

<b>Delegated Report</b> <b>(Members Briefing)</b>		Analysis sheet		Expiry Date:	23/12/2011
		N/A / attached		Consultation Expiry Date:	1.12.11
<b>Officer</b>			<b>Application Number(s)</b>		
Charles Thuairé			2011/4136/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
The Hampstead Creperie Kiosk at the side of 77 Hampstead High Street London NW3 1RE			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Replacement of existing creperie kiosk (Class A5) with a new kiosk.					
<b>Recommendation(s):</b>		Grant permission			
<b>Application Type:</b>		Full Planning Permission			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					

## Consultations

<b>Adjoining Occupiers:</b>	No. notified	<b>08</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>Plus press advert and site notice expiring on 1.12.11 and 25.11.11 respectively- no response.</p> <p><u>King William IV pub</u> objects- numerous detailed objections relating to the fact that it is a separate business and thus should not be impacting on the pub's operation and borrowing its facilities- It taps into the pub's water supply and drainage system and causes nuisance; sits on private forecourt; customers and staff use pub toilets and forecourt tables; blocks ground floor window; customer queues block disabled access to pub and fire exit and add weight to pub cellar hatch; causes smells and smoke to bedroom balcony above due to additional height; causes litter and harms appearance of street; design is inappropriate for area and looks like a cheap chip van- it should have more classy design like a French street sellers stall.</p> <p><i>Officer response- these are all landlord-tenant issues and cannot be resolved by planning legislation; the kiosk has effectively been there for over 30 years and has a lawful use and there is no record of any complaints in the past about its operation. The design and size is little different from existing and is considered appropriate in this context as a food stall- see assessment for more details.</i></p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p><u>Hampstead CAAC</u>- no objection</p> <p><u>Heath and Hampstead Society</u>- no response received</p>					

## Site Description

Listed Grade 2 public house (King William IV) at corner of Hampstead High Street and Perrin's Lane and within Hampstead conservation area. On its side forecourt facing Perrin's Lane pavement and adjoining the rear beer garden is a small mobile vending kiosk preparing and selling crepes. The site is located within the designated Hampstead town centre.

## Relevant History

21.3.07- ref 2006/5866/P- pp refused for Replacement of existing creperie kiosk by a new permanent structure

Reason- The proposed structure, by reason of its increased bulk and footprint, inappropriate design and materials, and form of a permanent structure, would be detrimental to the setting of the adjacent listed building (King William public house) and to the character and appearance of the Hampstead conservation area, contrary to policies B1 (design principles), B6 (listed buildings) and B7 (conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 - Managing the impact of growth and development  
 CS7 - promoting Camden's centres and shops  
 CS11 - Promoting sustainable and efficient travel  
 CS14 - Promoting high quality places and conserving our heritage

DP12 - supporting strong centres etc  
 DP16 - transport implications of development  
 DP24 - Securing high quality design  
 DP25 - Conserving Camden's heritage  
 DP26 - Managing the impact of development on occupiers and neighbours  
 DP28 - Noise and vibration

## Assessment

1. Proposal is to replace the existing kiosk by a new one, taking account of advice following previous refusal.

2. Existing kiosk is the temporary mobile type that can be found at fairs and events; it is square-shaped metal structure on wheels, parked on a metal platform on the side private forecourt: it is 2.16m wide and 2.06m deep, 2.3m high but with a ventilation box at rear rising up to 2.6m. It has a front opening flap and side door and timber fascia board at roof level with projecting signplate; attached on the rear and on the roof, as well as placed in the rear corner behind the structure, are various items of ventilation equipment and storage boxes; the kiosk is plumbed and wired for utility services from the pub next door. It has no specific permission but must have lawful use due to officers recalling its existence since at least 1990; according to the applicant, it has been parked here since 1980 including its various items of equipment. It started off life as a trailer kiosk, but the towbar and one wheel has been removed, the structure has been jacked off the ground and stabilised, and the underneath blocked up, and it has been adapted and extended since then to accord with EH legislation.

3. The intention is to replace it as it is coming to the end of its useful life and is according to the applicant now 33 years old. It is in desperate need for upgrading to accommodate more modern facilities and appliances which will include new hotplates and storage facilities. The existing cooking extraction system using carbon filters will be retained, serviced and reinstalled into the new structure.

4. Previously refused kiosk- The previous scheme which was refused permission was for a structure somewhat larger in size and its design was that of a permanent building on the lines of an American Diner with metal facade and chrome trimmings. The larger bulk and size of the structure, its asymmetrical and permanent form, and its pseudo-modernist design with shiny steel cladding was thus considered unacceptable as it was very inappropriate in the location adjacent to this early 19th century listed building, which would be harmful to the setting of the listed building and would be harmful to the character and appearance of the Conservation Area..

5. Proposed kiosk- In contrast to the previous scheme, the new one is very much reduced in scale and scope and still retains its essential temporary market stall appearance. It maintains the same size, ie. total 2.6m high, 2.16m wide and 2.06m deep, but has square box-like footprint and sides now. The front elevation is effectively the same in appearance. The side elevations are simpler and cleaner in appearance in that the ventilation equipment is now integrated into the unit so that it has a box-like form rather than the existing combination of stall and bulky ducting attached at rear. The cooking and extraction equipment is rearranged both inside the stall as well as on the roof to comply with current standards but these will not be exposed, compared to the existing situation, and will make no difference to the overall bulk and appearance of the unit. The overall design and form will be tidier and simpler than the existing unit with bolted-on ventilation equipment and is welcomed. In contrast to the previous scheme, the location in relation to the pub is also the same as existing. It is considered that it will continue to have no harmful impact on the setting of the adjoining listed building nor on the character of the streetscene and conservation area.

6. There will be no increase in noise levels or fumes from the rearranged existing equipment and thus will have no further impact on neighbour amenity.

7. In landuse terms, the replacement A5 use is not considered to harm the character, function, vitality and viability of the centre or cause any additional adverse transport implications.

8. The replacement kiosk is thus considered appropriate in design, form and use and will not harm heritage assets or local amenity.

## DISCLAIMER

**Decision route to be decided by nominated members on Monday 19<sup>th</sup> December 2011.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>