</u></b> Alterations including (in summary) reconfiguration of residential units and access corridors and hallways; removal of back-of-house goods lifts and reconfiguration of service spaces; alterations to services on roof of lower block; alterations to residential amenity area at 23 <sup>rd</sup> floor level; relocation of openable windows; rearrangement of amenity space at first floor level of main tower; relocation of access doors at ground floor level; reconfiguration of landscaping at base of main tower; reconfiguration of bin stores and substation accesses; reconfiguration of retail and community space to planning permission granted under reference 2014/1617/P (allowed by appeal under APP/X5210/W/14/3001616 dated 18/02/2016 and as varied by 2016/2048/P dated 10/05/2016, 2018/4239/P dated 04/08/2020 and 2019/1405/P dated 07/05/2019) for: demolition of existing building and redevelopment for a 24 storey building and a part 7 part 5 storey building comprising a total of 184 residential units (Class C3) and up to 1,041 sqm of flexible retail/financial or professional or café/restaurant floorspace (Classes A1/A2/A3) inclusive of part sui generis floorspace for potential new London Underground station access fronting Avenue Road and up to 1,350 sqm for community use (Class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.	Granted 29/12/2022
2021/0022/P	<b><u>Condition 18</u></b> Details of the facing materials (including samples, detailed drawings, 1:1 mock up bay) to discharge condition 18 of planning permission 2014/1617/P dated 18/02/2016 as amended by 2019/1405/P dated 07/05/2019	Refused 05/10/2021  Appeal allowed 24/05/2022

Reference	Description / Summary of Application	Decision / Date
2021/0025/P	<p><b><u>Section 106A Amendments</u></b></p> <p>Application in accordance with Section 106A, sub-sections (3) and (4), to amend clause 3.2 (and associated definitions) of S106 Agreement relating to 2014/1617/P (as amended by 2018/4239/P dated 04/08/2020 and 2019/1405/P dated 07/05/2019).</p> <p>The amendments include removing the requirement to provide 28 affordable rent units, 8 intermediate housing units and 18 DMR units (for a minimum of 15 years post completion) to be replaced with 18 DMR units in perpetuity. Modifications of various relevant definitions – Disposal Viability Assessment, Original Viability Assessment and Surplus – to refer to GDV figure identified in the FVA dated 09/12/2020.</p>	<p>Refused 23/03/2021</p> <p>Appeal dismissed 07/01/2022</p>
2018/4239/P	<p><b><u>NMA</u></b></p> <p>Alterations including the relocation of ground floor entrance openings (including affordable entrance); internal layout changes to floorplans; basement changes to footprint, levels and layout to car parking spaces, cycle parking and refuse; relocation of access doors to communal terrace; external ground level; relocation and amendment of rooftop plant, services and lift overrun including removal of building maintenance units; modular, louvre and soffit changes to elevation treatment; glazing detail changes including window openings, doors and mullions; amendments to glazed Juliet balconies, balcony dividers and handrails to planning permission granted under 2014/1617/P.</p>	<p>Granted 04/08/2020</p>
2019/1772/P	<p><b><u>Condition 15</u></b></p> <p>Microclimate Mitigation Measures</p>	<p>Granted 16/10/2019</p>
2019/1773/P	<p><b><u>Condition 3</u></b></p> <p>Details of Landscaping, Replacement Trees and Planting and Maintenance Plan</p>	<p>Granted 16/10/2019</p>
2019/2275/P	<p><b><u>Condition 17</u></b></p> <p>Partial discharge re. piling and construction method statement relative to HS2 structures and tunnels</p>	<p>Granted 29/05/2019</p>
2019/1405/P	<p><b><u>NMA</u></b></p> <p>Amendment of Condition 18 (facing materials, external frames, balconies and roof terraces) to require details prior to above ground works (other than demolition) and for a 1:1 mock-up of a typical elevation bay and other technical drawings, of planning permission 2014/1617/P</p>	<p>Granted 07/05/2019</p>
2017/6638/ CMP	<p><b><u>S106 – Construction Management Plan</u></b></p> <p>Pre-commencement CMP to discharge Clause 3.5.1-3.5.2 of the S106 Agreement dated 24/08/2015 related to permission 2014/1617/P</p>	<p>Approved 22/11/2018</p>
2018/2340/P	<p><b><u>Hampstead Figure Sculpture to the North of Swiss Cottage Library</u></b></p> <p>Removal and temporary re-siting of the Hampstead Figure Sculpture for the duration of the construction associated with 100 Avenue Road</p>	<p>Granted 27/06/2018</p>
2018/2347/L	<p><b><u>LBC - Hampstead Figure Sculpture to the North of Swiss Cottage Library</u></b></p> <p>Removal and temporary re-siting of the Hampstead Figure Sculpture for the duration of the construction associated with 100 Avenue Road</p>	<p>Granted 27/06/2018</p>
2017/4036/P	<p><b><u>NMA</u></b></p> <p>Alterations including the relocation of ground floor entrance openings; internal layout changes to floorplans; basement layout changes to car parking spaces, cycle parking and refuse; relocation of access doors to communal terrace; relocation and amendment of rooftop plant, services and lift overrun including removal of building maintenance units; amendment to the basement levels; modular, louvre and soffit changes to elevation treatment; glazing detail changes including window openings, doors and mullions; amendments to glazed Juliet balconies, balcony dividers and handrails to planning permission granted under reference 2014/1617/P</p>	<p>Withdrawn 16/04/2018</p>
2018/1098/P	<p><b><u>Condition 17</u></b></p> <p>Details of detailed design and construction method statements relative to the HS2 structures and tunnels</p>	<p>Granted 09/04/2018</p>

Reference	Description / Summary of Application	Decision / Date
2017/6884/P	<u>CLEUD</u> Certificate of Lawfulness for demolition of part of the existing building as shown on Demolition Works Plan No LL443-275-0015, in accordance with section 56(4) of the Town and Country Planning Act 1990 constituting a material operation for commencement of planning permission 2014/1617/P	Granted 08/02/2018
2017/5859/P	<u>Condition 14</u> Contamination	Granted 12/12/2017
2017/4196/P	<u>Condition 4</u> Details of Boundary Levels	Granted 30/08/2017
2017/3838/P	<u>Condition 15</u> Microclimate Mitigation Measures	Granted 01/08/2017
2017/3139/P	<u>Condition 27</u> Details of U-values and Approach to Thermal Bridging	Granted 17/07/2017
2016/6699/P	<u>Condition 31</u> Outline Method Statement	Granted 02/06/2017
2016/2803/P	<u>S73</u> Variation of condition 31 to change the wording to allow for above ground demolition works to take place if an outline method statement for how the above ground existing building was to be demolished.	Withdrawn (date unavailable)
2016/1893/P	<u>Condition 24</u> Air Quality Monitoring	Granted 27/06/2016
2016/2352/P	<u>Condition 21</u> Details of Trees	Granted 27/06/2016
2016/2048/P	<u>NMA</u> Amendment of condition 27 (u-values and thermal bridging) to require details before the relevant part of the work commences (other than demolition) under planning permission 2014/1617/P	Granted 10/05/2016
2016/2128/P	<u>NMA</u> Amendment of condition 31 (to allow discharge of the conditions prior to the commencement of below-ground works) of planning permission 2014/1617/P	Refused 04/05/2016
2016/1321/P	<u>NMA</u> Amendment of conditions 27 and 31 (to allow discharge of the conditions prior to the commencement of below-ground works) of planning permission 2014/1617/P	Withdrawn (date unavailable)
2014/1617/P	<u>Original Application</u> Demolition of existing building and redevelopment for a 24 storey building and a part 7 part 5 storey building comprising a total of 184 residential units (Class C3) and up to 1,041sqm of flexible retail/financial or professional or cafe/restaurant floorspace (Classes A1/A2/A3) inclusive of part sui generis floorspace for potential new London Underground station access fronting Avenue Road and up to 1,350sqm for community use (class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.	Refused 03/10/2014  Appeal allowed 19/02/2016

## APPENDIX 2 – DESIGN REVIEW PANEL COMMENTS

**CONFIDENTIAL**



### **London Borough of Camden Design Review Panel**

**Report of Formal Review Meeting: 100 Avenue Road**

Friday 13 September 2024

Camden Council, 5 Pancras Square, London N1C 4AC

#### **Panel**

Chloë Phelps (chair)  
Amber Fahey  
John McRae  
Daniel Rea  
Julian Robinson

#### **Attendees**

David McKinstry	London Borough of Camden
Joy Mulandi	London Borough of Camden
Christopher Smith	London Borough of Camden
Zivile Volbikaite	London Borough of Camden
Tom Bolton	Frame Projects

#### **Apologies / report copied to**

Bethany Cullen	London Borough of Camden
Edward Jarvis	London Borough of Camden
Daniel Pope	London Borough of Camden
Shona Henry	Frame Projects

#### **Confidentiality**

This is a pre-application review, and therefore confidential. As a public organisation Camden Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.



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### 1. Project name and site address

100 Avenue Road, London NW3 3HF

### 2. Presenting team

Steve Harrington	Regal London
Chloe Saunter	Regal London
Alex Florea	Cartwright Pickard
James Pickard	Cartwright Pickard
Joe Todd	Turkington Martin
James Leuenberger	Montagu Evans
George Steele	Caneparo Associates
Ellen Huelin	Whitecode

### 3. Planning authority briefing

The site is a rectangular 0.6-hectare plot, located east of Avenue Road and south of Eton Avenue. To the east of the site is the Hampstead Theatre and the Swiss Cottage Open Space. To the south is the Swiss Cottage Library, Swiss Cottage Leisure Centre and associated landscaped pathways. It is next to Swiss Cottage Underground Station.

The site is currently surrounded by a hoarding as demolition of the previous six-storey building has been completed and works have begun to construct the basement for a proposal which gained planning permission (allowed at appeal) in 2014. The previous permission was for one 24-storey building and a separate building of up to seven storeys, with 184 residential units, associated commercial and community space and an entrance to Swiss Cottage Station. The permission remains extant due to commencement of works.

The applicant proposes to submit a minor material amendment application to increase the number of housing and affordable housing units through a more efficient build methodology and development layout. The scale and massing of the buildings would remain the same, although their architecture would change.

Camden officers asked the panel for its views on: the detailed design and materiality; the layout and quality of homes; the development's relationship with the surrounding streets; the play space; and the community space

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### 4. Design Review Panel's views

#### *Summary*

The panel is pleased to see proposals for such an important site, but makes recommendations on developing architecture, improving ground floors and landscape, improving accommodation, and developing sustainability ambitions.

Work is needed to develop an architectural approach that gives the buildings more character, and makes the transition between scales. A high level of quality is needed on this prominent site. The northern façade of the tower block is a major opportunity for a high quality elevation and will effectively act as a 'billboard' for Swiss Cottage. More articulation is suggested at roof level. Alternative massing options should be explored for the lower block, including rethinking flats next to the London Underground ventilation shaft.

Ground floor glazing should be reduced to improve the way buildings meet the ground. Active ground floor frontages should be prioritised, including spill-out activity and potentially space for The Winch. Landscaping next to Swiss Cottage Open Space should be simplified and integrated with the existing open space. The panel encourages co-design, involving Hampstead Theatre and others, to ensure the space serves the needs of girls and of other users. A full biodiversity survey and a sustainable drainage systems strategy are needed.

Internal layouts need to be rethought to ensure the quality of living accommodation is prioritised, including positioning family sized flats away from traffic, reduction in the number of flats per core, and bringing light into corridors. Entrance lobbies should be larger and more functional, and the lower block residential entrance must be safe.

The panel strongly supports the retention of the existing structure. The scheme's sustainability ambitions are promising, but a whole life carbon assessment is needed, and specific performance targets should be set. Circular economy thinking should inform the design from an early stage, including the choice of materials. Passive measures should be a priority, with more work on façade shading. The panel questions the energy impact of floor-to-ceiling windows. The use of waste heat from the London Underground should be explored.

#### *Architecture and massing*

- The site offers an exciting opportunity to deliver an exemplar development in an important location. High quality architecture is needed to fulfil the site's potential to improve the surrounding area.
- The panel supports the simplicity of the massing presented, and encourages similar simplicity in the architecture.
- While the architectural approach is developing in a positive direction, more work is needed to develop a clear, positive character for the buildings.





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- A stronger design narrative should explain how the development addresses the transition between the Belsize Park Conservation Area to the north, and the larger scale of Swiss Cottage.
- The panel finds the brick façade treatment flat and lacking in character. Design development and detailing is needed to give both buildings greater identity.
- The panel encourages the design team to draw inspiration from the Belsize Park Conservation area, while also considering how the site can respond to the contrasting twentieth century character of Swiss Cottage.
- The panel asks for more thinking about the way the development will be experienced in closer, local views, as part of its neighbourhood. In particular, the north-west facing façade of the tower block addresses the transition between neighbourhood scales, and will act as a 'billboard' announcing Swiss Cottage to all those approaching from the north. Further thought is needed about how the tower can address this key local view in a distinctive way.
- More articulation at roof level would help to create a stronger termination and avoid the impression that the façade tapers out towards the top.
- The panel discourages the use of polyester powder-coated elements in façade designs, as they are likely to fade over time. All materials should be chosen to last.
- Thought should be given to how the Lower Block is expressed. Rather than presenting it as a single building, it could be separated into terraces or grounded with a podium. The panel would like to see more massing options explored for this building.
- The panel is also concerned that the quality of flats around the Swiss Cottage Station ventilation shaft will be compromised. This could be addressed by reconfiguring the building to introduce a break in the massing at this point.
- Different approaches should be tested to manage the presence of the ventilation shaft, and ensure accommodation is of a high quality.
- The panel supports the inclusion of recessed balconies, which work well in elevations and provide residents with more useable amenity space.

### *Ground floor*

- The panel is pleased to see that the development will widen the pavement on Avenue Road. This will be a significant benefit for the locality.



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- The panel recommends that both buildings would benefit from more work to refine the way they meet the ground. More scale and texture are needed to ground the tower block and the lower block, and create a clearer façade hierarchy. The inclusion of large areas of glazing does not provide this. More information is needed to show what would actually be visible to passers-by. The panel suggests that where there is no functional need to glaze ground floor frontage, it should be solid.
- The panel also notes the need for careful planning to prevent retail units from shutting off active frontage with vinyl and back of house storage. The layout of the ground floor and the design of frontage should mitigate against this.
- The panel suggests that The Winch could have a presence on the ground floor. The organisation could bring personality and informality to the ground floor of the development. The panel encourages the applicant to take the opportunity to celebrate The Winch in a more visible way.
- The panel asks for more thinking on how the ground floor units facing onto Swiss Cottage Open Space can contribute to activity in the park. This could include rearranging the ground floor plan to open up more of the façade on the park side, creating more opportunity for spill-out activities.

### *Landscape and amenity*

- The proposed podium garden has the potential to be a high-quality amenity space. However, the panel is concerned that the flexible games area will be located next to flats. Noise is likely to have a significant impact on quality of life, and this aspect of the podium design needs further thinking.
- There is an opportunity to connect the landscape on the eastern frontage of the lower block to Swiss Cottage Open Space. This has potential to simplify the boundary treatment, with a single hard surface route running alongside the building, and would avoid the need to limit the depth of planters located above the basement.
- The design approach to this space should be informed by detailed analysis to show that it responds to movement patterns, and will be used as intended.
- The panel notes that the seating next to Swiss Cottage Open Space is located in shady areas. The planning of both seating and planting should respond to daylight and sunlight conditions so spaces are well-used and can flourish.
- It encourages thinking on how the landscape design can unify, rather than complicate, the interface with Swiss Cottage Open Space. The project should avoid introducing further materials and palettes to what is already a complicated setting.



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- The panel notes the need to conduct a full ecology survey of the site, including for the presence of wildlife such as bats, as the basis for planning landscaping. This information will be important for planning a sympathetic lighting strategy for biodiversity.
- The panel is pleased to see that amenity space will be designed with reference to research and guidance on making space for girls. The most effective way to implement these principles would be to conduct a co-design exercise, making connections with the Hampstead Theatre, and looking for ways to ask girls in the area what they would like from the space.
- It asks for more thinking on how a sustainable drainage strategy can integrate blue and green infrastructure including, for example, making sure all hard surfaces are permeable paving.
- Part of the play space provision is expected to be delivered off-site. The panel asks that this aspect of the development is also presented, to provide a complete picture of the play space available to residents.

### *Internal layouts*

- The panel asks for further work to ensure the internal layout of the lower block provides the best quality accommodation possible.
- Larger family homes are currently located in a harsh environment facing onto Avenue Road. There are also a large number of flats on each corridor, and a lack of natural light at lower levels. The panel would like to see changes to improve layouts, and to ensure that as many flats as possible face Swiss Cottage Open Space.
- The panel thinks that the residential lobby spaces should be more generous to allow, for example, more spaces for buggies and children. The design of these spaces is also not necessarily compatible with family use, and their character therefore needs to be resolved.
- The panel also questions whether the ground floor entrance to the lower block from Swiss Cottage Open Space, located next to bin stores and generator rooms, will feel safe?
- If the main residential entrance has to be on this side of the building, to allow room for a large retail store on the west side, more work is needed to ensure it is pleasant, well-lit and overlooked.
- The panel understands the current plan is to let the ground floor retail space to a single tenant. However, there would be benefit in splitting it in two and introducing a through lobby, with a front door for the residential on Swiss Cottage and a back door on to the Open Space.



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### *Sustainability*

- The panel is pleased that the proposals retain the existing structure, significantly reducing the development's carbon impact.
- The sustainability ambitions presented are promising, although still at an early stage. A whole life carbon assessment is needed as soon as possible, so it can influence the design approach.
- The panel recommends clear targets and commitments in areas such carbon in use per m<sup>2</sup>.
- It also recommends holding a circular economy design workshop soon, to steer the selection of materials and inform a lean design approach before the project progresses too far. This should include examination of the carbon impact of using brick.
- Passive measures should be truly prioritised, including thinking about how the development can be adaptable to future climate change. Other external shading options should be explored, in addition to recessed balconies.
- The panel is concerned that the use of floor-to-ceiling glazing will have a significant impact on energy demand. It suggests assessing the impact on a sample of the likely worst performing units to inform design decisions.
- The lower block contains a number of single aspect flats, limiting the opportunity for passive ventilation. Nevertheless, the panel thinks that options for passive ventilation should be explored throughout the development, to ensure opportunities are taken to minimise cooling demand.
- The panel is pleased to see plans for a full communal heating system. It encourages the team to investigate whether waste heat from the London Underground at Swiss Cottage Station can be accessed to help heat the buildings and reduce energy demand.

### *Next steps*

The panel is available to review the proposals again if required by officers, once the applicant has been able to respond to its comments.



# Planning Committee

5<sup>th</sup> June 2025



2025/0852/P

100 Avenue Road  
London  
NW3 3HF

