

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act
1990**

Planning, Design and Access Statement
(Incorporating Heritage Impact Assessment)

Change of use of first, second and third floors from bar/restaurant use and ancillary accommodation to residential (Class C3) to provide 2x2-bedroom units and 1x1 bedroom unit with rear roof terraces at first and third floor levels and a rear balcony at second floor level, alterations to windows and doors on side and rear; installation of kitchen extract flue to flank elevation; creation of refuse and cycle stores for flats at ground floor level; and retention of outdoor smoking area to rear ground floor

The Black Cap PH
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RTPI

mediation of space · making of place

MARCH 2014

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1. Introduction

- 1.1 This Statement has been prepared to support the submission of a planning application lodged on behalf of the freeholder of the site, Faucet Inn Ltd. Planning permission is sought to convert the upper floors of this building into one 1-bed flat and two 2-bed flats involving minor material alterations to the side and rear elevation and the installation of a new kitchen extract flue.
- 1.2 The site comprises a public house at ground floor with a further bar at first floor level with a rear open terrace. At second and third floor levels there is ancillary accommodation including a kitchen. The site lies within the Camden Town Conservation Area. As such, in addition to the requirement for a Design and Access statement, the application should be accompanied by a Heritage Impact Statement that assesses the impact of any external changes proposed upon the designated heritage asset (which is the conservation area).
- 1.3 The current planning application follows formal pre-submission advice in 2011 and the subsequent submission of three planning applications and one appeal. Since the last application, substantial discussions have taken place including on site with the Council's Environmental Health Officer to deal with the acoustic issues raised by the Council. This application contains a significant amount of additional technical information required by the Council to address its previous concerns.
- 1.4 The purposes of this Statement is to describe the development for which planning permission is sought; to demonstrate the development will have no adverse impact upon the character or appearance of the conservation area; to demonstrate the development will have no adverse impact upon the amenities of existing neighbouring occupiers; and to demonstrate that the

proposed development will meet the objectives of the development plan.

1.5 The proposed development has been guided by the following documents:

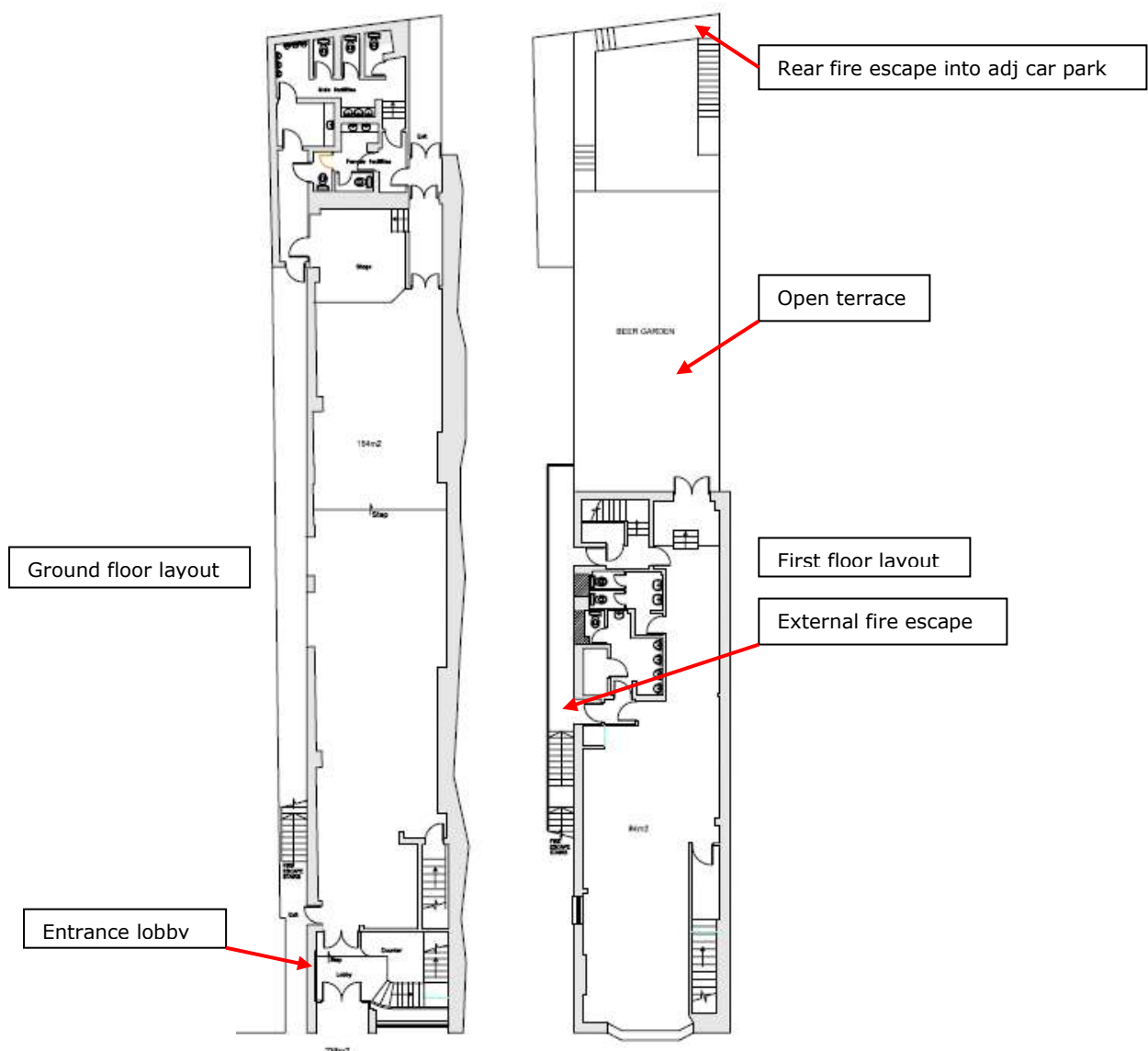
- Camden Core Strategy
- Camden Development Policies DPD
- Camden Planning Guidance
- Camden Town Conservation Area Appraisal and Management Statement
- Appeal decision **APP/X5210/A/12/2184317**
- NPPF
- National Planning Policy Guidance (March 2014)

1.6 The application comprises the following documents:

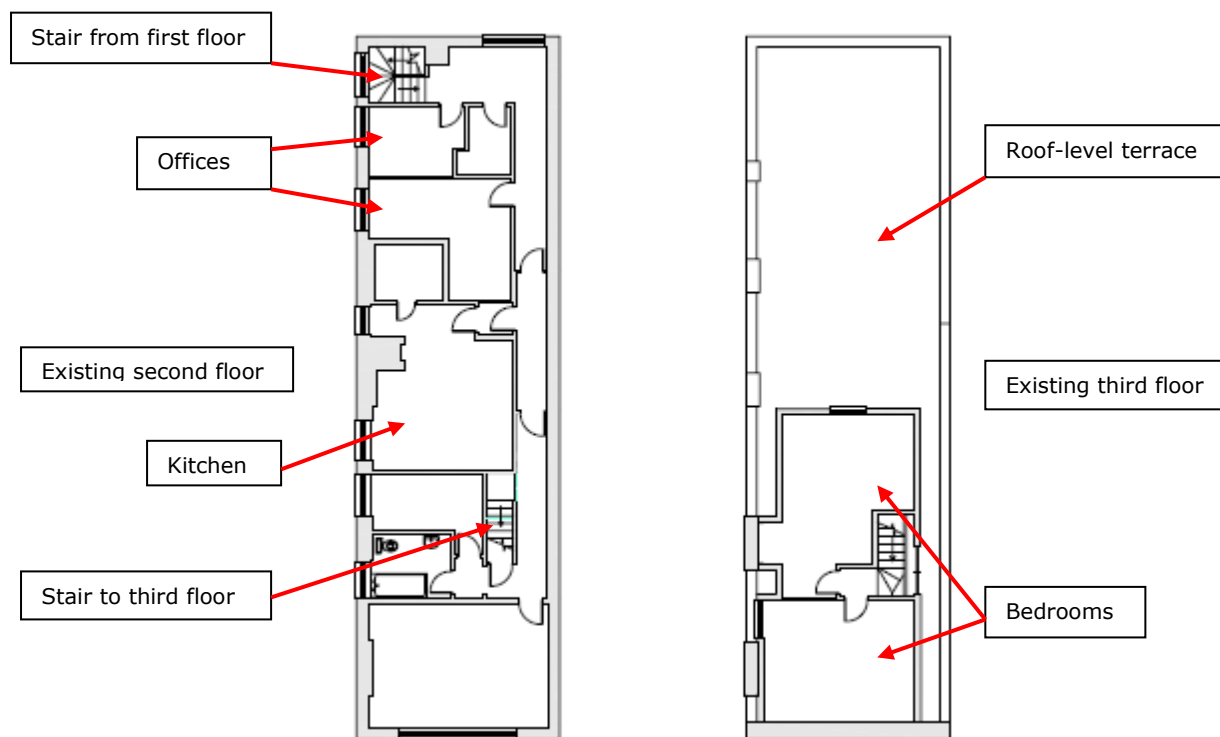
- Planning, Design and Access Statement (incorporating Heritage Impact Assessment)
- Drawing Nos. BLK 050 OS Extract
 - BLK P4 100 Existing Plans
 - BLK P4 101 Existing Elevations
 - BLK P3 110 Proposed Plans
 - BLK P4 111 Proposed Elevations
 - BLK P4 122 Section
- March 2014 Acoustic Report
- Ventilation Elevations
- Ventilation Floorplans
- EnergiSava Technical Literature
- Fan Technical Data
- Lifetime Homes Checklist

2. Site and Location

2.1 The application site comprises a four storey building forming part of a terrace on Camden High Street. It was originally constructed as a public house in the latter part of the nineteenth century. Entering in off the street there is a lobby. The ground floor beyond the lobby is laid out as a bar/club and extends the full depth of the plot. Also accessed off the lobby is an internal staircase leading to the first floor bar area.



- 2.2 At second floor level there is a kitchen, office and ancillary accommodation and this extends into the third floor which opens onto a roof terrace. The upper floors are not self-contained.



- 2.3 Access to the upper floors is currently taken either through the first floor to the staircase into the ground floor entrance lobby, or else down to the first floor and onto the external metal staircase running along the flank of the building. At street level, there is a door to the passageway into which the metal staircase runs.

- 2.4 In elevation, the facade fronting Camden High Street is highly decorative and typical of late-Victorian public house architecture. The Conservation Area Appraisal observes:

"The High Street contains several good examples of public house architecture including on the west side Oh Bar (formerly the Brighton Arms) at Nos 111-113, an ornate Victorian composition by Thorpe and Furness architects; the Black Cap at No 171, dating

from 1889, boasts elaborate stone decoration including a bust of a capped figure. On the east side, on the north corner of Plender Street, the former Wheatsheaf still stands at Nos 48-50 retaining its 1920s mock-Tudor half timber appearance; No 100, on the north corner of Pratt Street, is Liberties Irish bar, formerly the Camden Head."



The Black Cap



- 2.5 The site is part of the established commercial heart of Camden Town. The High Street contains a wide variety of building styles and designs and the predominant building height is around three storeys. There are some taller buildings including the application site. In some cases, their height is emphasised by the more diminutive height and scale of adjoining buildings.

The Conservation Area Appraisal describes the High Street in the following terms:

“Camden High Street, running roughly north-south down the centre of the Conservation Area, is architecturally diverse, with a lively mix of 19th and 20th century buildings. The skyline boasts a greater variety of roof forms and chimneystacks. There is a broad range of building materials, with a prevalence of brick, but including natural stone, stucco, polychromatic brickwork, concrete and instances of glazed tiles and faience.”

2.6 The site is identified within the Conservation Area Appraisal as one of a large number of properties that makes a positive contribution to the character and appearance of the Conservation Area. The height of the building makes it more prominent, and together with the higher building on the plot of No.177 the buildings appear as a pair of bookends.



- 2.7 To the rear, the site backs onto an open car park used by the nearby Marks and Spencer. This is a cleared site that was formerly occupied by a terrace of Victorian back-to-back houses. The historic street pattern can still be observed in the way the remaining plots west of the car park diminish in size from south to north abutting Stanmore Place. The OS extract of 1894 below shows the now-demolished housing and the Black Cap onto the rear of which the houses faced.



- 2.8 Looking at the map above, it is possible that the existing passageway along the southern flank of the pub originally gave access to some of the dwellings behind.
- 2.9 The character of the area is derived to a large extent from the commercial activity of the High Street and its attendant hustle and bustle together with its buildings of varied architectural style and appeal. The Conservation Area Appraisal acknowledges that that the nineteenth century townscape of the High Street has been affected by later twentieth century

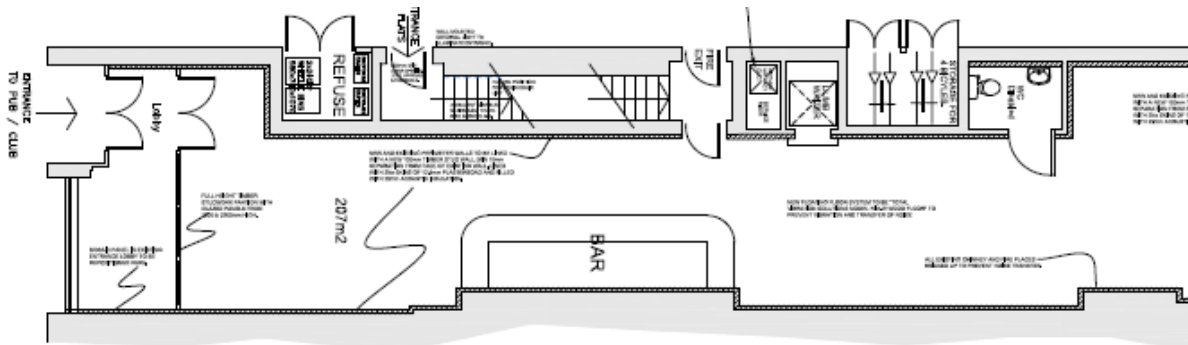
redevelopment, some of which has adversely impacted upon that character. Nonetheless, the Appraisal defines the essential character of the commercial sub-area of the Conservation Area in the following terms:

“It is clear from the Conservation Area appraisal that a key element of the distinctive character and appearance of the commercial part of the Camden Town Conservation Area is its variety and eclecticism. Given its overall economic dynamism its predominant 19th century commercial character has seen significant change. Some, though not all, more modern development has been inappropriate, eroding the character and detracting from the townscape. These unsuccessful changes have particularly taken the form of inappropriate building massing, and detail, and poor choice and use of materials, with inadequate attention to the form and character of surrounding buildings.”

3. The Proposed Development

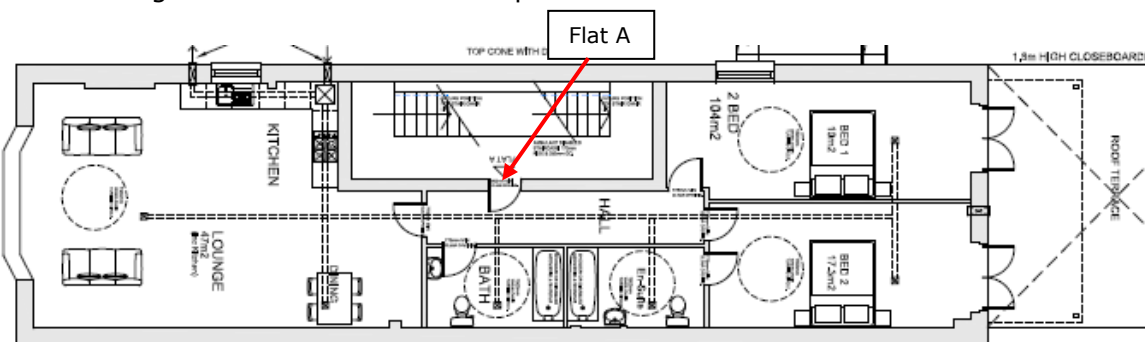
- 3.1 Essentially permission is sought to form one 2-bed self-contained flat at first floor level; one 1-bed flat at second floor level facing to the rear; and a 2-bed maisonette at second and third floor levels. To secure proper access, and in particular fire access, the existing external staircase on the flank is removed and a new internal stair created giving separation from the commercial use and self-containment to the upper floor.
- 3.2 There is a requirement to re-arrange the ground and first floor accommodation irrespective of whether the site is redeveloped. At present, fire access from the main ground floor area is through a fire exit at the rear of the property which discharges into the adjacent car park. The applicant has no control over the car park and fire access is permitted by agreement with the car park owners and secured by a series of renewable leases. The applicant wishes to ensure the ground floor commercial use remains viable and without being dependent upon the consent of adjacent land owners for fire access. Fire access cannot be secured in any other way as the existing external metal stair which provides fire access from the first floor blocks access from the external side passageway.
- 3.3 As a consequence and taking into consideration the nature of the ground floor use as a bar and club, the applicant considers securing alternative emergency access provision is important. The only means of doing this is to re-plan the internal layout.
- 3.4 At ground floor level, a new internal lobby is formed with the staircase to the first floor being removed. A new internal fire-protected staircase to the accommodation above is created within the footprint of the existing bar. In addition, provision is also made for a refuse storage area and secure cycle parking. A new disabled WC is also proposed for the bar together with an

internal duct for the kitchen extract and a dumb waiter running from the newly-located kitchen in the basement.



3.5 As the above plan shows, the existing ground floor pub is retained with small internal modifications. Improved emergency access is created as removing the external staircase means access from the rear part of the ground floor can now be obtained along the existing passageway.

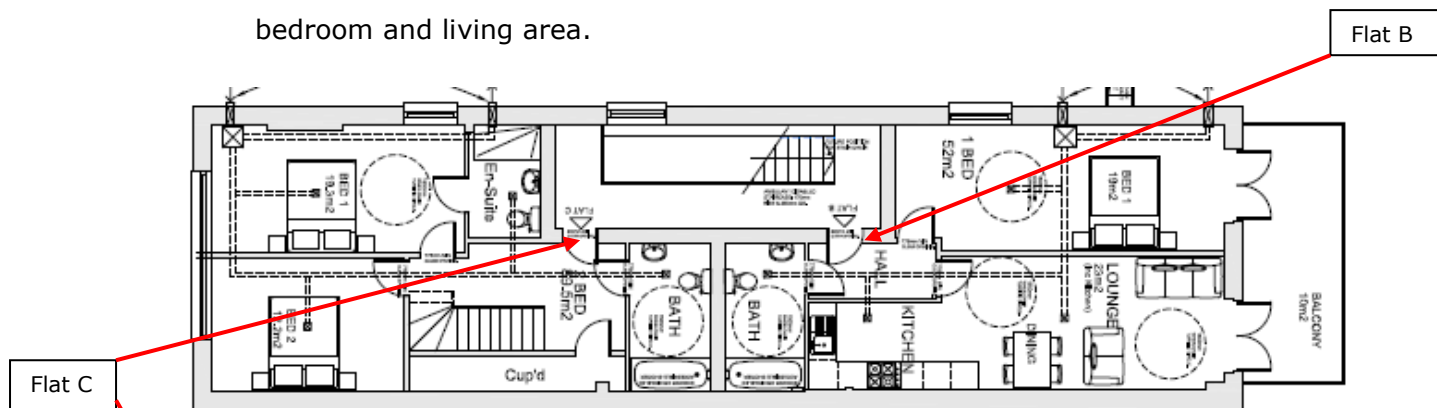
3.6 At first floor level, the internal stair leads to a shared lobby which gives access to the dual-aspect 2-bed flat with rear terrace.



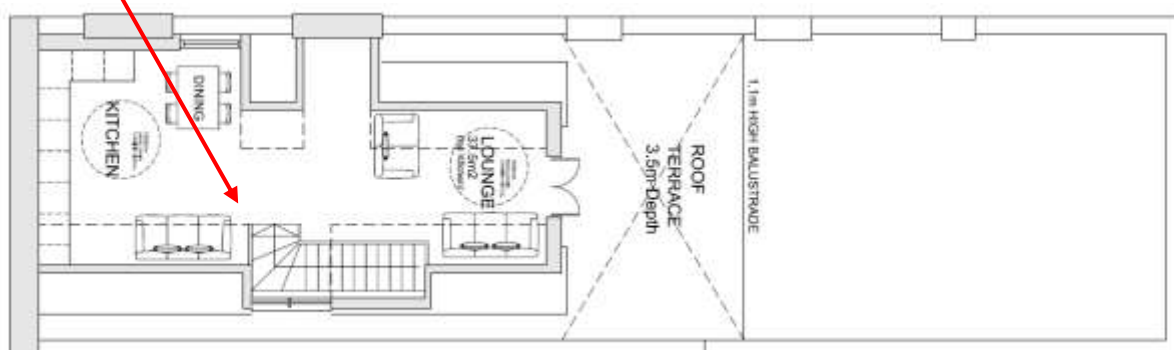
3.7 The flat is a 2-bed four person unit with a GIA of 104m². All rooms exceed the London Plan Housing SPG standards and CPG standards. Flat A also has direct and level access to a large external roof terrace of approximately 25m².

3.8 Flat B is a 1-bed 2-person flat on the second floor with a rear aspect. This flat has a GIA of 52m² and sits directly above Flat A below. The room sizes all exceed the relevant standards. Flat B

has access to an external balcony of 10m² accessed off both the bedroom and living area.

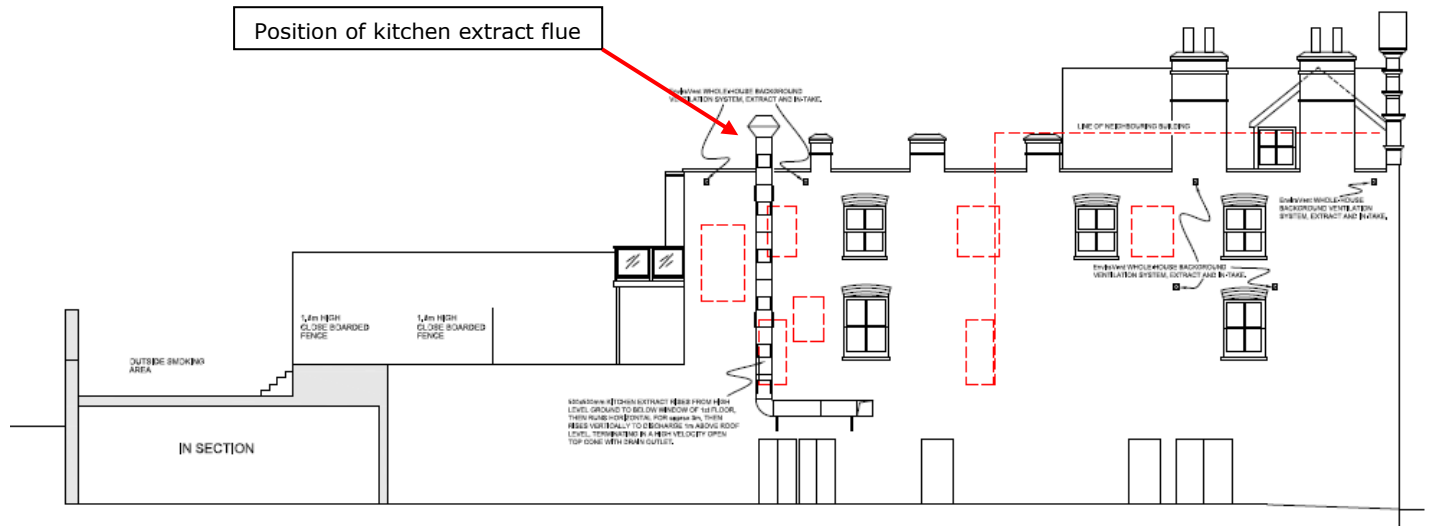


3.9 Flat C is a large 2-bed 4-person maisonette over the second and third floors. The access and the bedrooms (19m² and 12m) are located on the second floor. An internal stair leads to the third floor living area (37.5m²). The flat has a GIA of 89.5m². It also has access to a large roof top terrace of approximately 20m².

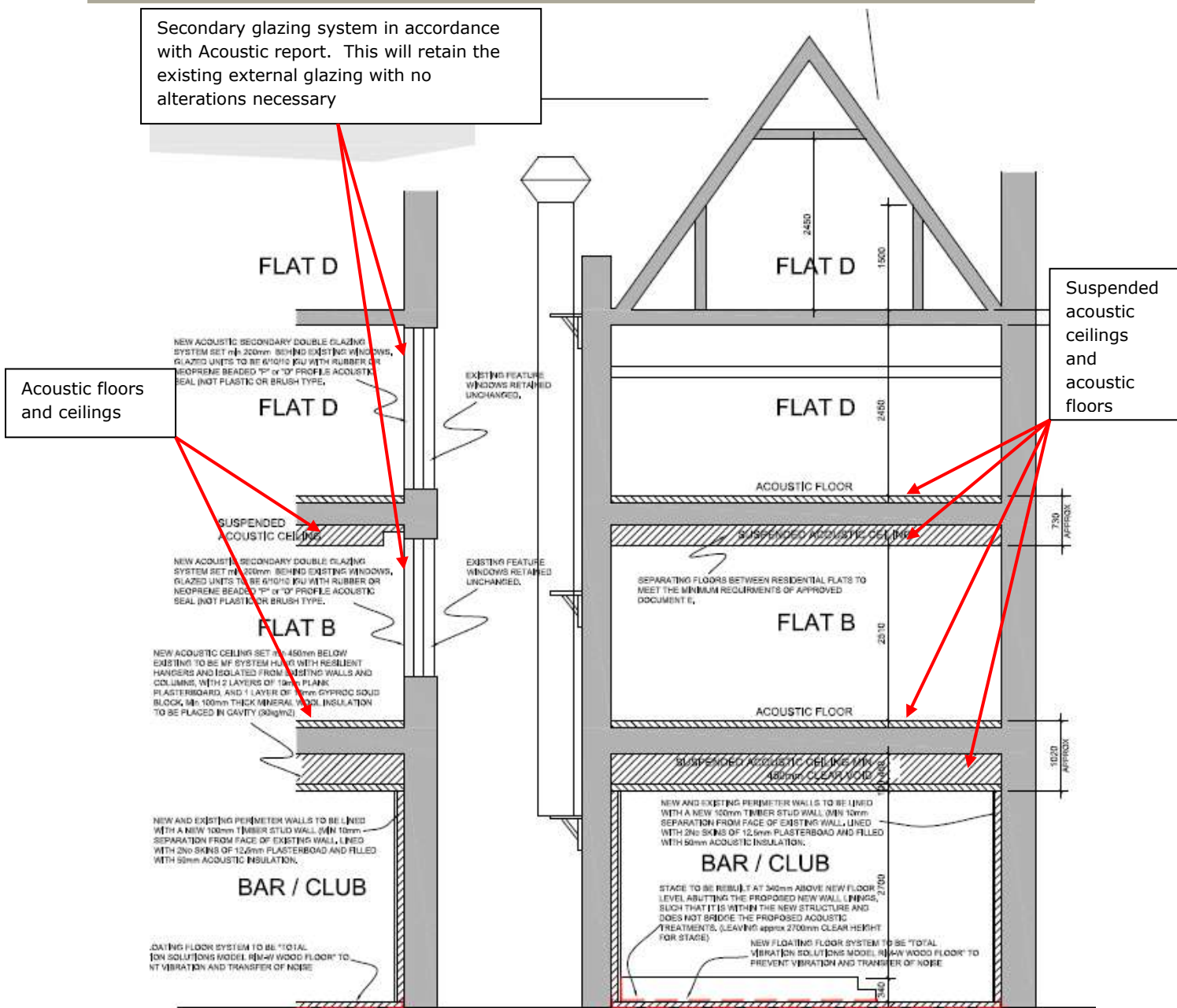


3.10 In terms of external alterations, the main alterations required relate to the flank elevation facing onto the passageway where a number of existing doorways and windows are blocked up and new door openings are created at ground floor to access the refuse and cycle stores. In addition, a steel frame balcony is attached to the rear elevation at second floor level and all the existing window openings in the rear elevation are increased in size to create access.

3.11 The present kitchen at second floor level has no extract system. The kitchen is to be relocated into the basement and a new state-of-the-art extract system introduced. This will run up the flank wall of the building in the passageway and will terminate above the eaves line.



3.12 In addition to the internal changes already described, secondary double glazing, suspended ceilings, acoustic floors and a range of other acoustic measures will be introduced to ensure appropriate noise mitigation is incorporated. The full details of the measures to be employed are set out in the acoustic report. These measures have been formulated having regard for the outcome of the noise surveys which were undertaken together with discussions with Council officers.



4. Pre-Submission Negotiations and Relevant History

- 4.1 The initial proposal envisaged the creation of five 1-bed flats involving an extension of the existing roof form rearwards and the installation of dormer windows.
- 4.2 Following a meeting on site with the planning officer, formal written advice was received on 6th October 2011. Concern was expressed about the impact of the changes to the roof form, the unit mix and the possible loss of a community facility in the form of the first floor bar/restaurant. However, it was considered that in principle, there was scope for self-contained residential accommodation on site.
- 4.3 The formal pre-submission response letter is referenced ENQ05433.
- 4.4 The original proposals were formulated with specific regard to the officer advice given. The number of dwellings was reduced, the mix of units altered and the proposed roof extension has been omitted.
- 4.5 Application 2012/1444/P was submitted in 2012. This application was amended at the request of officers to reduce the number of units to three and the current application is identical in all respects with the exception of the acoustics assessment.
- 4.6 The Council refused planning permission for the following reasons:

"Reasons 1

The pub and restaurant use at first floor level is considered to serve the needs of a specific and local community, therefore its loss without a replacement facility or evidence provided to demonstrate that the facility is no longer required, is contrary to policies CS3 (Other highly accessible areas), CS7 (Promoting Camden's centres and shops), CS10 (Supporting community facilities and services), DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other

town centre uses) and DP15 (Community and leisure uses) of Camden's Local Development Framework.

Reasons 2

The application fails to adequately demonstrate whether the residential flats would experience an acceptable level of internal noise contrary to policies CS5 (Managing the impact of growth and development), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise & vibration) of Camden's Local Development Framework.

Reasons 3

The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area contrary to policy CS11 (sustainable travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and DP18 (Parking standards and limiting the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies."

- 4.7 The applicant lodged an appeal which was determined in February 2013. In relation to the first reason for refusal which was at the heart of the principal of the land use argument, the Inspector considered that "The proposed development would strike a balance between maintaining an important community asset and boosting housing locally." However, the appeal was dismissed on noise grounds due to the fact noise levels had not been assessed within the first floor area when the bar/club was in operation on the ground floor. Additionally, without a legal agreement for car-free housing, the Inspector could not be satisfied that the development would not cause additional parking stress.
- 4.8 Whilst the appeal was being considered, a revised planning application was lodged (reference 2013/0262/P) in January 2013. This modified the first floor to retain a small bar area at the front and a 1-bed flat at the rear with further residential on

the second and third floors. By the time the application came to be determined, the appeal had been dismissed as set out above. The Council duly refused planning permission for the following reasons:

“Reasons 1

The application fails to adequately demonstrate whether the residential flats would experience an acceptable level of internal noise contrary to policies CS5 (Managing the impact of growth and development), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise & vibration) of Camden's Local Development Framework.

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The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area contrary to policy CS11 (sustainable travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and DP18 (Parking standards and limiting the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies.”

- 4.9 Following the appeal dismissal, a further application was submitted in June 2013 which included an acoustic assessment. However, the case officer raised a number of further concerns after discussion with the EHO and which were set out in an email.

“On Aug 8, 2013, at 10:28 AM, "Tulley, Nicola" <Nicola.Tulley@camden.gov.uk> wrote:

Dear Simon

Following the site meeting last week, we seem to be making progress however, it is clear that more work needs to be done to ensure that the proposal would not harm the amenities of neighbouring and future occupiers. I would appreciate if you could discuss the following points with the applicant: Rob and Helen may wish to expand upon these further, as they are the experts in this area.

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- Existing noise condition: A further noise survey to be taken outside the front of the premise at 1st floor level, calculations discussed on site.
 - Smoking area: We have to consider whether the proposals would impact upon the continued business use at ground floor level, in line with the NPPF. It has come to my attention that when smokers at the Black Cap were moved to the front of the premise a series of hate related crime was experienced by customers from people gathering at the bus stop. Further options need to be considered which would not harm the amenity of occupiers in terms of noise and overlooking.
 - Lobby area and noise breakout: This has not been included on proposed drawings. Vibration and bass has not been considered, especially at the front of the premise. An additional survey was discussed – to be taken when the premise was at full or near to capacity.
 - Attenuation measures: there are problems with retrofitting an old building and it was suggested that the design should be a box within a box rather than linings. Officers need to have confidence that the measures proposed can be constructed and will ensure that future occupiers will not be unduly harmed. These measures should all be indicated on plan (a separate set of design drawings may be useful). The stage is not shown in section and it was clear on-site that its height would have to be reduced to accommodate the ceiling. Further matters that were discussed include: possibility of a floating stage, chimneys at upper floors, and ventilation to be indicated on plan.
 - There was ducting present between ground and first floors and further ducting at second floor level connected with the kitchen. As the kitchen is being relocated as part of this proposal we need to know where the extract ducting is going and what likely impact it would have upon neighbouring/future occupiers. There is a large proportion of plant mainly sited on the side flank wall at ground floor level. We need to know what plant is redundant and will be removed and what plant will be replaced/moved etc.

The application in its current form would be recommended for refusal. I would appreciate if you could let me know whether you wish to have the application determined in its current form or withdraw and work with Environmental Health officers prior to submitting another application.

You will appreciate that the above represents my opinion as an officer of the council and does not commit the council or department in any way. “

- 4.10 As these comments were received at a late stage in the lifetime of the application, it was not possible to submit additional information. Accordingly, under advice from officers, that application was withdrawn.
- 4.11 Further discussions have taken place with the case officer and the EHO and they were provided with a copy of the updated draft acoustic report. Comments received from them have been taken into account in finalising the acoustic report.

5. The Development Plan and Other Material Considerations

5.1 The Development Plan for the Borough comprises the London Plan 2011; the Core Strategy 2010; and Camden Development Policies DPD 2010-2025. The Camden Planning Guidance SPD is also a material consideration. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the development plan unless material considerations indicate otherwise. Other material considerations include statements of national planning policy guidance (PPGs) and planning policy statements (PPSs) from Central Government.

5.2 As the planning application relates only to a small-scale development comprising the self-containment of two flats and minor external works, the application raises no issues of a strategic planning nature and therefore the most relevant policies are those in the Local Development Framework. However, London Plan Policy 8.3 – Community Infrastructure Levy (CIL) and the emerging CIL Draft Charging Schedule may be material by the time this application is determined by the Council.

5.3 The *Core Strategy* identifies housing as the priority land use for the borough and that maximising the supply of residential uses is the primary objective of the Plan. Policy CS6 seeks to maximise the supply of additional housing and to exceed the requirements of the London Plan. The policy states:

“CS6 Providing quality homes

The Council will aim to make full use of Camden's capacity for housing by:

- a) maximising the supply of additional housing to meet or exceed Camden's target of 5,950 homes from 2007-2017, including 4,370 additional self-contained homes;

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- b) maximising the supply of additional housing over the entire plan period to meet or exceed a target of 8,925 homes from 2010-2025, including 6,550 additional self-contained homes;
 - c) supporting the supply of additional student housing, bedsits and other housing with shared facilities providing this does not prejudice the Council's ability to meet the target for the supply of additional self-contained homes, the balance of uses in the area; and the quality of residential amenity or the character of the surrounding area;
 - d) minimising the net loss of existing homes;
 - e) regarding housing as the priority land-use of Camden's Local Development Framework.

The Council will aim to secure high quality affordable housing available for Camden households that are unable to access market housing by:

- f) seeking to ensure that 50% of the borough-wide target for additional self-contained homes is provided as affordable housing;
- g) seeking to negotiate a contribution from specific proposals on the basis of:
 - the maximum reasonable amount of affordable housing under the specific circumstances of the site, including the financial viability of the development,
 - an affordable housing target of 50% of the total addition to housing floorspace, and
 - guidelines of 60% social rented housing and 40% intermediate affordable housing;
- h) minimising the net loss of affordable housing;
- i) regenerating Camden's housing estates and seeking to bring Council stock up to the Decent Homes standard by 2012.

The Council will aim to minimise social polarisation and create mixed and inclusive communities across Camden by:

- j) seeking a diverse range of housing products in the market and affordable sectors to provide a range of homes accessible across the spectrum of household incomes;
- k) seeking a range of self-contained homes of different sizes to meet the Council's identified dwelling-size priorities;
- l) seeking a variety of housing types suitable for different groups, including families, people with mobility difficulties, older people, homeless people and vulnerable people; and
- m) giving priority to development that provides affordable housing and housing for vulnerable people.

The Council will monitor the delivery of additional housing against the target for housing supply, and will seek to maintain supply at the rate necessary to meet or exceed the target. In seeking to maintain the housing supply, the Council will adjust the type and mix of housing sought, having regard to the financial viability of development, the

sales or capital value of different house types and tenures, and the needs of different groups.”

- 5.4 Policy CS14 sets out the Council’s objective of securing new development that promotes high quality places whilst conserving the borough’s heritage. It states:

CS14 Promoting high quality places and conserving our heritage

The Council will ensure that Camden’s places and buildings are attractive, safe and easy to use by:

- a) requiring development of the highest standard of design that respects local context and character;
- b) preserving and enhancing Camden’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;
- c) promoting high quality landscaping and works to streets and public spaces;
- d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;
- e) protecting important views of St Paul’s Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views.

- 5.5 The Camden Development Policies DPD provides more detailed policies for development management purposes that build upon the strategic objectives set out in the Core Strategy. Policy DP2 states the Council’s objective of seeking to maximise the supply of additional homes in the borough by ensuring underused or vacant sites make the maximum contribution they can and by resisting the loss of residential land to other uses.

- 5.6 Policy DP5 requires new residential development to contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes. The supporting text to the policy contains a “Dwelling Size Priorities Table” that is informed by the Council’s Strategic Housing Market Assessment. In the market sector, the demand for

family-sized dwellings is defined as “medium” with 1-bed dwellings “lower” and 2-bed dwellings “very high”.

- 5.7 Policy DP24 requires all development to be of the highest standard of design having regard for the character of the area in which the development is sited. Finally, Policy DP26 seeks to ensure new development does not have an unacceptable impact upon the amenities of neighbours and that the quality of the development itself is provided to acceptable internal space standards. Further guidance on this is provided within Camden Planning Guidance sections CPG2 – Housing – and CPG6 – Amenity.

National Planning Policy Framework (NPPF)

- 5.8 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. The Government indicates that this has three dimensions:
- An **economic role** to contribute to building a strong, responsive and competitive economy. This requires sufficient land of the right type to be available in the right places and the right time to support growth and innovation
 - A **social role** to support strong, vibrant and healthy communities by ensuring a supply of housing to meet present and future need and by creating a high quality built environment
 - An **environmental role** that contributes to protecting and enhancing the natural, built and historic environment.
- 5.9 The pursuit of sustainable development involves seeking positive improvements in the quality of the built, natural and historic environments and to people’s quality of life.

5.10 Paragraph 14 of the NPPF introduces a presumption in favour of sustainable development. LPAs should positively seek opportunities to meet the development needs of their area. Developments according with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

5.11 Supporting the three dimensions to achieving sustainable development, the NPPF sets out 12 core land-use planning principles:

- Planning should be plan-led and plans should be kept up to date and provide a framework so that planning decisions can be made with a high degree of predictability and efficiency;
- Planning should find ways to enhance and improve the places in which people live their lives;
- It should proactively drive and support sustainable economic development to deliver the homes, business and industrial units and thriving local places the country needs;
- It should always seek high quality design and a good standard of amenity for existing and future occupiers;
- Planning should promote the vitality of urban areas taking account of differing roles and characters of different areas;
- The transition to a low-carbon future should be supported encouraging the re-use of existing resources and the use of renewable resources;
- The natural environment should be conserved and enhanced and land allocations in plans should prefer land of a lesser environmental value;

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- Planning should encourage the effective reuse of brownfield land
 - Mixed use development should be encouraged and multiple benefits encouraged from the use of land in urban and rural areas
 - Conserve heritage assets in a manner appropriate to their significance
 - Focus significant development in locations which are or can be made sustainable;
 - Deliver sufficient community and cultural facilities and services to meet local needs.

Building a strong, competitive economy

5.12 The NPPF expresses the Government's strong support to securing economic growth in order to create jobs and prosperity (para 18 refers). The planning system should do everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. LPAs should identify priority areas for economic regeneration and environmental enhancement. Planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being re-used for employment. Applications for alternative uses should be treated on their merits having regard for market signals (para 22 refers).

Delivering a wide choice of quality homes

5.13 LPAs are required to identify (and annually update) specific deliverable sites to provide 5 years worth of housing with a 5% buffer. Further, land should be identified for years 6-10. Guidance on housing density should reflect local circumstances. The NPPF states clearly that housing applications should be

considered in the context of the presumption in favour of sustainable development (para 49 refers). If a 5 year supply cannot be demonstrated, then the housing policies will be considered out of date. Affordable housing policies should be sufficiently flexible to take account of changing market conditions over time. Planning applications for a change of use to C3 from B use classes should normally be approved provided there are no strong economic reasons why such development would be inappropriate (para 51 refers).

Requiring good design

- 5.14 Great importance is attached to good design and it is a key aspect of sustainable development. Developments should function well; establish a strong sense of place; optimise the capacity of the site; respond to local character and history while not preventing or discouraging appropriate innovation; create safe and accessible environments; and be visually attractive as a result of good architecture. Design policies should avoid unnecessary prescription and should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, it is proper to promote or reinforce local distinctiveness. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area (para 63 refers).

Ensuring viability and deliverability (para 173)

- 5.15 Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking....Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed

viably is threatened. To ensure viability, the costs of any requirements likely to be applied to developments, such as requirements for affordable housing, standards and infrastructure contribution or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Decision Taking

- 5.16 The NPPF expects LPAs to take a positive approach to decision-taking in a way that fosters the delivery of sustainable development. They should look for solutions rather than problems and applications for sustainable development should be approved where possible. LPAs are expected to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area (paras 186 & 187 refer).

The NPPF is a material consideration in planning decisions. In determining planning applications, LPAs should apply the presumption in favour of sustainable development (para 197 refers).

6. Planning Arguments

6.1 The Core Strategy clearly identifies housing as the priority land use for the borough (para 1.8 refers). The Strategy is relying upon 2,600 new homes being provided within the Plan period and sourced exclusively from non-allocated small sites. To meet the challenges of population growth, the Strategy sets out the Council's objective of making the most efficient use of the borough's limited supply of land while also seeking to improve the quality of the environment , protecting the amenity of occupiers and meeting other planning objectives (para 1.21 refers). In principle therefore, the redevelopment of this brownfield site for housing meets the objectives of the Council's Core Strategy. The Further Alterations to the London Plan (January 2014) sets a minimum housing target for Camden of 8892 new homes between 2015-2025 with an annual monitoring target of 889 homes each year.

6.2 The importance to be attached to the redevelopment of small sites for housing purposes is underlined by the findings of the Housing SPG published by the Mayor for London in November 2012. London Plan Policy 3.3 identifies that some 22% of future housing provision with the London Plan period will be met from small sites. The Housing SPG sets down specific guidance demonstrating how such sites may be delivered whilst optimizing housing potential. Respect for local context and high quality design are highlighted as two important areas to show how the London Plan requirement for "optimization" over "maximization" can be realised.

6.3 Under the auspices of Policy DP15 of the Camden Development Management DPD, the loss of pubs that serve a community role is generally resisted:

"15.7 We will also resist the loss of local pubs that serve a community role (for example by providing space for evening

classes, clubs, meetings or performances) unless alternative provision is available nearby or it can be demonstrated to the Council's satisfaction that the premises are no longer economically viable for pub use."

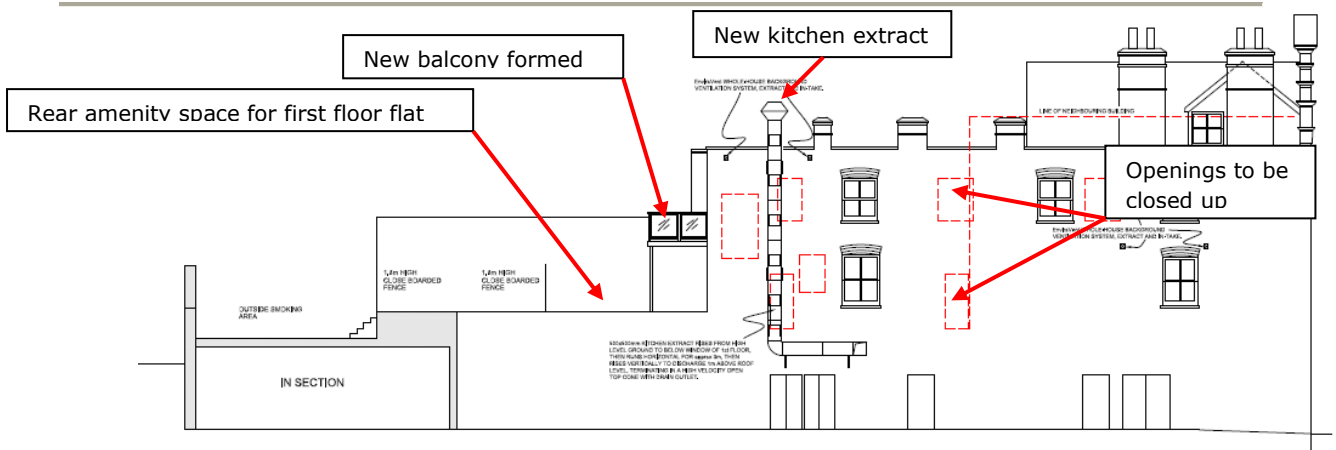
6.4 This was a potential issue that was raised by the planning officer at pre-submission stage. However, the first floor only became **part** of the pub in 1989 when permission was granted by the Council to use part of the first floor as a restaurant. Since that time the floor space has been used as a single space operating as a bar with food service. The layout of the space does not provide a meeting space for evening classes, clubs, meetings or performances as envisaged by Policy DP15. Therefore, its change of use will not be in conflict with that policy. Additionally, the ground floor public house use is retained and there are also a significant number of other public houses within this part of Camden Town.

6.5 As detailed in Section 3 above, the proposals set out in this planning application include improvements to the existing pub use that will help to secure its long term future. As such, the proposal will meet the objectives of Policy DP15 as a public house will remain on site. This point was very clearly accepted by the planning inspector at paragraphs 6 and 7 of the decision letter:

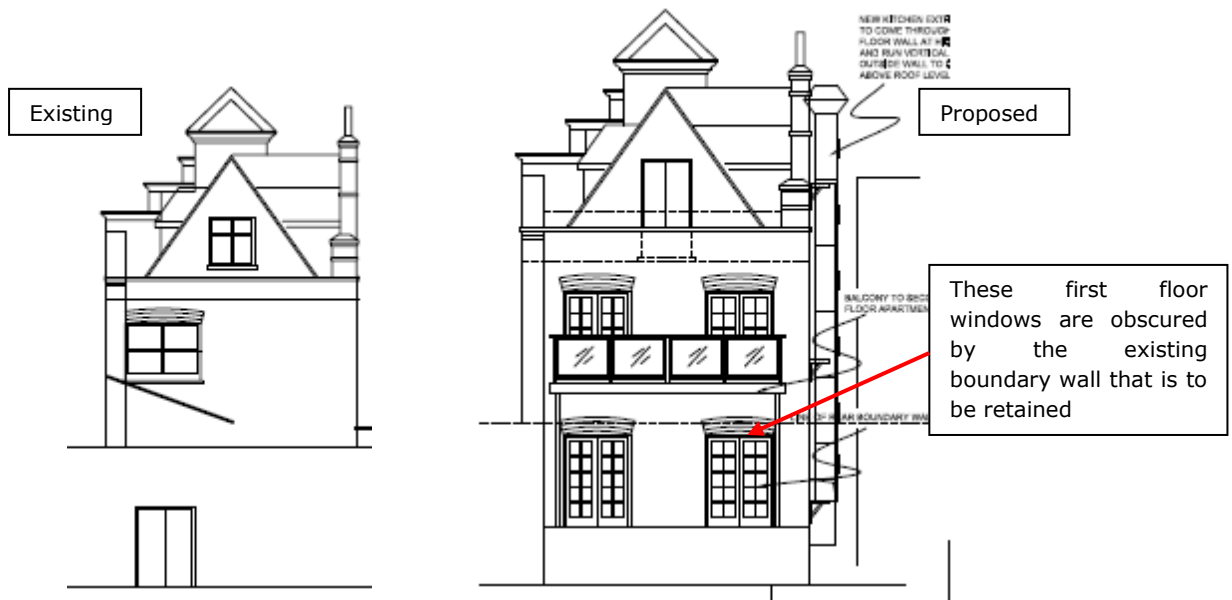
"6. Camden Core Strategy (2010) (CS) policy CS3 promotes appropriate development in Camden town centre, including homes, food, drink, entertainment and community facilities, policy CS7 seeks to promote successful centres and policy CS10 seeks to protect community uses. Camden Development Policy (DP) DP12 supports strong centres through the management of town centre uses and protecting community and leisure uses. In addition, both the National Planning Policy Framework (the Framework) and policy DP2 seek to boost housing and make best use of the Borough's capacity for housing. The proposed development would strike a balance between maintaining an important community asset and boosting housing locally.

7. Therefore the proposed development would preserve space to serve the needs of a specific and local community and would be in accordance with CS policies CS3, CS7 and CS10 and DP policies DP12 and DP15."

- 6.6 Each of the proposed flats is spacious and well-laid out. The flats are properly stacked above each other as far as can be achieved and there will be acoustic ceilings and floors to ensure a high standard of internal amenity. Two of the flats are dual-aspect which together with good floor-to-ceiling heights will make them bright and airy. The room sizes and overall floor areas exceed the requirements set down in the London Plan and within Camden Planning Guidance 2 – Housing. The layout of the development will therefore meet the objectives of Policies DP24 and DP26 of the Development Management DPD.
- 6.7 Secure cycle storage provision is achieved within the ground floor entrance lobby to the flats. One cycle space is provided per dwelling. Refuse storage facilities are provided within a purpose-built enclosure accessed externally adjacent to the entrance lobby. This facility is large enough to provide storage facilities for both normal household refuse and recyclables.
- 6.8 Whilst the majority of the work to self-contain the upper floors is internal, there are certain external changes. The most obvious change is the installation of a kitchen extract flue together with demolition of the external metal stair and the erection of a balcony on the rear elevation. In addition, as the drawing below shows, a number of existing openings in the flank elevation are being bricked up, and new doorways created at ground floor level. All of these changes will be undertaken using materials to match existing. There are no public views of the side elevation and so the changes will have no impact on the character or appearance of the conservation area.



6.9 On the rear elevation existing window openings will be enlarged to floor level so that access can be created onto the roof terraces or balcony. This elevation faces out onto the car park and Stanmore Place beyond. The existing rear elevations of the streetblock comprise a somewhat drab street scene and do not contribute to the character or appearance of the conservation area in a positive way. What is proposed for the application site will have a neutral impact.



6.10 Camden Town is a conservation area which the NPPF defines as a heritage asset. The NPPF requires that applications for development that involve heritage assets should be informed by an assessment of the significance of the heritage asset. Applicants are required to describe the significance of any heritage asset affected with the level of detail being proportionate and sufficient to understand the impact of the proposal of that significance.

6.11 Paragraph 39 of the very recently published NPPG states:

“A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.”

6.12 Whilst the pub building is a notable building within the overall street scene, that is as much to do with the poor quality of surrounding buildings than the architectural merit of the building itself. The building is not locally listed. Therefore, in the context of the wider conservation area, the building itself is not considered to be a heritage asset; rather, it is the conservation area.

6.13 The Conservation Area Appraisal identifies that a key element of the distinctive character and appearance of the commercial part of the Camden Town Conservation Area is its variety and eclecticism. It also notes that there has been some significant change in that character over the years. Problems have arisen when development schemes have been implemented over the years that have employed poor detailing or choice of materials and where inadequate attention has been paid to the character of surrounding buildings. The proposed development is very modest in scale, and will be in keeping with the general appearance of the host building and the wider conservation area. The use of traditional building materials and architectural

detailing with help to integrate the development with the character of the host building.

- 6.14 The proposed development requires the rection of a kitchen extract duct. This is sited so that it will have little if any impact upon the street scene as the duct will lie towards the back of the building. The width of the passageway is not sufficient to provide any views from Camden High Street. Brief views may be discerned from the private car park at the rear of the site. However, the extract duct will be seen in the lee of the rear elevation of commercial properties and where various forms of mechanical equipment housing are frequently seen. In the circumstances, it is not considered the presence of the duct will have an adverse impact upon the designated heritage asset.
- 6.15 Notwithstanding, if some harm may be deemed to arise, then Paragraph 134 of the NPPF advises that the effect of less than substantial harm to the conservation area can be weighed against the public benefits of the proposal. In this case, the main land use objective of the Core Strategy is to secure new residential development and a significant proportion of housing need is to be met from windfall sites such as this. The addition of three dwellings to the Borough's housing stock represents a public benefit to be weighed against any harm considered to arise. The previous Inspector found the development would have no adverse impact upon the character or appearance of the Camden Town Conservation Area.
- 6.16 The previous applications and appeal were unsuccessful because the Acoustic Survey did not measure the effect of noise from the ground floor activites on the new residential use at first floor level. The Inspector found that the proposed development had the potential to be harmful to the living conditions of future occupiers in terms of noise and disturbance and hence contrary to Policies DP26 and DP28.

6.17 The last application was withdrawn as the Council still had a large number of concerns and required additional supporting information. The present Acoustic Report includes an agreed range of noise measurements taken at locations agreed in advance with Council officers. The output from these noise surveys has been used to propose a range of mitigation measures designed to ensure the amenity of prospective occupiers will be acceptable having regard to the development plan and that residential occupation will not adversely affect the operation of the bar on the ground floor. The mitigation measures relate to:

- Walls
- Glazing
- Mechanical Ventilation Scheme
- Separating Floor Between Retained Bar and Residential Flats
- Acoustic Wall Linings to Bar Areas
- Floating Floor to Ground Floor Bar
- Entrance Door to Ground Floor Public
- Music Volume
- Loudspeakers
- In-Duct Silencers to Supply & Extract Fans
- Acoustic Louvres to Ground Floor Supply Fan Plantroom
- Vibration Isolators to Supply & Extract
- Wall Lining and Acoustic Ceiling to Ground Floor Supply Fan Plantroom
- Acoustic Screen and Wall Lining Panels to Proposed Rear Smoking Area

6.18 The Assessment concludes that with the implementation of the mitigation measures proposed, the occupiers of the new residential development will enjoy a satisfactory level of amenity. Full details of the measurement surveys and a detailed description of the mitigation measures are set out in Section 5, 6 and 7 of the Assessment.

7. Access

7.1 The site lies within the existing built-up area and is part of the commercial heart of Camden Town. The application site lies on Camden High Street approximately 100m south of Camden Tube Station on the northern line. In addition, there are a large number of buses serving the site with a bus stop outside the site on both sides of the high street.



7.2 No off-street parking is provided nor is it intended to make any form of provision for car parking. The site lies within a controlled parking zone and it is possible the Council may wish to restrict the occupiers of the development from applying for CPZ parking permits. It should be borne in mind though that there are no such controls in relation to the existing, non-self-contained accommodation. Four secure cycle storage spaces are provided within the development. The applicant is prepared to enter into a legal agreement the purpose for which is to make future residential occupiers ineligible to apply for CPZ parking permits.

- 7.3 Given the location of the site and its accessibility to a wide range of public transport facilities, it is highly likely that non-car-modes of transport will be the preferred mode of transport for future occupiers of the development.
- 7.4 The three flats will be sited at first, second and third floor levels. It is not viable to provide lift access to these floors. However, the development does provide a new stair to the upper levels which could accommodate a stair lift if required. The new stairs are however "ambulant disabled compliant".
- 7.5 The layout of each of the flats is spacious and flexible. In particular, it would be possible to directly link each of the main bedrooms with the adjoining bathroom to enable the fitting of a track hoist if required. The open-plan living areas provide ample space to accommodate the turning circle of a design wheelchair. Door opening widths can be modified to accommodate wheelchairs or other movement-assisting aids as required. The flat layouts are lifetime homes compliant and an appropriate checklist accompanies this application. In short, the accommodation is capable of meeting the needs of disabled people through specific adaptations.
- 7.6 In light of the above, the development is sustainable, accessible and inclusive.