

**Proposed Development**

**The Railway  
100 West End Lane  
West Hampstead  
London  
NW6 2LU**

**SUPPORTING PLANNING STATEMENT**

**December 2013**

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The Railway Tavern, 100 West End Lane, West Hampstead, NW6 2LU  
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## **1 INTRODUCTION**

The application site at No. 100 West End Lane, NW6 is located at the intersection of West End Lane and Broadhurst Gardens immediately to the south of West Hampstead underground station. The Victorian property is in use as a public house, known as The Railway which dates back to its origin.

The site is located within the West Hampstead Town Centre with a secondary retail frontage classification, and adjoins the West Hampstead Transport Interchange.

The site is also within the designated South Hampstead (formerly Swiss Cottage) Conservation Area.

The existing 4-storey building is flanked by a group of 3-storey (plus mansard roof) terraces to its south between nos. 90-98 West End Lane, and sits adjacent to the Lilian Baylis House at no. 165 Broadhurst Gardens.

The building is neither statutorily nor locally Listed. However, in the South Hampstead Conservation Area Character Appraisal it observes that it retains its traditional Victorian frontage and original name. It goes on to note that the building makes a positive contribution to the conservation area and is a minor local landmark.

## 2 PLANNING HISTORY

The property has a long established use as a public house (Use Class A4), with ancillary accommodation on the upper and lower levels including storage and associated service areas.

In 2008 application was made (Ref 2008/0975/P) for planning permission to alter and extend the building retaining the public house use, but adding 14 self-contained flats (Use Class C3) at the upper and roof levels. This was granted approval subject to a legal agreement.

In 2011 application was made (Ref 2011/2624/P) to renew the then still extant 2008 planning permission, but this was refused, amongst other reasons, on grounds relating to the affordable housing contribution offered and the proposed mix of residential units.

The 2008 planning permission was not implemented and it expired.

In 2013 application was made (Ref 2013/0343/P) and planning permission granted for the opening up and installation of 3 windows to the lower ground floor area, the removal of an existing external flue and its replacement with two new external flues, new railings at ground level and the creation of an opening in the boundary to allow the formation of a refuse store; all connected to the public house use.

In September 2013 a submission (Ref 2013/5870/PRE) was made to the Council for pre-application policy advice on the scheme that forms the basis of the current planning application. The Council's response and advice was set out in an email from Paul Gardiner, Planning Officer, sent on 8<sup>th</sup> November 2013.

The advice was that the principle of a change of use of the upper floors of the building to residential (C3) above offices (B1a) whilst maintaining the public house (A4) at the lower levels would be appropriate and acceptable.

Attention was drawn to the following policy issues that would need to be addressed in any planning application:

- Standard of Accommodation – adopted space standards; Lifetime Home Standards; unit mix; amenity and noise.
- Sustainability – proportionate reduction of CO<sub>2</sub>; refuse & recycling provisions.
- Neighbour Amenity – overlooking.
- Transport – car free; cycle storage.
- Conservation - control of reinstated fenestration and alterations at roof level to avoid any negative effects on character.

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### **3 THE APPLICATION SCHEME PROPOSAL**

The application proposal comprises:

1. The retention and consolidation of the public house & ancillary accommodation (Use Class A4) at ground floor and lower ground floor levels.
2. The conversion and change of use of the first floor to provide self-contained business (Use Class B1) space.
3. The conversion and change of use of the second and third floors to provide six self-contained residential units (Use Class C3) comprising 3 two bedroom flats, 2 one bedroom flats and a studio flat.
4. The modification and side extension of the existing roof including the addition of new dormer windows matching the existing.
5. The reinstatement of fenestration matching the original existing within previously blocked up window openings at first floor level on the Broadhurst Gardens and rear yard elevations.
6. The removal of the existing external fire escape stair to the rear of the property.
7. Access to and escape from the upper floors to be via the existing separate entrance off Broadhurst Gardens and stair with a small reception formed internally at ground floor level.

## 4 PLANNING POLICY

This section sets out relevant national and local planning policy with respect to the application.

### **National Planning Policy Framework (March 2012)**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and now constitutes guidance for local planning authorities and decision takers.

The ministerial foreword by Greg Clark confirms that “The purpose of planning is to help achieve sustainable development” and that “development that is sustainable should go ahead, without delay—a presumption in favour of sustainable development that is the basis for every plan, and every decision”. In addition, the ministerial foreword confirms that “in order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives”. The purpose of the planning system is to contribute to the achievement of sustainable development (**paragraph 6**).

**Paragraph 7** confirms there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role – contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality, built environment with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, using natural resources prudently, and minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

**Paragraph 8** confirms that these roles should not be undertaken in isolation because they are mutually dependant. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is confirmed the planning system should play an active role in guiding development to sustainable solutions.

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The NPPF constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications (**paragraph 13**).

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking, this means:

- approving development proposals that accord with the Development Plan without delay, and
- where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
  - Specific policies in the Framework indicate development should be restricted (**paragraph 14**).

**Paragraph 17** confirms that, within the overarching roles the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These principles include:

- Not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places the country needs.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Promote mixed use developments, and encourage multiple benefits from the use of land of urban and rural areas;
- 5. Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future (**paragraph 18**).

The Government is committed to ensuring that the planning system does 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 (**paragraph 19**).

Housing applications should be considered in the context of the presumption in favour of sustainable development (**paragraph 49**). To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should, inter alia, plan for a mix of housing based on current and future demographic

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trends, market trends and the needs of different groups; identify the size, type, tenure and range of housing that is required (**paragraph 50**).

Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. Local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such a development would be inappropriate (**paragraph 51**).

## **The Development Plan**

For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004 the statutory development plan comprises **The London Plan** (November 2010) and **Camden's Local Development Framework** (LDF) comprising its **Core Strategy 2010 – 2025** (adopted July 2010) and **Development Policies 2010 – 2025** (adopted November 2010)

## **The London Plan (July 2011)**

The following policies are applicable to the application scheme:

**Policy 1.1 (Delivering the Strategic Vision and Objectives for London)** confirms growth will be supported and managed across all parts of London to ensure it takes place in the current boundaries of current London without either encroaching on the Green Belt, London's protected open spaces or having unexpected impacts on the environment.

**Policy 3.3 (Increasing Housing Supply)** confirms the Mayor recognises the pressing need for more homes in London and that the Mayor with relevant partners should seek to ensure provision at least an annual average of 32,210 additional homes across London. However, it is confirmed that Boroughs should seek to achieve and exceed the relevant minimum Borough annual average housing targets wherever possible. The policy goes on to encourage Boroughs to achieve and exceed their housing targets on brownfield sites by promoting an intensification of use and allowing mixed uses, especially of surplus commercial capacity.

**Policies 4.2 (Offices) & 4.3 (Mixed Use Development & Offices)** confirm that the Mayor supports mixed use development to improve London's competitiveness and to deliver space meeting markets needs for a range of businesses including small enterprises.



## **London Housing Design Guidance (August 2010)**

This interim guidance sets out the Mayor's standards for new residential development. This document is discussed in the accompanying Design and Access Statement.

## **Camden's Core Strategy 2010 – 2025 (July 2010)**

The Strategic Objectives set out in the document include:

- to sustainably manage growth so that it takes place in the most appropriate locations, meets our needs for homes, jobs and services and properly takes into account Camden's character as a highly developed, inner London borough with many valued and high quality places.
- to support the successful development of the growth areas including West Hampstead.
- to provide homes to meet Camden's housing needs as far as possible in terms of affordability, the type of properties built and the mix of sizes, and promote their sustainable design and construction. Housing will be the priority land use of this Core Strategy.

The following policies are applicable to the application scheme:

**Policy CS1 (Distribution of growth)** asserts, inter alia, that development, especially that providing additional homes, will be concentrated in highly accessible growth areas and locations such as West Hampstead town centre and transport interchange. It goes on to say it will promote development that efficiently makes full use of its site, is high density and includes a mix of uses including an element of housing.

**Policy CS2 (Growth areas)** identifies the West Hampstead interchange as an area where growth should be concentrated delivering 2,000 new homes and business space providing 500 jobs to meet the growth objectives of the London Plan.

**Policy CS3 (Other highly accessible areas)** specifically identifies West Hampstead as a suitable location for the provision of homes, shops, food, drink and entertainment uses, offices that are likely to increase the demand for travel.

**Policy CS6 (Providing quality homes)** asserts that the Council will aim to make full use of Camden's capacity for housing by maximising the supply of additional housing to meet or exceed its target of 5,950 homes from 2007-2017, regarding housing as the priority land-use.

**Policy CS13 (Tackling climate change)** states that the Council requires appropriate, proportionate and financially viable measures to be taken in all development to mitigate climate change and achieve the highest feasible environmental standards both during construction and occupation.

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## **Camden's Development Polices 2010 – 2025 (adopted November 2010)**

The following policies are applicable to the application scheme:

**Policy DP1 (Mixed use development)** states that the Council will require a mix of uses in development where appropriate in all parts of the borough, including a contribution towards the supply of housing.

**Policy DP2 (Making full use of Camden's capacity for housing)** states that the Council will seek to maximise the supply of additional homes by, inter alia, maximising the potential of underused sites taking into account other uses that are needed on the site.

**Policy DP5 (Homes of different sizes)** states that the Council will seek to secure a range of self-contained homes of different sizes meeting its priorities and this will extend to conversion of non-residential floor space. The accompanying dwelling size priority table indicates that although the demand for market one bedroom and studio flats is lower, the demand for market two bedroom flats is very high and a scheme should aim to achieve at least 40% of this size.

**Policy DP6 (Lifetime homes and wheelchair housing)** states that all housing development should meet lifetime homes standards and that 10% of homes developed should either meet wheelchair housing standards or be easily adapted to meet them. However, the Council acknowledges that the design or nature of some existing properties means that it will not be possible to meet every element of the lifetime homes standard, but it considers that each scheme should achieve as many features as possible. The accompanying Design & Access Statement addresses this, setting out which lifetime homes standards can be met, with a justification why any element will not be met.

**Policy DP18 (Parking standards and limiting the availability of car parking)** states, inter alia, that it expects development within the West Hampstead town centre area to be car free.

**Policy DP22 (Promoting sustainable design and construction)** states that from 2013 the Council encourages conversions delivering five or more dwelling to achieve an 'excellent' standard in the EcoHomes assessments.

**NOTE** EcoHomes assessment for conversions was discontinued in 2012 and replaced by the BREEAM Domestic Refurbishment Assessment. The application proposal's assessment under this is dealt with in the Design & Access Statement.

**Policy DP25 (Conserving Camden's heritage)** asserts that within conservation areas the Council will only permit development that preserves and enhances the character of the area and will assess applications against the conservation area appraisal. The Council goes on to say that it will manage and encourage change that helps retain the character of a conservation area and contributes positively towards it

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**Policy DP26 (managing the impact of development on occupiers and neighbours)** states that the Council will seek to protect the quality of life of occupiers and neighbours by considering a range of factors. How the application scheme addresses and satisfies these factors is dealt with in the accompanying Design & Access Statement.

### **Camden's Adopted Supplementary Planning Guidance**

The Council has prepared Planning Guidance to support the policies in its Local Development Framework (LDF). This guidance is consistent with the Core Strategy and the Development Policies, and forms a Supplementary Planning Document (SPD) which is an additional "material consideration" in planning decisions. How the application scheme addresses and, where applicable, satisfies this guidance is discussed in the accompanying Design & Access Statement.

## 5 PLANNING ISSUES

Having considered the nature of the application proposal and the relevant planning policy background, it is considered that the following issues are the most relevant for the determination of the planning application:

- Does the proposal represent sustainable development?
  - Is the proposal in the right location?
  - Is the proposal an appropriate use on the site and of the existing building?
  - Will the proposal deliver an appropriate residential unit mix?
  - Will the proposal result in any harm to the conservation area or heritage assets?
  - Is the proposal acceptable in terms of accessibility and car parking?
  - Does the proposal comply with applicable housing space and density standards?
  - Will the proposal have any adverse amenity impacts?
  - Does the proposal mitigate climate change?
  - Does the proposal have any negative policy impacts?
- **Does the proposal represent sustainable development?**

**Yes.** The proposal will put back into beneficial use underutilised space in an existing building on a brownfield site in a highly accessible location. The proposal will also help maintain, restore and enhance the energy performance of a significant building and secure its long term future.

- **Is the proposal in the right location?**

**Yes.** The site is within the West Hampstead town centre and adjoins the West Hampstead transport interchange and is expressly identified as an area for development and intensification of use.

- **Is the proposal an appropriate use on the site and of the existing building?**

**Yes.** The proposal maintains and supports the long established public house use of the ground and lower floors whilst providing new small business space and much needed new housing in currently surplus and underutilised space on the upper floors in a complementary mixed use ensemble.

- **Will the proposal deliver an appropriate residential unit mix?**

**Yes.** The proposal will deliver 3 (50%) two bedroom units, 2 (33.3%) one bedroom units and 1 (16.7%) studio unit. This is based upon an assessment of the local market need and exceeds the Council's target for at least a 40% provision of two bedroom units.

- **Will the proposal result in any harm to the conservation area or heritage assets?**

**No.** The proposal retains the original building and helps secure its long term future. It will also reinstate attractive architectural features of the original building lost through insensitive alterations made in the past (Refer to Heritage Assessment in the Design & Access Statement).

- **Is the proposal acceptable in terms of accessibility and car parking?**

**Yes.** The proposal is located on a highly accessible site with a 6a PTAL rating immediately adjoining a major transport interchange. The site falls within an area where the Council expects development to be car free and none is proposed.

- **Does the proposal comply with applicable housing space and density standards?**

**Yes.** This is discussed in the accompanying Design & Access Statement.

- **Will the proposal have any adverse amenity impacts?**

**No.** The generators and effects of noise have been considered and addressed and there will be no adverse impact on residential amenity, either within or without the building. (Refer to the Noise Report submitted with the application).

- **Does the proposal mitigate climate change?**

**Yes.** The proposal will enable significant enhancements and improvements to the energy performance of the building (Refer to the Energy Strategy Report submitted with the application).

- **Does the proposal have any negative policy impacts?**

**No.** There are no policies where the proposal falls short or will have an unwanted effect.

## **6 CONCLUSION**

It is considered that the application proposal is entirely acceptable offering significant benefits in terms of the local economy and its vitality, delivering much needed new housing and small business space whilst supporting the existing public house on the site. It is a highly sustainable proposal which will also help secure the long term future of a significant landmark building in a conservation area.

Overall, it is therefore considered that the application is of significant merit that warrants the grant of planning permission.