

<b>Address:</b>	100 Avenue Road London NW3 3HF		<b>1</b>
<b>Application Number(s):</b>	2026/0404/P	<b>Officer:</b> John Nicholls	
<b>Ward:</b>	Primrose Hill		
<b>Date Received:</b>	2 <sup>nd</sup> February 2026		
<b>Proposal:</b>	Variation of conditions (2 plan numbers); 8 (quantum of commercial space); 13 (commercial windows); 15 (Wind Microclimate); 19 (commercial windows); 24 (Air quality); 34 (development quantum); 40 (Circular Economy); 44 (designing out crime); 45 (Fire Strategy); 46 (SuDS); 48 (Community facility removed), 48 (wheelchair units), 49 (TfL health and safety) to planning permission ref. 2025/0852/P (for demolition of building and provision of a mixed-use residential-led development) to secure alterations to the external appearance; internal residential and commercial space layouts; omission of community floorspace and increased affordable housing provision; cycle and car parking; hard and soft landscaping, and other associated amendments.		

**Background Papers, Supporting Documents and Drawing Numbers:**

Existing Drawings:

- 1016-CPA-ZZ-ZZ-DR-A-0100 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0101 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0200 Rev. P02
- 1016-CPA-ZZ-ZZ-DR-A-0201 Rev. P02
- 1016-CPA-ZZ-ZZ-DR-A-0202 Rev. P02
- 1016-CPA-ZZ-ZZ-DR-A-0203 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0204 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0205 Rev. P02
- 1016-CPA-ZZ-ZZ-DR-A-0206 Rev. P02
- 1016-CPA-ZZ-ZZ-DR-A-0207 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0208 Rev. P01
- 1016-CPA-ZZ-ZZ-DR-A-0209 Rev. P01
- 1016-CPA-ZZ-ZZ-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-ZZ-DR-L-0201 Rev. P06  
AR657-TML-ZZ-ZZ-DR-L-0501 Rev. P07  
AR657-TML-ZZ-06-DR-L-0000-01 Rev. P04  
AR657-TML-ZZ-ZZ-M2-L-0200 Rev. P03  
AR657-TML-ZZ-ZZ-DR-L-0000-05 Rev. P04  
AR657-TML-ZZ-ZZ-DR-L-0260 Rev. P04

Proposed Drawings:

1016-CPA-ZZ-ZZ-DR-A-0100 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0101 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0200 Rev. P07  
1016-CPA-ZZ-ZZ-DR-A-0201 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0202 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0203 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0204 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0205 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0206 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0207 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0208 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0209 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0210 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0220 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0600 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0601 Rev. P05  
1016-CPA-ZZ-ZZ-DR-A-0602 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0603 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0604 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0610 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0611 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0701 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0702 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0703 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0704 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0705 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0706 Rev. P02  
100AVR-PAN-DR-L-XX-80-0100 Rev. P01  
100AVR-PAN-DR-L-XX-80-0101 Rev. P01  
100AVR-PAN-DR-L-XX-80-0002 Rev. P01  
100AVR-PAN-DR-L-BB-80-0106 Rev. P01  
100AVR-PAN-DR-L-XX-80-0001 Rev. P01  
100AVR-PAN-DR-L-XX-80-0102 Rev. P01

Documents:

Residential Travel Plan dated February 2025  
Residential Travel Plan statement of conformity dated January 2026  
Workspace Travel Plan dated February 2025

Workspace Travel Plan statement of conformity dated January 2026  
 Ventilation Strategy Statement dated February 2025  
 Arboricultural Impact Assessment dated February 2025  
 Wind Microclimate Assessment Report dated February 2025  
 Wind Microclimate Assessment Statement of Conformity dated January 2026  
 Whole Lifecycle Carbon Assessment dated February 2025  
 Overheating Assessment dated February 2025  
 Sustainability Statement dated February 2025  
 Transport Assessment dated February 2025  
 Transport Assessment Addendum dated January 2026  
 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  
 Energy and Sustainability Compliance Report dated January 2026  
 Drainage Report dated January 2026  
 Health Impact Assessment dated January 2026  
 Flood Risk Assessment dated January 2026  
 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 January 2026  
 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  
 Updated Area and Accommodation Schedule dated December 2025  
 Planning Submission Fire Strategy / Fire Safety Statement dated June 2025  
 Design and Access Statement dated February 2025  
 Design and Access Statement Addendum dated December 2025  
 Design and Access Statement Addendum Rev P3 dated January 2026  
 Planning Statement dated February 2025  
 Covering Letter dated December 2025  
 Fire Strategy Addendum dated January 2026  
 Community Demand Assessment dated January 2026  
 Accommodation Schedule Rev P2 dated January 2026

**RECOMMENDATION SUMMARY:**

**Grant variation of condition subject to a deed of variation to the Section 106 Legal Agreement**

**Applicant:**

Arada London  
 4-5 Coleridge Gardens  
 London  
 NW6 3QH

**Agent:**

Montagu-Evans LLP  
 70 St Mary Axe  
 London  
 EC3A 8BE

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## EXECUTIVE SUMMARY

- i) The original application was a mixed-use 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 was amended in the 2025 Minor Material Amendment (s73) application to provide 237 homes (53 additional homes), plus additional commercial and community floor space. Amendments also sought changes to the layout, affordable housing provision, housing mix, sustainability, landscaping, and parking provision of the development.
- ii) A 2025 Non-Material Amendment application was subsequently granted to allow conversion of shared market housing floorspace into five additional market homes with no change to overall floorspace. This took the total consented homes to 242 homes.
- iii) This application seeks several minor changes to the scheme including:
  - converting the community space to additional affordable housing (9 homes);
  - amending the affordable housing tenures to 100% Social-Affordable Rent; and
  - minor design and layout changes to the lower block and public realm.
- iv) This application seeks to convert the community space, designed for The Winch who no longer wish to take the space, into additional affordable homes, increasing the total number of homes on site to 251. These would also be Social-Affordable Rent.
- v) There is already a good provision of community uses in the area, and the Winch would remain in their current premises. A Community Fund payment of £125,000 would assist with improving the current facilities at the Winch. The nine additional homes are welcomed. The development will provide 251 homes (Class C3) and improve on the provision of affordable housing, both by floorspace GIA 37.49% (up from 35%) and by habitable rooms 40.17% (up from 35.96%) to provide 79 affordable homes and 172 market homes.
- vi) The tenure changes would switch the tenure of the 34 intermediate rent homes to social affordable rent homes. The affordable housing tenure changes are part of a portfolio approach by Arada (formerly Regal) across three sites (100 Chalk Farm Road, 35 Jamestown Road, and 100 Avenue Road) now they have engaged with a Registered Provider of affordable housing for all three sites, namely Clarion Housing. The tenure change is to meet the needs of the Registered Provider (Clarion) and this portfolio approach enables these schemes to all move towards delivery and completion. Across the three sites, Arada propose to switch the tenure of 58 intermediate units to social affordable rent units for transfer to Clarion.
- vii) The change to the affordable tenures involves changing all affordable homes to the most affordable housing type and whilst there is a conflict with the guideline

mix set out in Local Plan Policy H4 of 60% social-affordable rent and 40% intermediate housing, there are sound reasons for this change being considered acceptable in this case. Securing a Registered Provider to take affordable homes delivered through S106 is becoming increasingly more challenging, so amending the mix of affordable housing in order to secure Clarion Housing is supported and there is flexibility to do so set out in the policy.

- viii) The mix of homes is considered acceptable for the tenure overall. Two-bedroom homes for social-affordable rent are in high demand, as are three-bedroom homes whilst there is a lower demand for the remaining fifteen one-bedroom homes. Although 1-bedroom homes are lower demand proportionately, there is still a high demonstrable demand for such homes within the tenure which the scheme will help to meet. The layouts and mix have also been developed with the RP in mind, to facilitate the portfolio approach to all three sites.
- ix) There are also other minor changes to the affordable housing block ground floor entrance areas, including the entrances to the residential elements, waste and cycle storage, an additional commercial unit entrance, as well as landscaping and public realm alterations at ground floor level and at sixth floor roof level and amending the design of the upper floors to accommodate the tenure changes and change from community space to residential.
- x) The physical changes are minor and are consistent with the design and performance of the Parent Permission, with no material impacts.
- xi) There are also changes to the S106 in relation to TfL funding, where the 2025 deed of variation secured £75,000 for TfL with the intention of using it for progressing feasibility work on step-free access at Finchley Road. This feasibility work has already been progressed without drawing on these funds, so following discussions between council and TfL officers, it is considered that this money should be repurposed to look at options for the Swiss Cottage gyratory, which has been agreed by the applicant. Future improvements to the gyratory which includes Avenue Road (if it proved feasible) would have direct benefits to the development. The deed of variation will also require an uplift in the open space contribution by £47,895.30 based on the additional 9 units.
- xii) Overall, the minor material amendments are considered positive enhancements of the scheme and significant weight should be given to the additional housing. The amendments would ensure the scheme continues to comply with the NPPF and the development plan as a whole.

## OFFICER REPORT

**Reason for Referral to Committee:** Development involving the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation (“the obligation”) where the terms of the obligation are materially different from any previous obligation approved by the committee in relation to the same site. [Clause 3. iv]

### 1. THE 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.

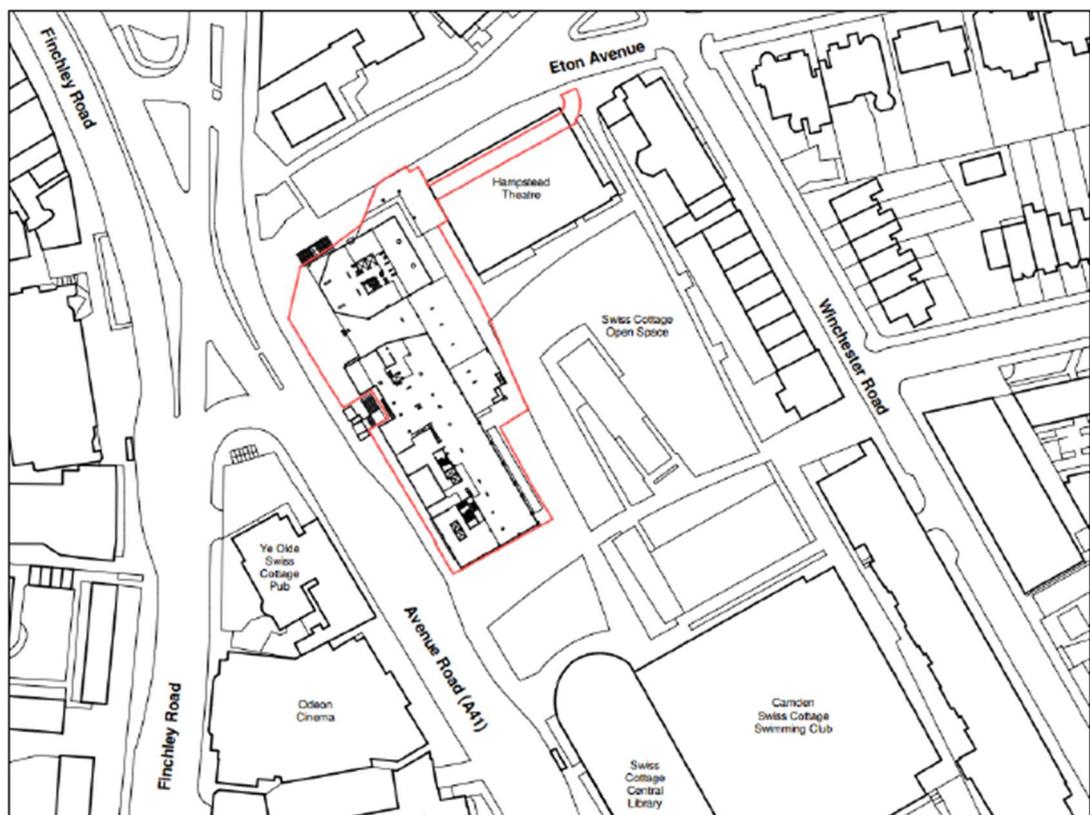


Figure 1 - Site layout plan

- 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 Central 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 called “The Winch”. 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 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 Elsworthy Conservation Area to the south-east.
- 1.8 The site is not covered by any strategically important view designations.
- 1.9 The site is 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. Work is recommencing to build out the scheme, and the existing permissions are therefore extant. Development can now be completed as approved at any time, which is a significant material consideration.

## **2. THE PROPOSAL**

- 2.1 The original application was a mixed-use 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.
- 2.2 This was amended in a 2025 Minor Material Amendment (s73) application to provide 237 homes (53 additional homes), plus additional commercial and

community floor space. Amendments also sought changes to the layout, affordable housing provision, housing mix, sustainability, landscaping, and parking provision of the development.

2.3 A 2026 Non-Material Amendment application was subsequently granted to allow conversion of shared market housing floorspace into five additional market homes with no change to overall floorspace. This took the total consented homes to 242 homes.

2.4 This Section 73 Minor-Material Amendment application proposes to amend the scheme again by varying condition 2 (approved drawings) of 2025/0852/P. The amendments predominantly relate to:

- converting the community space to additional affordable housing (9 additional homes);
- altering the affordable housing tenures to 100% Social-Affordable Rent; and
- minor design and layout changes to the lower block and public realm.

2.5 The more detailed history is set out in the section below.

### **3. BACKGROUND AND PLANNING HISTORY**

3.1 The “Original Permission”

3.2 The Original Permission, granted on appeal, was for:

3.3 **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.**

3.4 The 2025 Minor Amendment (the “Parent Permission”)

3.5 The original permission has been amended several times, with the most recent being in October 2025, which secured 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. This is the subject of this current application and is the Parent Permission. The 2025 Minor Amendment (Parent Permission) was for:

- 3.6 **2025/0852/P.** 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. **Approved 22/10/2025.**
- 3.7 This granted permission for 70 affordable homes, split between 36 Social Affordable Rent and 34 Intermediate Rent.
- 3.8 The 2025 Non-Material Amendment (the “2025 NMA”)
- 3.9 A 2025 Non-Material Amendment application was subsequently granted to allow conversion of shared market housing floorspace into five additional market homes with no change to overall floorspace. There was no change to the overall floorspace of market and affordable housing, and this took the total consented homes to 242 homes. The 2025 NMA was for:
- 3.10 **2025/5818/P.** Non-material amendment to planning permission ref. 2025/0852/P (granted as a variation of conditions to planning permission 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 (dated 22/10/2025)). Proposed amendment is to convert the internal amenity space on level 25, in order to provide an additional 5 x market homes. **Approved 18/02/2026.**
- 3.11 This updated the 2025 amendment and therefore, this application incorporates the changes under both the Parent Permission and the 2025 NMA.

#### **4. CONSULTATION SUMMARY**

##### ***External Bodies***

##### Greater London Authority

- 4.1 No comments to make

##### Historic England

- 4.2 No comments to make

##### Environment Agency

- 4.3 No comments to make

Building Safety Regulator  
4.4 Content with the fire safety design.

TfL Spatial Planning  
4.5 Comments that there are three doors between some of the cycle stores and the outside, whereas the London Cycle Design Standards recommend just two and that the recommended minimum width of the external door should be no less than two metres wide.

*Officer response:*

*There is an overall balance needed between the layout of cycle storage and fire safety compartmentalisation considering issues such as e-bikes.*

TfL (London Underground asset management)  
4.6 No objection based on an additional condition related to a risk evaluation of objects being dropped (accidentally or intentionally) from balconies directly above the tube entrance, in order to ensure the development does not impact the existing London Underground infrastructure.

*Officer response:*

*Officers note the request is based upon the enlargement of the balconies directly above the Avenue Road tube entrance. Rather than provide the risk assessment requested by TfL, the applicant is willing to accept a condition which requires further details to be provided prior to the implementation of this part of the works to these balconies, in order address the risk.*

TfL (Crossrail 2 Safeguarding)  
4.7 No comments to make.

4.8 HS2

4.9 No comments made.

4.10 City of Westminster

4.11 No comment made.

4.12 Thames Water

4.13 No comments to make.

4.14 **Local Groups**

4.15 Belsize CAAC

- We welcome the addition of the 9 affordable homes, and the commitment to provide a financial contribution to the refurbishment of The Winch's existing premises.

- We still do not accept that the "proposed servicing, delivery and waste operations ..... can be accommodated safely from Eton Avenue, with delivery activity managed to avoid conflict with Swiss Cottage Market operations.

*Officer response:*

*Officers note the response related to both the increased affordable housing offer and the proposed servicing, delivery and waste plan operations. TfL and Council Transport officers have supported the amended proposed servicing plans for the revised housing offer.*

#### 4.16 West End Green Residents Association

- Queried the payment to the Winch for relinquishing the space in the affordable housing block.
- Asked why Camden or Arada would pay the Winch for turning down a previously established generous offer?
- Asked if Camden considered asking their general community centra taking over the community space within the building?

*Officer response:*

*The developer served the lease agreement on the Winch for the community space, the Winch choose not to enter into that lease, instead making the decision to remain in their existing premises.*

*The S106 agreement sets out what happen if the lease is declined, including considering other community uses, and then a conversion to affordable housing.*

*There are already several community uses in the immediate area, and the council's Community Partnerships team supported a release to affordable housing rather than risk delaying delivery by seeking another community occupier which could undermine viability of existing community uses.*

*The Winch were the original beneficiaries of the obligation to provide the space, and so assisting with investment in their current property was considered an appropriate and important benefit to reflect the intent of the obligation.*

*The s106 allows for the space to then be used to provide additional affordable housing which offers an alternative public benefit. The approach reflects the terms of the S106 and the applicant has now made the proposal for the space to be converted to affordable homes. Alongside this, officers are seeking to secure a payment to assist for investment in The Winch, which could cover essential maintenance works to the Winch's existing premises.*

#### 4.17 Adjoining Occupiers

- 4.18 29 site notices were displayed around the site and in the local area from 11<sup>th</sup> February 2026 (with an expiry date of 7<sup>th</sup> March 2026). A press advert was also posted on 12<sup>th</sup> February 2026 (expiry date 8<sup>th</sup> March 2026).

4.19 Summary of representations

4.20 None received.

4.21 **PLANNING POLICY**

4.22 National and regional policy and guidance

[National Planning Policy Framework 2024 \(NPPF\)](#)  
[Draft National Planning Policy Framework \(2025\)](#)  
[National Planning Practice Guidance \(NPPG\)](#)  
[London Plan 2021 \(LP\)](#)  
[London Plan Guidance](#)

London Plan 2021 (LP)

[GG1 Building strong and inclusive communities](#)

[GG4 Delivering the homes Londoners need](#)

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

H8 Loss of existing housing and estate redevelopment

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

#### 4.23 Camden Local Plan (2017) (CLP)

[Policy G1 Delivery and location of growth](#)  
[Policy H4 Maximising the supply of affordable housing](#)  
[Policy H6 Housing choice and mix](#)  
[Policy H7 Large and small homes](#)  
[Policy C1 Health and wellbeing](#)  
Policy C2 (Community facilities)  
[Policy C5 Safety and security](#)  
[Policy C6 Access for all](#)  
[Policy A1 Managing the impact of development](#)  
[Policy A3 Biodiversity](#)  
Policy A5 Basements  
[Policy D1 Design](#)  
[Policy CC1 Climate change mitigation](#)  
[Policy CC2 Adapting to climate change](#)  
[Policy CC3 Water and flooding](#)  
[Policy CC4 Air quality](#)  
[Policy CC5 Waste](#)  
[Policy T1 Prioritising walking, cycling and public transport](#)  
[Policy T2 Parking and car-free development](#)  
[Policy T3 Transport infrastructure](#)  
[Policy T4 Sustainable movement of goods and materials](#)  
Policy TC1 (Quantity and location of retail development)  
[Policy DM1 Delivery and monitoring](#)

#### 4.24 Supplementary Planning Documents and Guidance

Access for All CPG - March 2019  
Air Quality - January 2021  
Amenity - January 2021  
Basements – January 2021  
Design - January 2021

Community Uses, leisure and pubs – January 2021  
 Developer Contribution CPG - March 2019  
 Energy efficiency and adaptation - January 2021  
 Housing - January 2021  
 Planning for health and wellbeing – January 2021  
 Public Open Space – January 2021  
 Transport - January 2021  
 Trees CPG - March 2019  
 Water and flooding CPG - March 2019

4.25 Most relevant Camden Planning Guidance (CPGs):

[Housing - January 2021](#)

4.26 Proposed Submission Draft Camden Local Plan (DCLP)

4.27 The [Proposed Submission Draft Camden Local Plan](#) was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector in Spring 2026.

4.28 Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.

4.29 The Proposed Submission Draft Local Plan (DCLP) 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 an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

## 5. ASSESSMENT

5.1 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>Change in affordable housing tenure</b>
9	<b>Building design</b>
10	<b>Transport</b>
11	<b>Open space, urban greening, and biodiversity</b>

## 6. LAND USE

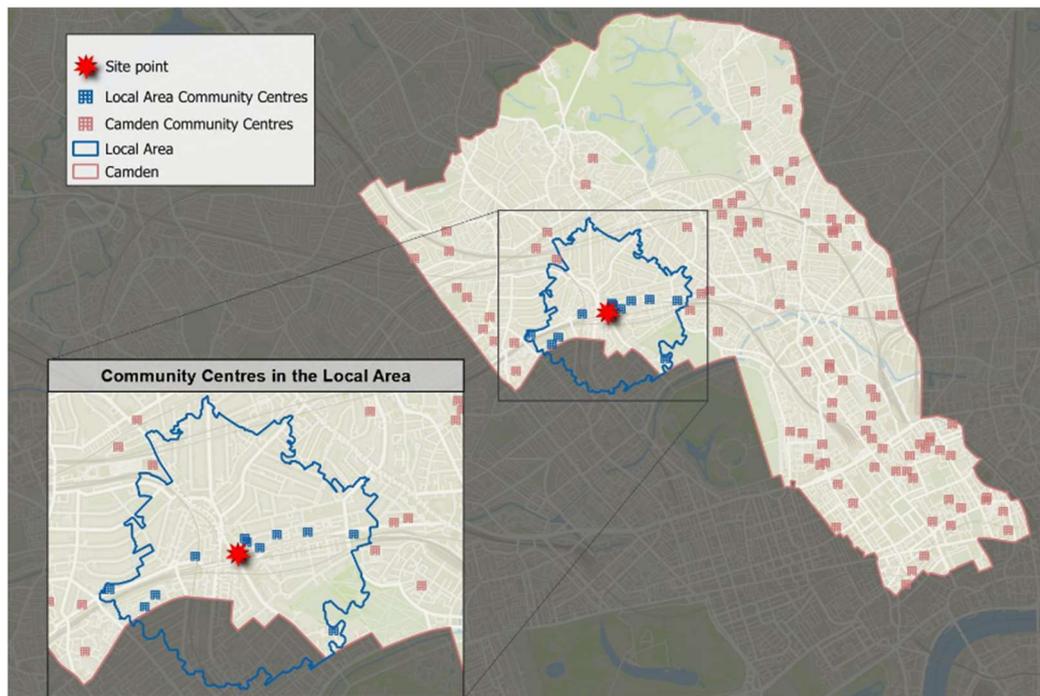
### ***Release of community floorspace***

- 6.1 The Original Permission included a mix of uses in the lower block, including affordable housing, commercial space, and a community space. The community space was intended as a new space for The Winch – a local community group based in Winchester Road. The intention was to allow them to move out of their current premises, owned by the Council, and into the new development.
- 6.2 The provision of the community space was provided for in the s106 agreement for the Original Permission, and this has been carried through into the Parent Permission. The Parent Permission included some alterations to the design of the community space in consultation with the Winch and included some outdoor community space on the roof of the lower block.
- 6.3 The s106 includes a planning obligation for the developer to offer the community space to the Winch or, if declined, consider other local community groups. If no community use is secured, the obligation required the space to be converted into additional affordable homes, as it is located within the affordable block and also it would provide an appropriate alternative public benefit.
- 6.4 The Winch has confirmed they no longer wish to take the space and instead, intend to stay at their current property in Winchester Road, owned by the Council. Therefore, the next option is to consider another community use in the building.
- 6.5 The bespoke accommodation and rooftop amenity were designed with The Winch in mind. There will be no loss of community space in the area as the Winch will remain, albeit off site, and so an alternative community use would introduce another additional community space into the area.
- 6.6 The applicants submitted an Independent Community Demand Assessment in support their application for converting this space to affordable housing. This assessment confirms that the surrounding area already benefits from a strong and diverse network of provision of community facilities. This includes 11 established community centres alongside additional estate-based facilities, equating to one centre per 2,775 residents. This is substantially above the average level of provision across London. Collectively, these facilities address a broad spectrum of local needs and are considered sufficient, sustainable, and with no identified shortfall.

Geographical Area	Community Centres	Population	Population per Community Centre
Local Area	11	30,500	2,775
LBC	111	216,945	1,955
London	905	9,089,735	10,045

*Table 1 - Provision of Community Centres*

- 6.7 Consequently, the omission of the community space from the development would neither result in an under-provision of community facilities nor generate a net loss in community function, given the Winch would continue to operate effectively from its current accommodation.
- 6.8 With the Winch staying at their existing site, and the Swiss Cottage Community Centre close by, introducing a third separate community centre could be an oversaturation of community spaces all within 200m of one another undermining their long-term sustainability. The map below shows the location of community centres and uses.



*Figure 2 - Location of Community Centres in LBC*

- 6.9 The obligation was to provide the space to shell and core, which means any community group that took the space (including the Winch for which it was originally designed) would need notable capital investment to fit out and occupy it. Furthermore, finding a new occupier would likely delay the extant housing delivery on the site, which is crucial given the Council's current Housing Delivery Test position (discussed further below).
- 6.10 The council property in which the Winch is currently based needs repairs and capital improvements. The programme is divided into several phases: Phase

1 work deals with external works, Phase 2 deals with internal and fire safety, Phase 3 with MEP replacements and upgrades, and then there is a further repair and upgrade schedule of works. Phase 1 and 2 are considered the most crucial, and funding is already largely secured for Phase 1 works (External Structure and Fabric).

- 6.11 To help further assist with the community provision requirements, the applicant has offered a financial contribution of £125,000 to be spent on improvements to the Winch. This could have a notable impact on being able to improve and sustain the community group in the absence of them taking the floorspace in the development.
- 6.12 For example, this could be sufficient to cover Phase 2 works (Internal Structure and Fabric) which are currently unfunded and total around £125,000. Phase 2 would cover amended access arrangements to allow safe access onto the roof space, redecoration including wall, ceiling, and floor finishes, fire door survey to all internal doors, overhaul of internal doors allowance replacement of components and glazing.
- 6.13 This council would work with The Winch to decide how to best invest the money in the site, and the **Community Fund of £125,000 will be secured by s106 agreement** under the deed of variation.
- 6.14 Officers have worked with the Council's Community Partnerships team to assess the approach taken. They have confirmed they support the release of the floorspace to affordable housing rather than introducing yet another community use into the area and strongly welcome the contribution to assist with the property repair and improvement at the current Winch site. Releasing the floorspace for additional affordable housing along with the Community Fund would not undermine The Winch, or wider community provision, and would be in accordance with Local Plan Policy C2 (Community Facilities) and Draft Local Plan Policy SC3 (Social and Community Infrastructure) which aim to support viable community uses.

***Use as additional housing***

- 6.15 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 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.
- 6.16 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.

6.17 The proposal is to release the community floorspace for use as additional affordable housing, in line with the intent of the planning obligation. This would increase the amount of self-contained housing by 9, from 242 to 251. The 9 new affordable homes would be in the lower block in place of the previously approved community use, at 5th, 6th and 7th floor levels within the affordable block.

6.18 They would all be affordable homes, which would increase the proportion of affordable housing in the development overall, both by floorspace GIA 37.49% (up from 35%) and by habitable rooms 40.17% (up from 35.96%), to provide 79 affordable homes and 172 market homes. This is strongly supported and further improves on the 35% target in the London Plan's threshold approach.

***Quality of proposed additional homes***

6.19 The conversion of the former community floorspace into 9 additional social rented homes is achieved by following the established residential design of the lower floors. Changes would be made to rationalise the building core layout, which improves the building layout efficiency following the removal of core access to the Winch, the multi-purpose entrance hall on the ground floor and plant space sizing adjustments. The removal of the Winch core creates additional bedroom space for residential units on floors 1-5 and allows for window inclusion, enhancing natural light in corridors across all floors.

6.20 Following the established layouts in the rest of the block, the new homes would be well designed, exceed size standards, and provide a good standard of living for occupiers, in accordance with policies A1 and D1 of the Local Plan. The image below shows the conversion of some of the community space (which includes back-office space on this plan) in the bottom right corner, into new homes.



Approved Typical Floor Plan



Proposed Typical Floor Plan

Figure 3 - Plans for the approved (top) and proposed (bottom) sixth floor demonstrate the changes in the plan layout

- 6.21 The proposed number, size and bed spaces of the proposed units and circulation space within the affordable block have been driven by the new registered provider. Although the circulation spaces have been reduced slightly in width from the 2025 amendments, these all now have a window at the end of the corridors which enhances natural light in shared corridors across all floors. The homes themselves have been arranged with separate kitchens where possible at the request of the registered provider, and although some bedrooms and living rooms sit deeper into the building than ideal, this is the result of larger flats with all being larger than the minimum national space standards. A Sunlight and Daylight Assessment provided confirms that the proposed amendments will provide occupants with acceptable levels of sunlight and daylight for a scheme of this nature. Therefore, officers consider this beneficial overall.
- 6.22 The outdoor amenity space for the Winch which was on the roof would now offer increased communal amenity space for residents of the affordable homes.

## **Conclusion**

- 6.23 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.
- 6.24 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.
- 6.25 The conversion of the community space into additional affordable homes was allowed for in the planning obligation. There is a significant level of provision of community uses in the area already, and seeking further occupiers could slow down development of the scheme and the overall housing delivery. With the Winch remaining in the local area, and being supported by the Community Fund, the release of the community floorspace to additional affordable housing is supported and can help to maintain the pace of housing delivery on the site.
- 6.26 The amended development would provide a further uplift in housing overall which would contribute significantly towards the Council's housing target. All nine additional homes would be affordable increasing the level of affordable housing from the Parent Permission to 37.49% by floorspace or 40.17% by habitable room.
- 6.27 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.

## **7. CHANGE IN AFFORDABLE HOUSING TENURE**

- 7.1 The scheme also proposes to change the tenure of all affordable homes to Social Affordable Rent. The tenure changes would switch the tenure of the consented 34 intermediate rent homes to Social Affordable Rent homes, and the nine new homes would also be Social Affordable Rent.
- 7.2 The affordable housing tenure changes are part of a portfolio approach by Arada (formerly Regal) across three sites (100 Chalk Farm Road, 35 Jamestown Road, and 100 Avenue Road) now they have engaged with a Registered Provider of affordable housing for all three sites, namely Clarion Housing. The tenure change is to meet the needs of the Registered Provider

(Clarion) and this portfolio approach enables these schemes to all move towards delivery and completion. Across the three sites, Arada propose to switch the tenure of 58 intermediate units to social affordable rent units for transfer to Clarion.

7.3 The tenures were set out in a head of term in the s106 agreement for the Parent Permission. Whilst the tenure changes are not material in planning terms, they are a material change to the head of terms which will need to be varied accordingly.

7.4 Social Affordable Rent is the most affordable tenure of affordable housing. This will mean the 36 Social Affordable Rent homes already approved will remain, but the 34 Intermediate Rent homes will change to also be Social Affordable Rent.

7.5 The following table shows the proposed change to the housing offer at 100 Avenue Road across the Parent Permission, the Parent Permission as amended by the NMA, and this current proposed amendment.

Tenure	Parent permission 2025	Parent permission as amended by 2025 NMA	Proposed amendment (Current s73)	Total difference
Market homes	167	172	172	+ 5
Social affordable homes	36	36	79	+ 43
Intermediate homes	34	34	0	- 34
<b>Total affordable homes</b>	<b>70</b>	<b>70</b>	<b>79</b>	<b>+ 9</b>
<b>Total homes</b>	<b>237</b>	<b>242 (+5)</b>	<b>251 (+9)</b>	<b>+ 14</b>

*Table 2 - Proposed housing tenure changes*

***Impact of the proposed change***

7.6 The applicants have stated the following in support of the application:

- The proposal to the number of affordable units represents a meaningful and policy-aligned enhancement to housing supply and directly contributes to meeting Camden’s housing need.
- The overall affordable housing offer will be increased with nine additional homes.

- The change of the tenure of the 34 Intermediate Rent homes to Social Affordable Rent was made in recognition of the very high demand for social rent housing in the borough and the requirements of the RP.
- By increasing the number of Social Affordable Rent homes within the scheme, this amendment will provide an enhanced affordable housing offer. This proposal supports the Council's objectives to maximise delivery of genuinely affordable housing, improve access for households on lower incomes, and contribute positively to meeting identified housing needs within the Borough.
- The RP was attracted to getting involved in all three sites because of their relationship with Arada London and the prospect of also building a strategic partnership with Camden across three key sites.
- Part of the attraction for the RP is due to their close proximity to each other, meaning the sites will be managed together, which will be less burdensome for the RP than managing several smaller sites.
- By taking on all three sites together, it was considered advantageous to the GLA to grant fund all three together given the combined number of homes.
- The GLA's Accelerated Housing Delivery Planning and Housing Practice Note published in December 2024, promoted the availability of additional funding to convert existing planned affordable homes to more affordable tenures, and the proposed change is being brought forward further to this.

7.7 The Camden Local Plan 2017 (CLP) sets out the Council's affordable housing objectives in Policy H4. This policy provides a guideline mix for affordable housing types rather than rigid requirements, this being a mix of 60% social-affordable rent (Social Rent or London Affordable Rent) and 40% intermediate housing. Affordable housing targets are assessed on the basis of residential floorspace.

7.8 More detail is set out in the supporting paragraphs of the CLP, and paragraph 3.105 states that the guidelines will be applied flexibly, and that the Council may support proposals that only provide social-affordable rented housing in certain circumstances, such as where the overall proportion of affordable housing is below the 50% affordable housing target.

7.9 100 Avenue Road involves 251 homes in total, of which 79 will be affordable. The current tenure mix of affordable housing in the Parent Permission (as amended) is 51.42% social affordable and 48.57% intermediate rent (based on 9 fewer units). The new affordable units will be a mix of three 1-beds, three 2-beds and three 3-beds.

7.10 However, the mix as shown in the policy is a guideline only and several factors must be taken into account when considering whether a proposed housing mix is acceptable.

7.11 Tenures of affordable can also have an impact on the size of dwellings needed. CLP policy H7 seeks a mix of large and small homes and expects developments to contribute to the priorities set out in the Dwelling Size Priorities Table.

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

Table 3 - Dwelling Size Priorities (Local Plan Table 1)

7.12 The priorities table above shows the higher priorities for **social affordable rented homes** are for 2 and 3-bed homes, and priorities for **intermediate rent homes** being high for 1-bed homes, and medium demand for 2-bed

7.13 Of the 43 homes, 34 of which are proposed to be changed to social affordable rent and the 9 additional homes which would also be social affordable rent, thirty-five are 2-bedroom homes. The Housing Register shows that 2-bedroom homes are in the highest demand for social affordable rent (see table below), representing more than a third of all applicants.

Home type	Total applicants	% of applicants
Studio	1660	18.60%
1-Bed	1599	17.92%
2-Bed	<b>3019</b>	<b>33.83%</b>
3-Bed	2067	23.16%
4-Bed	514	5.76%
5-Bed	59	0.66%
6-Bed	6	0.07%
Total	<b>8924</b>	<b>100.00%</b>

Table 4 - Demand for homes, by home type (size), on Camden's General Needs Housing Register (March 2026)

7.14 This is reflected in the increased 2-bed priority for social-affordable in the DCLP (now referred to as "low-cost rent"). Eighteen of the 34 homes to be changed to social-affordable rented homes were two-bedroom homes and sixteen were one-bedroom. However, with the 9 new units (x3 1-beds, x3 2-beds and x3 3-beds) and an amendment to the configuration of the units on site, this brings the overall ratios up to 15 one-bedroom homes, 35 two-

bedroom homes and 29 three-bedroom homes. Two-bedroom homes for social-affordable rent are in high demand, as are three-bedroom homes whilst there is a lower demand for the remaining fifteen one-bedroom homes. Although 1-bedroom homes are lower demand proportionately, there is still a high demonstrable demand for such homes within the tenure which the scheme will help to meet. The layouts and mix have also been developed with the RP in mind, to facilitate the portfolio approach to all three sites.

7.15 Overall, the scheme continues to provide a balanced mix of homes within the affordable tenure which still aligns with the development plan.

***Other matters***

7.16 Other potential benefits of providing these 34 homes for social-affordable rent (and the 9 additional homes for social-affordable rent) are:

- **The homes better meet the needs of the tenure** - whereas the majority of those on the Intermediate Housing Register of Interest are seeking a one-bedroom home. It is notable that there are currently 1502 entries on the Council's Intermediate Housing Register of Interest. The majority, 1056 are looking for a studio or 1-bedroom property. The majority, 1056 are looking for a studio or 1-bedroom property, 381 are seeking a 2-bed and 65 a 3-bed. However, these are registrants that are looking for rented housing in the borough but do not have an assessed housing need as is required to join the Council's General Needs Housing Register for Social Rented/London Affordable Rented housing.
- **Simpler and more efficient long-term management of the homes –** The affordable housing block will be more readily managed as a block formed entirely of homes for social-affordable rent by the RP. Mixed-tenure developments can most readily be managed to meet differing tenant expectations where each tenure occupies different floors or is accessed separately, however the 34 intermediate homes were to have been interspersed between social-affordable rented homes on all seven floors of the affordable housing block.

7.17 As such the tenure change is considered non-material and can be incorporated into the other changes as part of this s73 application and the associated deed of variation to the s106 agreement.

**8. BUILDING DESIGN**

8.1 External changes are proposed to the upper floors where the Winch community space is being replaced by residential units. Floors 5-7 were a mixture of windows and hit and miss brickwork at the southeastern end of the lower block, which are now replaced with fenestration and balconies which maintain the approved façade strategy for the residential units across the other floors and wider building.

- 8.2 The Building Safety Regulator was consulted during the course of the application, who confirmed that the impact of the proposed changes were satisfactory, which includes Fire Safety.
- 8.3 The application materiality remains consistent with the consented scheme, utilising pale red and grey brickwork with glazed red brick detailing to residential entrances. With the continuation of the brickwork palette, window proportions and balcony composition preserve the coherent and contextually responsive architectural character previously endorsed, ensuring the development remains visually consistent and well-integrated.
- 8.4 Amendments to the lower block result in a more rationalised entrance sequence for residents with improved accessibility to the main entrance on Avenue Road with a more generous lobby space, while the addition of retail entrances on the ground floor of the east and west elevations enhances direct access and contributes to a more vibrant street-level experience. However, the east elevation facing the Swiss Cottage Open area has seen a reduction in active frontage due to the removal of the multi-purpose entrance hall and youth access. This change inevitably reduces the amount of active frontage on this side of the block. However, careful consideration of lighting and other safety and security measures can minimise any impact.
- 8.5 Condition 44 of the Parent Permission requires submission of a Safety and Security Management Plan. In addition, Condition 22 secures details of external lighting which will ensure a well-lit and safe environment. On balance the improved entrance from the Avenue Road side of the block helps to balance this impact.
- 8.6 TfL asset management noted that some balconies on the Avenue Road side of the block are increasing and getting closer to the Underground station entrance. They requested an additional condition related to a full risk evaluation of objects being dropped (accidentally or intentionally) from balconies directly above the tube entrance, in order to the development does not impact the existing London Underground infrastructure. Such risks exist on any development with windows or balconies near to public spaces or above building entrances and this risk was not raised in previous iterations of the scheme. Rather than an entirely new condition, officers recommend updating condition 18 attached to the Parent Permission which deals with detailed design. The balcony details would now include safety measures to be incorporated to those extended balconies which overlook the tube entrance on Avenue Road to prevent the risk of objects being dropped or thrown onto this entrance.
- 8.7 The Energy & Sustainability Compliance Report shows that the proposed amendments do not materially alter the energy or sustainability performance compared to the parent permission and the energy targets would be maintained under the legal agreement. There would be an additional carbon

offset payment as a result of the x 9 new affordable homes. This would equate to an **additional £TBC Carbon Offset Payment contribution secured through the deed of variation to the s106 agreement.**

- 8.8 Similarly, the Building Safety Regulator has confirmed the changes remain acceptable in terms of fire safety insofar as land use planning is concerned. The later gateways will continue to regulate the detailed design and build.
- 8.9 With the relatively minor external changes, the amendments would have no materially different impact on heritage assets in the area.
- 8.10 Subject to the amended conditions, the amendments would maintain the overall building design and approach and be in accordance with the development plan in relation to design.

## **9. TRANSPORT**

- 9.1 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.
- 9.2 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.
- 9.3 The proposed amendments result in only minor additional trip generation, including 8 additional two-way AM peak trips and 5 additional PM peak trips from the residential uplift. The modest increase in retail floorspace (126sqm) will generate limited additional public transport trips that remain acceptable within a PTAL 6 setting. TfL have confirmed that they have no concerns over these additional trips generated.
- 9.4 Overall, these changes do not materially alter the outcomes identified within the 2025 MMA amendment and will not give rise to adverse impacts on the local highway or public transport network. The scheme continues to remain fully compliant the relevant transport policies, as it retains its car-free status with no increase in parking beyond the previously agreed disabled bays.
- 9.5 The proposed servicing, delivery and waste operations remain in line with the approach considered acceptable under the Parent Permission. The Delivery, Servicing & Waste Management Plan identifies only very small uplifts in delivery activity, and all of which can be accounted for by the development without an effect on the surrounding road network or neighbouring uses.

- 9.6 To assist with assessment in this regard, updated swept-path analysis confirms all servicing, waste collection and emergency access can continue to be accommodated from Eton Avenue, with delivery activity managed to avoid conflict with Swiss Cottage Market operations, through the s106 Agreement.
- 9.7 Updated cycle parking provision has been provided in accordance with the principles established under the Parent Permission, but to reflect the emerging GLA guidance and results in only negligible changes in long-stay and short-stay provision. As such, there is an increased offer of cycle storage in line with the additional units. TfL had raised a concern related to the number of doors to some of these storage areas numbering more than two, which conflicts with London Cycle Design Standards (LCDS) guidance. However, due to the competing requirements of the existing basement, the proposed solution is a balance of meeting technical requirements of the LCDS and requiring additional doors on the route required to achieve fire compartmentation and protected routes.
- 9.8 The Parent Permission secured £75,000 for TfL with the intention of using it to undertake feasibility work for step-free access at Finchley Road Station. That work has already been progressed using other funding so following discussions between council and TfL officers, it is recommended the Head of Term is amended to allow the money to be secured for exploring transport options/improvement for the Swiss Cottage gyratory, considering:
- The problems the gyratory and public realm currently cause for pedestrians and cyclists.
  - The increase in housing in the scheme and resultant pressure on that surrounding public realm.
  - The desire for TfL and the council to explore options for improving the environment of the gyratory and public realm so support local growth.
  - The gyratory and TLRN public realm around the site is directly outside the site footprint and more closely impacted by the proposed development than Finchley Road station.
  - Funding for Finchley Road Step Free Access is not currently under pressure.
- 9.9 As such, the deed of variation would amend the Head of Term to secure £75,000 for the council to use in conjunction with TfL to fund work to explore options and designs for potential highway solutions for Swiss Cottage.
- 9.10 Overall, the transport impact of the proposed amendments would be minor and mitigated and managed in accordance with the development plan.

## 10. OPEN SPACE, URBAN GREENING AND BIODIVERSITY

- 10.1 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.
- 10.2 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.
- 10.3 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
- 10.4 Public realm has been refined to improve permeability whilst retaining its original vision. Some new planting of trees is proposed on the southeast corner. At ground floor level the revisions comprise the location of planters close to entrances, removal of the planting adjacent to Hampstead Theatre, an increase in planting adjacent to the tower block to accommodate relocated tree planting, relocation of some trees along Avenue Road to avoid conflicts with existing gas easements, the removal of some trees on the southeastern corner of the lower block to allow for high volt cabling and a below ground attenuation tank, an additional incidental play area adjacent to the tower block entrance, and updated cycle stand locations and provision in line with the revised accommodation schedule.
- 10.5 The proposals remove a metal structure on the 6th floor roof which now offers increased amenity space for residents on this podium roof terrace. The revised layout is in line with the relocated access doors with the removal of the community space, and introduces revised play equipment in line with the new affordable housing providers requirements and a revised façade maintenance access strategy.
- 10.6 The approved development secured a financial contribution towards the public open space that was based on the number of residents within it. This was increased by £159,300 under the deed of variation to the Parent Permission to account for the additional homes. Similarly, the nine additional dwellings provided under this application will attract a further increase. This would equate to an **additional £47,895.30 Public Open Space contribution secured through the deed of variation to the s106 agreement**. This would provide additional resources to protect, manage and enhance the open space including providing related play equipment and accounts for the additional pressure put on that infrastructure by the amendments. This is in addition to the public realm and landscaping contributions already secured through the approved development.

- 10.7 The Urban Greening Factor score of 0.32 remains unaffected in this application, as does the overall biodiversity impact.
- 10.8 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 improvements to site landscaping already secured by the Parent Permission and maintained here are expected to result in a significant increase in biodiversity on-site.
- 10.9 The Wind Microclimate Assessment submitted confirms the proposed amendments do not alter expected wind conditions in or around the Site. The proposed changes would not result in any deviations beyond those identified in the 2025 MMA that would adversely affect local microclimate, pedestrian comfort or the function of public-facing areas, including entrances and spaces in the public realm. Likewise, they would not diminish the quality of life and amenity of residents and neighbouring, ensuring all new residential units have safe external balconies that meet the relevant Lawson Criteria.
- 10.10 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 the conditions and planning obligations.

## **11. CONCLUSION**

- 11.1 The release of the community use to additional affordable housing would not harm the overall community provision in the area, and the Community Fund would enable the council to continue to invest in the existing Winch facilities. Moving to additional housing would help to avoid delayed housing delivery and would increase the overall provision of affordable homes.
- 11.2 The changes to some affordable housing tenure from intermediate to social affordable rent is not material in planning terms but is a material change to a head of term in the associated s106 agreement.
- 11.3 Whilst it could be argued that the change to head of term conflicts with policy H4 of the Local Plan, it is considered for the reasons set out in the report that the proposal accords with the Development Plan as a whole. The proposed amendment will provide housing for which there is an identified need, the supporting text to the policy envisages it being applied flexibly and there would continue to be a range of tenure types, in the scheme and surrounding area, supporting a mixed and balanced community.
- 11.4 The other physical changes to the scheme would follow the existing design strategy and still result in a high-quality development delivering significant

amounts of housing, including a notable proportion of affordable housing, along with good quality spaces, landscaping, and public realm.

11.5 The proposal would comply with the development plan as a whole.

## **12. RECOMMENDATION**

12.1 Grant the Minor-Material Amendment subject to a deed of variation to the s106 agreement covering the following amendments:

- conversion of community space to additional affordable housing;
- an additional head of term for a £125,000 Community Fund;
- a change to the tenure of the affordable housing to Social Affordable Rent;
- an additional £47,895.30 towards Public Open Space;
- an additional £TBC towards Carbon Offset; and
- a change of the £75,000 fund from Finchley Road Station to be used for Options for the Swiss Cottage Gyratory.

12.2 As well as amendment of conditions to allow for the changes including approved drawings and other physical changes.

## **13. LEGAL COMMENTS**

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

## 14.0 CONDITIONS

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. For the purposes of this decision, condition no.2 of planning permission 2025/0852/P shall be replaced with the following condition:

### REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the approved plans listed below.

#### Drawings and plans:

1016-CPA-ZZ-ZZ-DR-A-0100 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0101 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0200 Rev. P07  
1016-CPA-ZZ-ZZ-DR-A-0201 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0202 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0203 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0204 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0205 Rev. P04  
1016-CPA-ZZ-ZZ-DR-A-0206 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0207 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0208 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0209 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0210 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0220 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0600 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0601 Rev. P05  
1016-CPA-ZZ-ZZ-DR-A-0602 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0603 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0604 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0610 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0611 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0701 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0702 Rev. P02  
1016-CPA-ZZ-ZZ-DR-A-0703 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0704 Rev. P01  
1016-CPA-ZZ-ZZ-DR-A-0705 Rev. P03  
1016-CPA-ZZ-ZZ-DR-A-0706 Rev. P02  
100AVR-PAN-DR-L-XX-80-0001 Rev P01  
100AVR-PAN-DR-L-XX-80-0002 Rev P01  
100AVR-PAN-DR-L-XX-80-0106 Rev P01  
100AVR-PAN-DR-L-XX-80-0100 Rev P01  
100AVR-PAN-DR-L-XX-80-0101 Rev P01  
100AVR-PAN-DR-L-XX-80-0102 Rev P01

*Supporting documents:*

*Residential Travel Plan dated February 2025*  
*Residential Travel Plan statement of conformity dated January 2026*  
*Workspace Travel Plan dated February 2025*  
*Workspace Travel Plan statement of conformity dated January 2026*  
*Ventilation Strategy Statement dated February 2025*  
*Arboricultural Impact Assessment dated February 2025*  
*Wind Microclimate Assessment Report dated February 2025*  
*Wind Microclimate Assessment Statement of Conformity dated January 2026*  
*Whole Lifecycle Carbon Assessment dated February 2025*  
*Overheating Assessment dated February 2025*  
*Sustainability Statement dated February 2025*  
*Energy and Sustainability Compliance Report dated January 2026*  
*Transport Assessment dated February 2025*  
*Transport Assessment Addendum dated January 2026*  
*Structural Statement dated February 2025*  
*Delivery, Servicing and Waste Management Plan dated January 2026*  
*Vehicle Swept Path Analysis Plans dated February 2025*  
*Energy Statement dated February 2025*  
*Drainage Report dated January 2026*  
*Health Impact Assessment dated January 2026*  
*Flood Risk Assessment dated January 2026*  
*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 January 2026*  
*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 January 2026*  
*Design and Access Statement dated February 2025*  
*Design and Access Statement Addendum dated May 2025*  
*Design and Access Statement Addendum Rev P3 dated January 2026*  
*Planning Statement dated February 2025*  
*Community Demand Assessment dated January 2026*  
*Accommodation Schedule Rev P2 dated January 2026*

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

3. 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.

- 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.]

- 2) a scheme for replacement trees, including details of tree pit locations, viability and a planting programme.

- 3) a planting programme and landscape maintenance and aftercare plan.

- 4) details showing suitable routes through the landscaping from key local nodes to main entrances and security enhancements where appropriate.

The development shall be undertaken in accordance with the approved details including the planting program.

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. 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.

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.

5. 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.

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.

6. 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.

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.

7. 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.

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.

8. No more than 1400sqm gross internal area of floorspace shall be provided within use class E(a)-(c).

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.

9. 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.

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.

10. 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.

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.

11. 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.

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.

12. 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.

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.

13. The ground floor windows to the retail and food drink units shall be used for display purposes and the window glass must not be painted or obscured (other than in accordance with details approved under condition 19).

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.

14. 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.

The scheme as approved shall be implemented before any part of the development hereby permitted is occupied.

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.

15. Development shall be completed in accordance with the Wind Microclimate Assessment Report dated February 2025 and Statement of Conformity dated 23rd January 2026 as submitted with this application.

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.

16. 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.

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.

17. 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.

Reason: To manage the structural impact of the development upon the HS2 proposals in accordance with policy T3 of the Camden Local Plan 2017.

18. 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:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors and canopies
- 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);
- c) Typical plan, elevation and section drawings of all balustrading to terraces and balconies;
- 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;
- e) Details of cladding and façade treatment/louvres to any mechanical plant or machinery enclosures at roof terrace levels;
- f) Typical elevation (minimum 2m x 2m in size) of each building including a glazed opening showing reveal and header detail and facing materials
- g) Details of relevant gates, railings, doors and louvres on all parts of buildings which face the public realm.

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.

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.

19. Prior to first occupation details of the following shall be submitted to, and approved in writing by, the Local Planning Authority:

- Ground floor windows for the commercial units; including sections, elevations and materials, and details of any vinyl's or obscured glass to ground floor back of house windows.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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.

20. Replacement trees that do not survive for five years after they are planted shall be replaced within the first available planting season.

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.

21. 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.

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.

22. 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.

Reason: In the interests of amenity and security in accordance with policies CS17 and CPG1 (Design).

23. 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.

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.

24. Air quality monitoring shall continue to be undertaken on site. No development shall take place until real time dust monitors appropriate to the dust risk have been installed:

a. 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.

b. a confirmation email should be sent to [airquality@camden.gov.uk](mailto:airquality@camden.gov.uk) no later than one day after the monitors have been installed with photographic evidence in line with the approved details.

c. 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.

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.

Development shall be carried out in accordance with approved details dated 04/12/2025 under reference 2025/5051/P and emails submitted with photographic evidence provided to the council.

Reason: To safeguard the residential amenities of the local area in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

25. Prior to commencement of the relevant works, drawings and data sheets showing the location, maximised extent 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.

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.

26. 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 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.

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.

27. 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.

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

28. 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.

Reason: To ensure a sustainable and resource efficient development in accordance with the requirements of policies CC2 of the Camden Local Plan 2017.

29. Prior to commencement of the relevant works, 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.

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.

30. 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.

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.

31. All of the foundations, basement and ground floor structures, and any other relevant structures below ground level, including piling (temporary and permanent), shall be completed in accordance with details approved under planning ref. 2016/6699/P and in consultation with London Underground as appropriate.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure in accordance with policy T3 of the Camden Local Plan 2017.

32. The commercial and business uses at ground floor level will operate within Use Class E (with the exception of Class E(g)) only.

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.

33. Before any residential unit is occupied a scheme to demonstrate that each dwelling hereby approved achieves a maximum internal water use of 105 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.

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).

34. 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: 252 residential units (Class C3); and up to 1,321sqm sqm of flexible commercial, business and service use (Class E).

Reason: In the interests of proper planning and for clarity over the development hereby approved.

35. 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 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.

Reason: To safeguard the residential amenities of the adjoining premises in accordance with policy A1 of the Camden Local Plan 2017.

36. 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.

Reason: To ensure that the amenities of future occupiers are protected.

37. 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.

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.

38. Prior to commencement of works to the façade of the development the applicant shall provide additional information to the local planning authority for its written approval to show that overheating risk has been minimised and can be appropriately managed. The information 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. Once approved the development shall be completed in accordance with the agreed measures.

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.

39. Prior to the first occupation of the development:

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: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the guidance and

b) confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Policy SI2 of the London Plan.

40. The Circular Economy Statement dated February 2025 and January 2026 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.

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.

41. 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.

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.

42. 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.

Reason: In accordance with the urban greening objectives of Policy G5 of the London Plan.

43. Prior to commencement of works to the building facades 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.

The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter permanently retained.

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.

44. 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.

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.

The uses hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To ensure the development preserves and enhances community safety in accordance with policy C5 of the Camden Local Plan 2017.

45. The development shall not be occupied until the development is completed other than in accordance with the submitted Planning Submission Fire Strategy / Fire Safety Statement dated June 2025 and January 2026, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

46. Prior to commencement of above-ground development, full details of the sustainable drainage system shall be submitted to and approved in writing by the local planning authority. Such a system should be designed 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, or on any part of the entire development site for up to and including a 1:30 year storm. The details shall demonstrate a site run-off rate conforming to the runoff rate of 27.5l/s approved by the Local Planning Authority. An up to date drainage statement, SuDS pro-forma, a lifetime maintenance plan and supporting evidence should be provided including:

- a) The proposed SuDS or drainage measures including storage capacities
- b) The proposed surface water discharge rates or volumes

Systems shall thereafter be retained and maintained in accordance with the approved details.

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.

47. 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.

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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.

48. Units B.1.2; B.1.6; B.1.7; B.1.11; B.2.2; B.2.6; B.2.7; B.2.11; B.3.2; B.3.6; B.3.7; B.3.11; B.4.6; B.4.7; B.4.11; B.5.6; B.5.7; B.5.11; B.6.5 and B.7.5, as indicated on the plan number/s and accommodation schedule hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(3)(2)(b). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with Policy H6 of the Camden Local Plan 2017.

49. The development hereby permitted shall not be commenced until the following documents (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

1. Evaluate the risk of objects being intentionally or unintentionally dropped, thrown, or otherwise projected from all balconies and roofs that interface with the station, including open entrances and passenger circulation areas.
2. Consider construction, occupation, maintenance, and whole-life operational scenarios.
3. Identify physical, operational, and management mitigation measures necessary to reduce residual risk to an acceptable level, which may include (but shall not be limited to):
  - a. protective canopies, screens, or guarding;
  - b. balcony design measures to prevent throwing or falling objects;
  - c. security and surveillance measures;
  - d. maintenance access controls and procedures.
4. Demonstrate compliance with relevant London Underground asset protection requirements and industry good practice.

Reason: To ensure that the development does not impact on existing London Underground/DLR transport infrastructure, in accordance with the

London Plan 2021 Policy T3 and Sustainable Transport Walking and Cycling London Plan Guidance 2022.

**15      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

	<p>the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
5.	<p>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.</p>
6.	<p>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>.</p>
7.	<p>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.</p>
8.	<p>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.</p>
9.	<p>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</p>

	<p>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.</p>
<p>10.</p>	<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> </ul> </li> </ol>

	<ul style="list-style-type: none"> <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>
11.	<p><b><u>+ Irreplaceable habitat:</u></b></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><b><u>++ The effect of section 73(2D) of the Town and Country Planning Act 1990</u></b></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 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><b><u>++ Phased development</u></b></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>

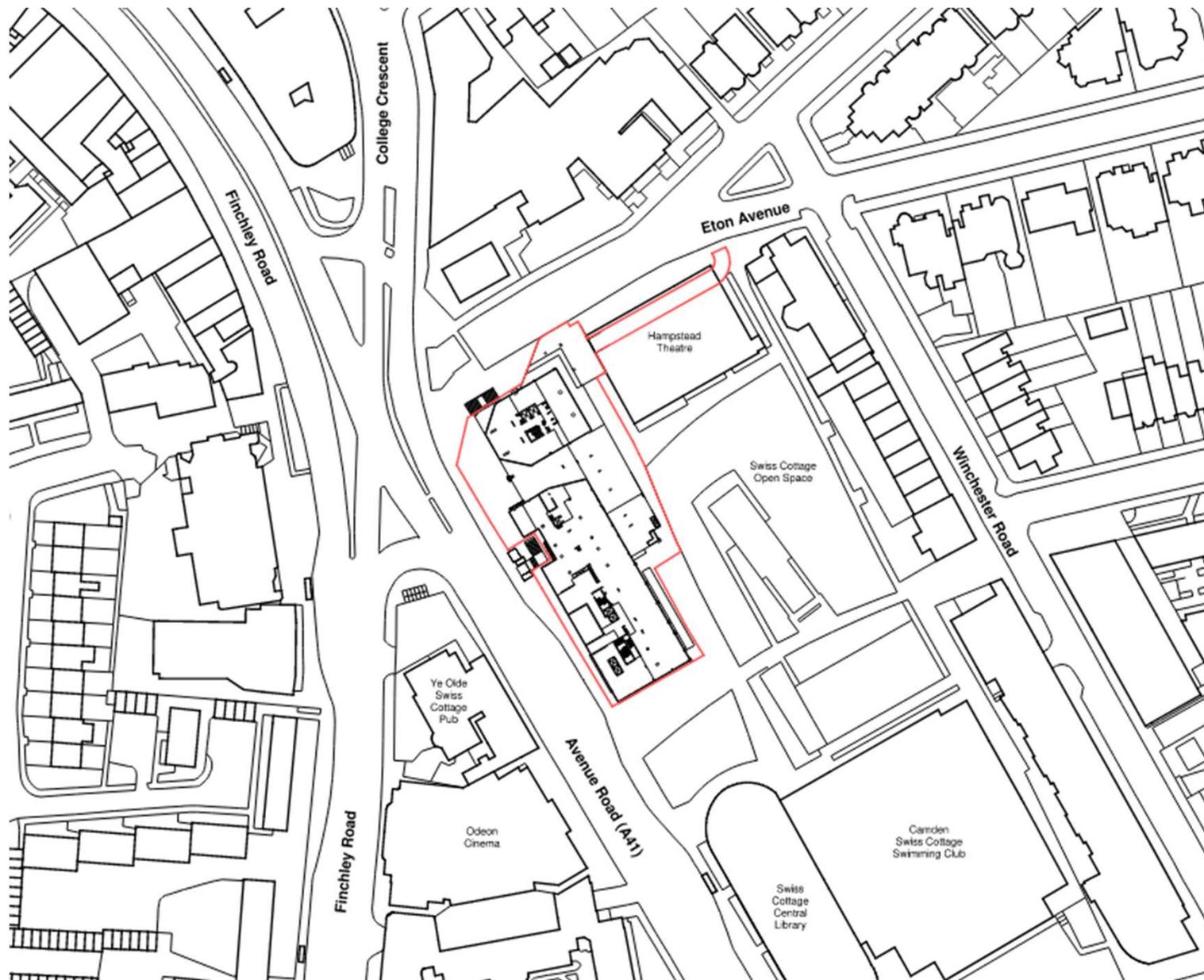
12.	<p>The applicant is advised that falling-objects risk considerations may also apply to other existing or approved balconies and window areas within the wider development that interface with the London Underground station but are not subject to this variation of condition. The applicant is therefore encouraged to engage with London Underground to review whether any additional assessment or protective measures are appropriate in relation to those areas.</p>
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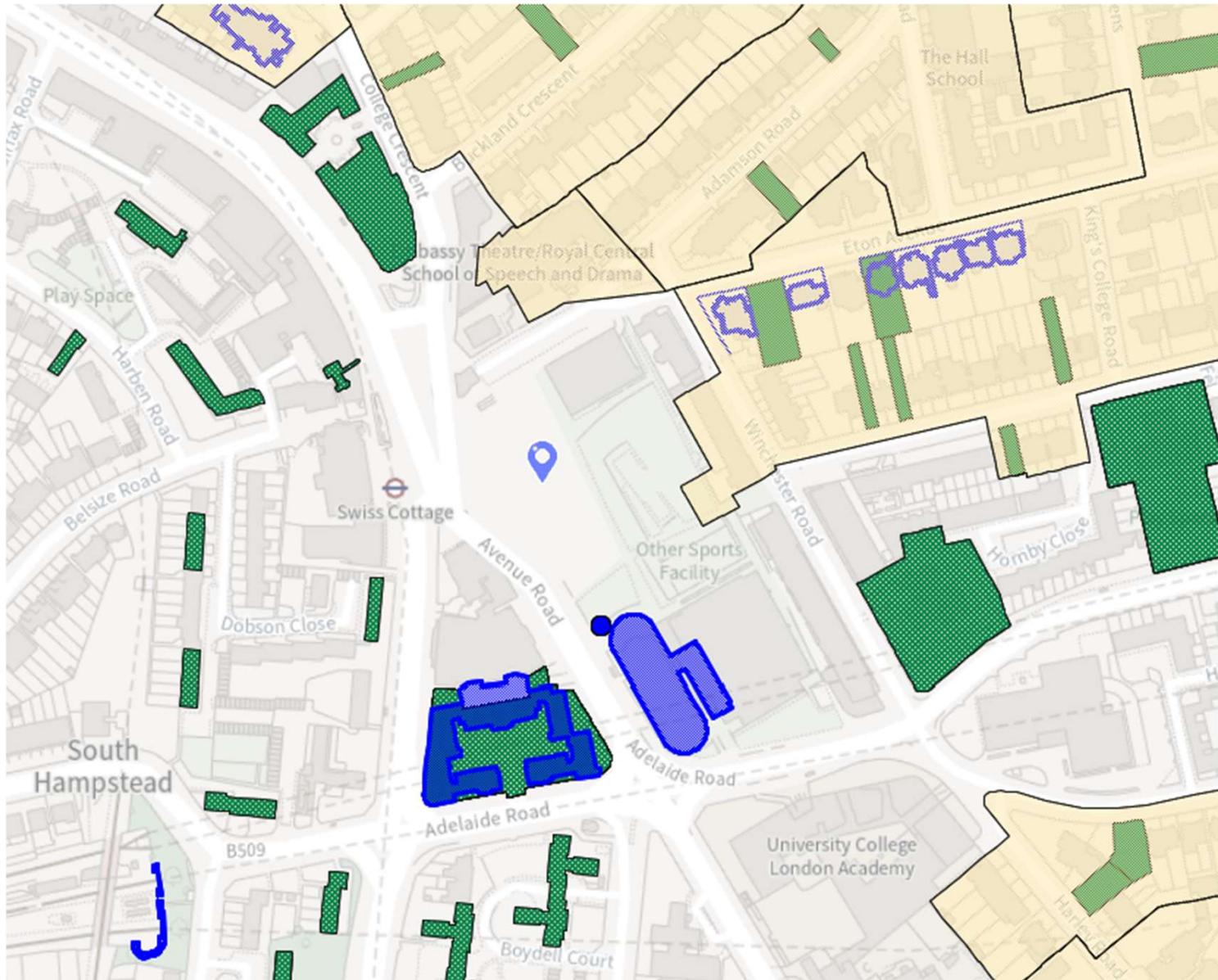
# Planning Committee

26<sup>th</sup> March 2026

2026/0404/P

100 Avenue Road  
NW3 3HF



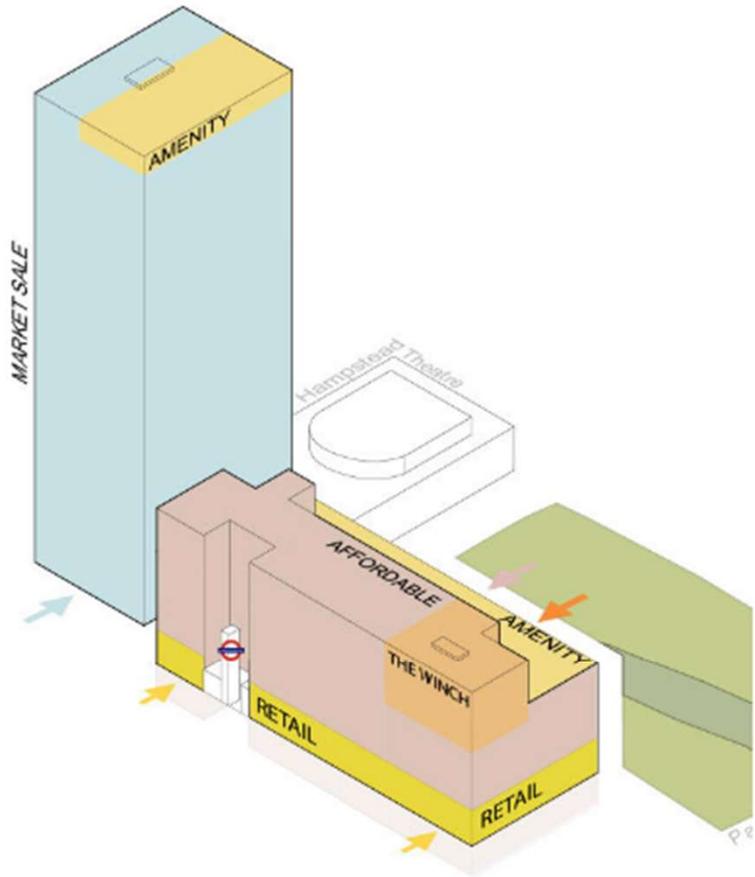


Listed Building

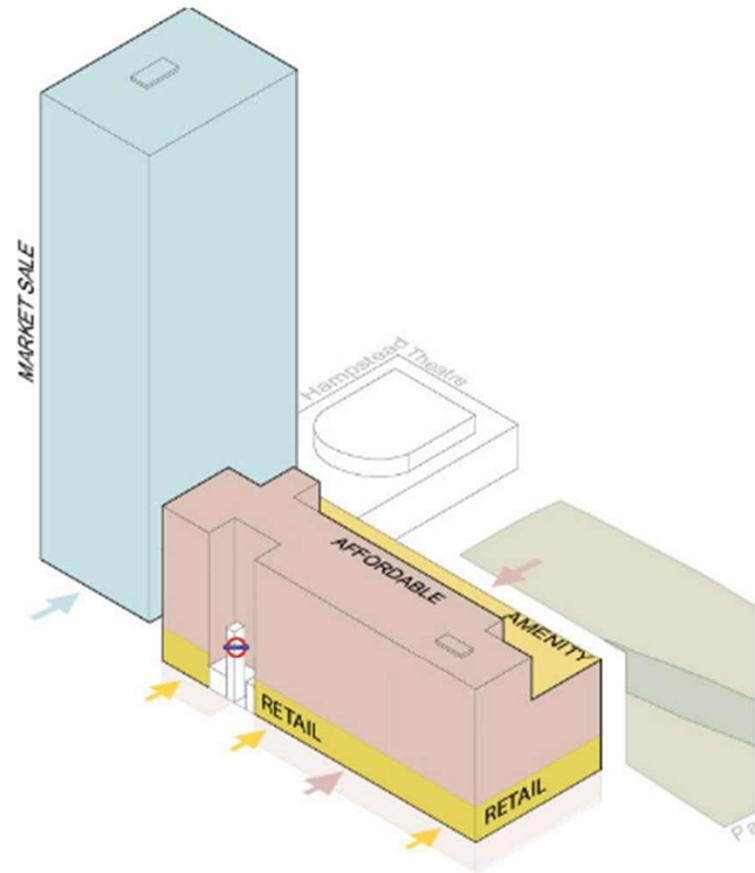
- I
- II
- II\*







s.73 Permission Approved Design



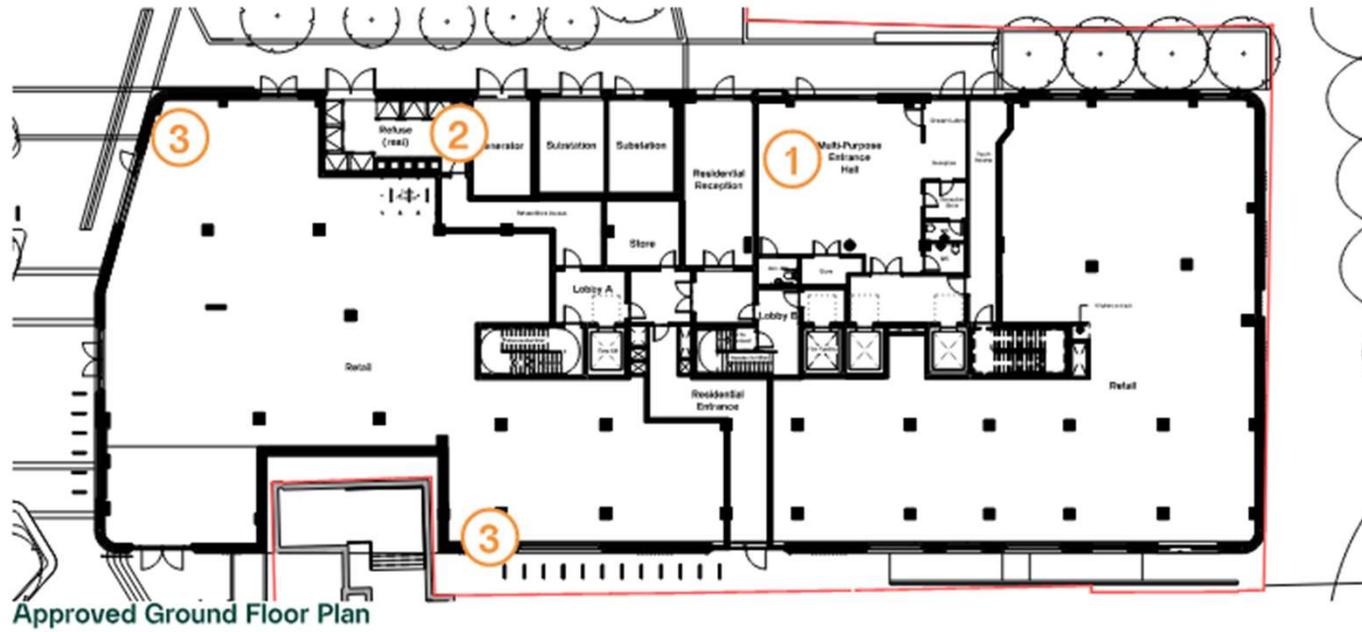
Proposed Design

	s.73 Permission (Approved)		
	Market Sale	Affordable	
		Social Rent/ Affordable Rent	Intermediate
Studio	24	0	0
1 Bed	58	4	16
2 Bed	74	6	18
3 Bed	11	26	0
Total	167	36	34
		70	
Grand Total	237		

	Revised Proposal	
	Market Sale	Social Rent
Studio	25	0
1 Bed	60	15
2 Bed	76	35
3 Bed	11	29
Total	172	79
Grand Total	251	

Homes Differences	
Market Sale	Social Rent
1	0
2	-5
2	11
0	3
5	9
14	

Affordable Housing Provision	s.73 Permission (Approved)	Proposed Amendments
By Habitable Room	35.96% (228 of the 634 hab rooms are affordable housing)	40.17% (280 of the 697 hab rooms are affordable housing)
By Floorspace (GIA sqm)	35% (8,441 sqm of the total 24,117 sqm of residential floorspace is affordable housing)	37.49% (9,511 sqm of the total 25,370 sqm of residential floorspace is affordable housing)





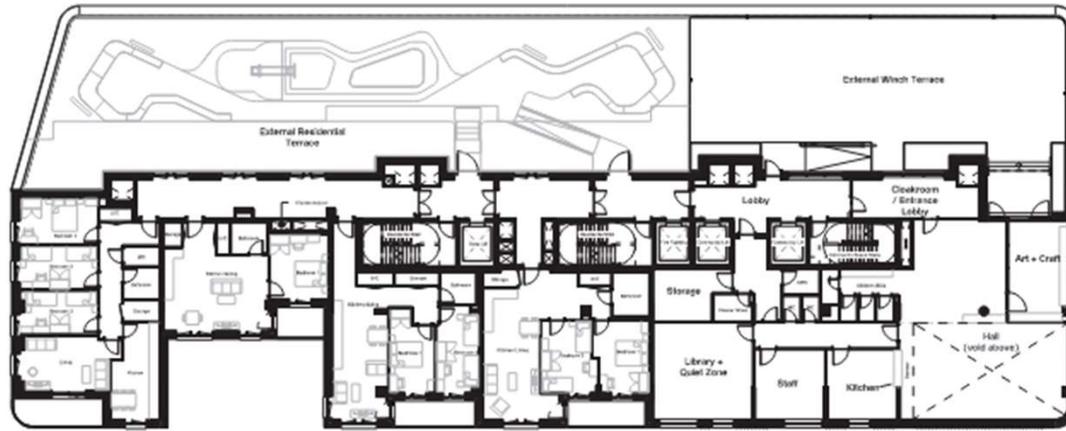
Approved Typical Floor Plan



Proposed Typical Floor Plan







Approved Fifth Floor Plan



Proposed Sixth Floor Plan





① Pale grey brick (colour shown indicatively)



② Pale red brick (colour shown indicatively)



④ Glazed brick (colour shown indicatively)



④ Metal window frames (colour shown indicatively)



⑤ Metalwork to match window frames (colour shown indicatively)





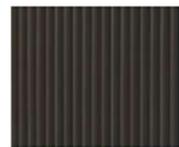
① Pale grey brick (colour shown indicatively)



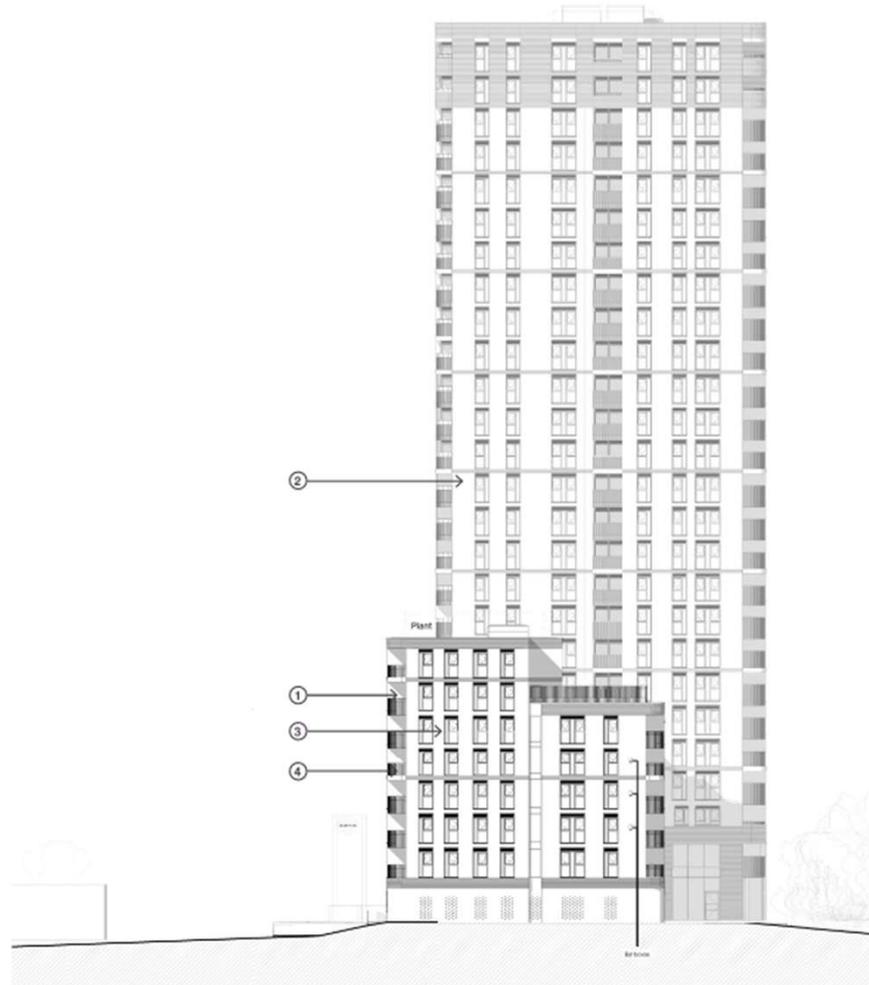
② Pale red brick (colour shown indicatively)



③ Metal window frames (colour shown indicatively)



④ Metalwork to match window frames (colour shown indicatively)





① Pale grey brick (colour shown indicatively)



② Pale red brick (colour shown indicatively)



⑤ Glazed brick (colour shown indicatively)



③ Metal window frames (colour shown indicatively)

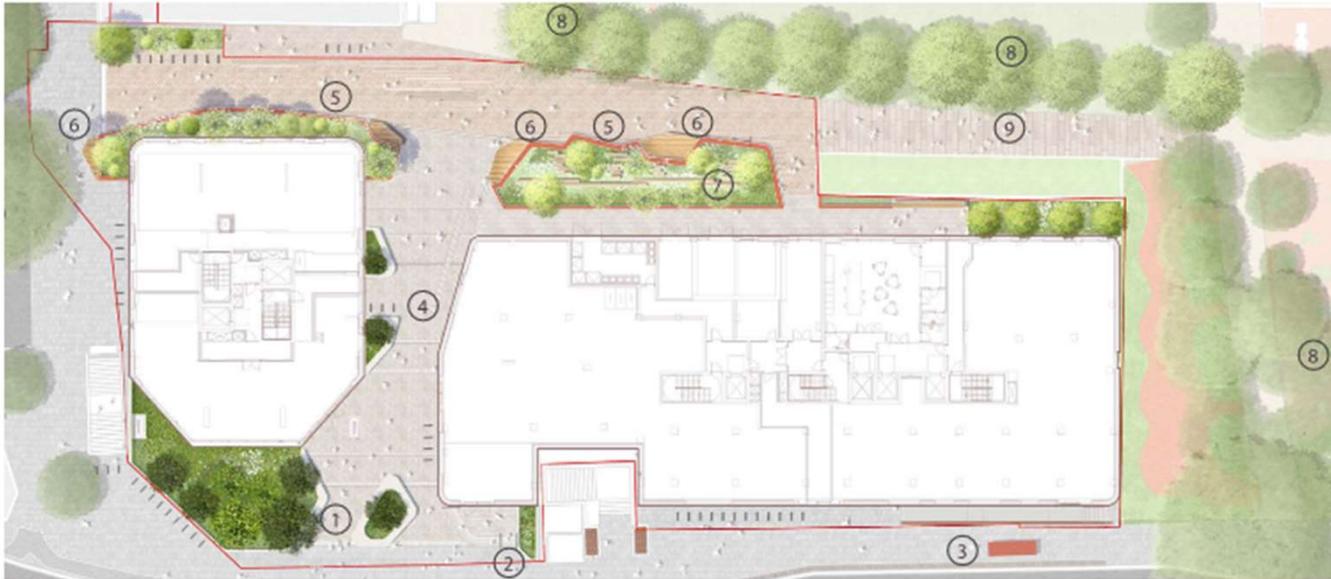


④ Metalwork to match window frames (colour shown indicatively)

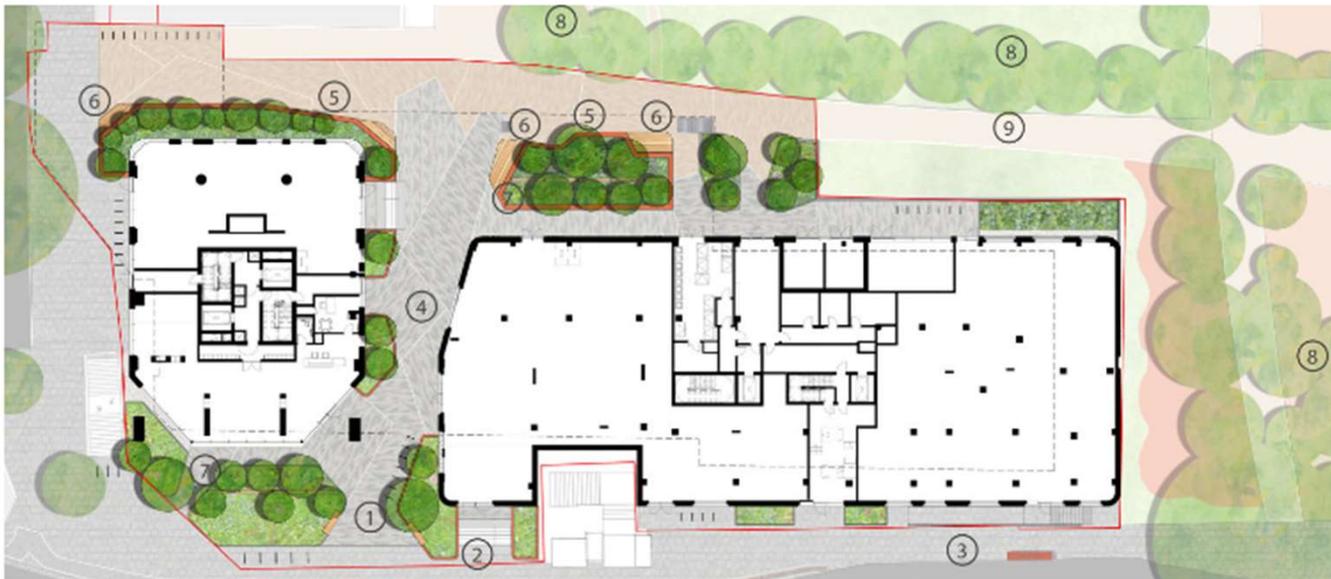








S73 Permission Ground Floor Plan



Revised Ground Floor Plan



S73 Permission Podium Plan



Revised Podium Plan