

Delegated Report		Analysis sheet		Expiry Date:	21/03/2007
		N/A / attached		Consultation Expiry Date:	8.2.07
Officer			Application Number(s)		
Miss Kiran Chauhan			1. 2006/5312/P 2. 2006/5766/C		
Application Address			Drawing Numbers		
Crown & Goose and Snooker Hall 100-102 Arlington Road & 16-18 Delancey street London NW1 7HP			See decision.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors.					
Recommendation(s):		Refuse both.			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	23	No. of responses	125	No. of objections	122
			No. electronic	08		
Summary of consultation responses:	<p>Site notice also displayed. 122 objections received on the following grounds:</p> <ul style="list-style-type: none">Camden does not need a 'gastro-pub style bar', please preserve the uniqueness of the existing pub <i>Response: Planning policies cannot insist upon the retention of individual pubs</i>The new large eating area will alter the character of the area <i>Response: The new café/restaurant is considered acceptable in principle and will not significantly alter the character of the area over and above the existing uses</i>The Camden Licensing Statement states that there can be no more licensed premises in the Borough. <i>Response: Whilst this is true, the planning and licensing regimes have separate areas of control and this application must be assessed on the planning merits.</i>The loss of the snooker hall must be assessed, it is valued to the community and is still in use being enjoyed by many residents. <i>Response: This has been considered below.</i>The poor state of the existing buidings should not be used as a justification for their demolition. <i>Response: The condition of the building is one of the tests that has to be applied in this case, in accordance with PPG 15. See further assessment below.</i>The use of London stock bricks is inappropriate <i>Response: This material is found in the locality.</i>The current buildings match the adjacent listed building well. <i>Response: Replacement buildings are also considered to complement this building.</i>Noise and parking problems <i>Response: In any resubmission, residential units will need to be car free and it is anticipated that many of the visitors to the restaurant will arrive on foot or by public transport. The main entrance to the restaurant is on the Delancey Street frontage away from the residential street of Arlington Road. Acoustic report has also been submitted to demonstrate the use is acceptable on noise grounds.</i>The development would enhance the 'canyonisation' of Delancey Street and would allow less daylight to be received. <i>Response: Replacement buildings are of a similar height to the existing so no material loss of daylight will occur to pedestrians and other uses of the Street. In any case, planning policies only seek to protect levels of daylight to residential uses.</i>Loss of daylight to houses on Arlington Road. <i>Response: No loss of daylight will occur.</i>No matter how green the building is; there is no certainty what degree of renewable energy will be provided. <i>Response: 10% of renewable energy provision is required on site; this will be secured by Legal Agreement in any resubmission.</i>The local community has campaigned vigorously twice before. <i>Response: Noted.</i>Application made for financial gain <i>Response: Non material planning objection</i>Lack of consultation time <i>Response: The statutory period of 21 days was given, and all those received up until the point where a decision was made were considered.</i>The architect said that Camden Council officers suggested that the Crown and Goose building be knocked down. <i>Response: This is not the case.</i>					

	<p>3 letters of support on the following grounds:</p> <ul style="list-style-type: none"> • The new build is a good fit for the area • we like the green roof and hope it will happen
<p>CAAC/Local groups* comments: *Please Specify</p>	<p>English Heritage have stated that they do not wish to comment in detail but offer the following general observations: The current proposal does help to address the previous design comments concerning the industrial design, although in some respects the relationship to the Tram Shed could be improved by a lower design conforming to the lower parapet height of the Tram Shed. However, it is acknowledged that the approach taken is largely consistent with surrounding streets and that a lower building would be less successful on the Delancey Street frontage. However, it is considered that the elevation to Arlington Road does suffer from imposing a horizontal, rather than vertical axis, against the early Victorian streetscape.</p> <p>English Heritage GLAAS have stated that a condition be attached to the consent requiring the provision of historic building recording prior to development (for the Snooker Hall).</p> <p>The Camden Town CAAC object: Overall we have no major objections but we are disappointed to see that the architects have only incorporated two very minor revisions into their original drawings. They have missed an opportunity to ameliorate the look of the buildings, keeping them more in scale with the residential buildings in the vicinity. On Arlington Road, the infill should be the width of the original Georgian house which would mean a narrower corner building. On Delancey Street, we plea once again that all attempts should be made to retain the façade of the Snooker Hall. The use of London Stock bricks is not appropriate, bricks used should match those currently on the site. The top floor should be shown in solid colours, not in outline as presently shown.</p> <p>The CAAC have also raised some comments regarding the length of the consultation process (as letters to residents and the site notice were only sent/displayed the week beginning 29th January) and because they had to request the drawings. They have said that this will result in reduced response rate.</p> <p>Camden Town Unlimited object: The Crown and Goose is highly valued by businesses and residents and is an important meeting place for the local community. They are also an active member of the local licensees community (CILLA) and work hard with the Police and LB Camden. The proposal does not provide enough benefits for the local community to justify the loss of the pub.</p> <p>DeStRA (Delancey Street Residents Association) object: The proposal does not enhance the CA; it is oversized; ignores townscape proportions; the A3 element will intensify the use on the street; more noise and traffic congestion; overdevelopment of site; loss of snooker hall.</p> <p>ClIr Callaghan objects: Proposal would be an eyesore; loss of daylight to surrounding properties; loss of PH and snooker hall which are well loved; noise pollution from comings and goings; application is within Licensing Special Policy Area.</p>

Site Description

The site consists of the 3 storey buildings at 100-102 Arlington Road, and the double-heighted single storey building at 16-18 Delancey Street.

The Crown and Goose PH occupies the ground floor of 100 Arlington Road and the basement, ground and first floors of 102 Arlington Road with ancillary staff accommodation on the second floor. The Camden Snooker Club occupies 16-18 Delancey Street and the upper floors of 100 Arlington Road are ancillary staff accommodation in association with this use.

The site adjoins a listed building directly to the north (the Grade II listed, Tram Shed) which is in retail use. The buildings to the west on Arlington Road are in residential use and are Grade II listed.

The site is located within the Camden Town (Town Centre) as defined by the Replacement UDP (with the exception of the 3 storey infill building at 102 Arlington Road). The site also lies within the Camden Town Conservation Area and both buildings are designated as making a positive contribution in the Revised Camden Town Conservation Area Statement: Consultation Draft December 2006. Previously they were considered to make a neutral contribution. The site also falls within the planning and licensing area guidance covered by the SPG 'Food drink and entertainment uses in Camden Town'.

Relevant History

On 26th November 2003, planning permission was **refused** under delegated powers for the demolition of the PH and the Snooker Hall at 100-102 Arlington Road and 16-18 Delancey Street for the erection of a 4 storey building comprising one A3 unit at ground and basement level and 11 residential units over (5x1 bed and 6x2 bed) on grounds of unacceptable design, lack of housing mix, lack of S106 for car free housing; concerns regarding lack of provisions to protect against the impacts of the enlarged A3 use. The accompanying conservation area consent application was also refused.

On 15th February 2005, planning permission 2004/4944/P was refused at Committee for the demolition of 100-102 Arlington Road and 16-18 Delancey Street (The Crown & Goose PH and Camden Snooker Club) for the erection of a part 3 and part 4-storey building comprising cafe/restaurant (Class A3 use) on the ground floor and 10 residential units (4x1 bed, 5x2 bed and 1x3-bed) on grounds of unacceptable design, enlarged A3 floorspace being detrimental to the area, loss of snooker hall, harm to setting of adjacent listed building and also on grounds of lack of S106 to secure educational contributions and car free housing. Conservation area consent was also refused in the absence of a replacement scheme.

This 2005 scheme was appealed and was dismissed on 9th December 2005 on grounds of detailed design only, particularly regarding the industrial looking appearance.

This application is similar to the refused scheme but has addressed the Inspector's design concerns, and has incorporated in energy and sustainability measures and lifetime homes requirements. All other aspects of the scheme are identical to the 2004 scheme. The material changes in planning circumstances since that scheme was determined are:

- **The adoption of the Replacement UDP 2006 – during the consideration of the previous application, it was in draft form and had limited weight.**
- **The production of the Revised Camden Town Conservation Area Statement: Consultation Draft (December 2006). This document is currently out for consultation and has emerging weight.**

Relevant policies

Replacement Unitary Development Plan 2006

S1/S2 Sustainable development principles (complies)
SD1 Quality of life (complies)
SD2 Planning obligations (fails to comply)
SD3 Mixed use development (complies)
SD6 Amenity (complies)
SD7 Light, noise and vibration pollution (complies)
SD9 Resources and energy (fails to comply in absence of S106)
SD10 Hazards (complies)
H1 New housing (complies)
H7 Lifetime homes (fails to comply in absence of S106)
H8 Mix of units (complies)
B1 General design principles (fails to comply in absence of S106)
B7 Conservation areas (fails to comply)
C4 Protecting existing provision (fails to comply)
N4 Providing open space (fails to comply in absence of S106)
N5 Biodiversity (complies)
T1 Sustainable transport (complies)

T3 Pedestrians and cycling (complies)
T4 Public transport (complies)
T8 Car free housing and car capped housing (fails to comply in absence of S106)
T9 Impact of parking (fails to comply in absence of S106)
T12 Works affecting highways (complies)
T16 Movement of goods (fails to comply in absence of S106)

Other Policies

PPS3 Housing 2006
PPG15 Planning and the Historic Environment 1994
The London Plan 2004
Camden Town Conservation Area Statement 1997
Revised Camden Town Conservation Area Statement: Consultation Draft (December 2006)
SPG on 'Food, drink and entertainment uses in Camden Town' 2003
English Heritage's Guidance on Conservation Area Appraisals 1995
Camden Statement of Licensing Policy January 2005

Camden Planning Guidance 2006

Sections on open space, energy, planning obligations, design, lifetime homes, conservation areas, design, access, residential development standards.

Assessment

The proposal seeks to demolish the buildings at 100-102 Arlington Road and 16-18 Delancey Street for the erection of a new part 3, part 4 storey building comprising a cafe/restaurant (Class A3) at ground and basement levels and 10 residential units on the upper floors (4 x 1 bed, 5 x 2 bed and 1 x 3 bed). The proposal results in the loss of the existing Class D2 (Snooker Hall) use.

The principle elevational material is London stock brickwork with a rusticated limestone base to the corner building. Windows and doors are timber from a sustainable source. Some of the flat roof areas will comprise of sedum green roofs.

The proposal incorporates renewable energy features in the form of a biomass boiler (and possibly photovoltaics and solar panels too) and sustainability measures such as a rainwater collection system and green roofs.

The principal considerations material to the determination of this application are summarised as follows:

- The acceptability of the demolition of 100-102 Arlington Road and 16-18 Delancey Street and the design of the new buildings
- The loss of the Snooker Hall (Class D2)
- The provision of a Class A3 restaurant/café
- Impact on residential amenity
- The provision of residential accommodation and housing mix
- Energy and sustainability issues
- Car parking, servicing and transport issues
- Other issues

The demolition of 100-102 Arlington Road and 16-18 Delancey Street and the design of the new buildings

There has been a PH on the site for many years (previously known as The Crown), however the existing building is mid 20th Century. The infill element on Arlington Road was built in about 1980 and is of a different quality – its relationship to the adjacent, listed Tram Shed is poor, but has the potential to be greatly improved.

The existing snooker hall was built just before the turn of the century, as an annex to The Crown and has subsequently housed a variety of uses. In 1903, it was converted for rollerskating, before briefly becoming a 'penny gaff' cinema from 1908 to 1917 – common with many other buildings at this time. In 1919, it became a billiard hall, before being converted into a bingo hall. More recently, it has reverted to being a snooker and billiard club. Notwithstanding its history, due to its orientation to the street, the snooker hall presents a long, blank side elevation to the street, attracting graffiti and contributes little in terms of an activated edge.

As seen from the history section, a similar proposal to this one was refused and dismissed at appeal. It was considered that the replacement scheme was not of a high quality in terms of design, materials and execution. It was also considered that the replacement scheme provided limited synergy or rhythm, in terms of visually interesting and/or appropriate building/roof lines and was deemed insensitive to the form and scale of the listed building at No.104 Arlington Road. However, it should be noted that the Inspector accepted the principle of the demolition of the buildings and did not raise concerns regarding the overall bulk and massing of the proposed replacement scheme, but rather the quality of the detailed design and it was on this basis that the appeal was dismissed.

To quote the Inspector, "in overall terms, the bulk of the proposed building would be much the same as the existing building and it would have a unified facade facing Arlington Road, which would be an improvement. As to the Delancey

Street frontage, again the overall bulk and scale of the proposed building would be a little different from what exists now and this would be acceptable in its context". The Inspector's concerns to the scheme, together with how the scheme has been revised accordingly, are noted below.

Arlington Road: With respect to the the proposed fenestration at ground level on the Arlington Road frontage and to a lesser extent above, the Inspector was of the opinion that the original proposal would not relate well to the surroundings and the use of exposed metal fascias would be inappropriate. In response to this, the scheme has been revised, the metal fascias have been omitted, an articulated plinth of rusticated limestone has been introduced and brick (London stock) on the upper levels proposed. The predominance of the originally proposed fenestration pattern has been significantly reduced, to better reflect a more traditional hierarchy and proportion of openings, including central transoms. The window and door screens are timber, generated from a sustainable source.

Delancey Street: The Inspector commented as follows; "As to the Delancey Street frontage, again the overall bulk and scale of the proposed building would be little different from what exists now and this would be acceptable in its context. (However), the massing of the windows and openings in this section of the proposed building would be over large and would have a rather industrial appearance. Again I consider the proposed design to be unacceptable in detail for these reasons. For avoidance of doubt, I am not saying that the only acceptable design would be a pastiche of the nearby residential terraces but greater regard needs to be paid to the scale and rhythm of the fenestration and materials found in those buildings".

The rusticated stone plinth is carried around the corner forming part of the Delancey Street frontage at ground level. At that juncture, where the building steps down, the ground floor treatment of the openings varies, whilst maintaining an appropriate degree of vertical and horizontal proportion within the reveal itself. It is considered that this elevational differentiation is subtle enough to allow the 'corner' component of the scheme to take visual precedence, given its location at this local juncture.

As a whole composition, the solid to void ratio of each elevation is now more appropriately balanced. It is considered that the above mentioned revisions negotiated with the applicant are more contextually responsive and suitably address the concerns raised by the Inspector.

The principle elevational material is London stock brickwork with a rusticated limestone base to the corner building. Both materials are commonplace in this Conservation Area. The proposed window and door screens are timber from a sustainable source.

Revised Camden Town Conservation Area Statement: Consultation Draft 2006

This document revises and updates the approved Camden Town Conservation Area Statement which was adopted in 1997.

This Statement identifies both the public house at 100-102 Arlington Road and the snooker hall at 16-18 Delancey Road as buildings which make a positive contribution; previously there were considered to make a neutral contribution. However, it should be noted that positive contribution as a principle, is not an absolute, in that buildings identified on a Positive Contribution list are not covered by statutory protection like that of listed buildings but rather assessed on a 'sliding scale' of merit. It is noted that the above buildings are at the more neutral end of such a scale of assessment and have been primarily acknowledged as making a positive contribution on the basis of their association by historic use. Whilst there is a general presumption in favour of retaining buildings which make a positive contribution, as stated in PPG15, there is also scope for their demolition, providing an applicant can satisfy the relevant tests, as set out in section 3.19 of PPG15 which are to assess:

- i. the condition of the building
- ii. the efforts to retain the building in use
- iii. the merits of alternative proposals

(i) Condition of the building

The site comprises three structures. A 1980s infill building adjacent to the listed Tramshed, the C20th Crown & Goose Public House and a hall built in the 1890s as an annex to the Crown Public House that has been subject to extensive alterations and has had a wide range of uses.

In summary, the applicant's assessment indicates that few distinguishing characteristics appear to have survived the cumulative alterations of the Snooker Hall in particular. The north end of the building has been substantially altered to insert a mezzanine level, apparently for projection purposes. The roof has been repaired in an ad hoc manner, often in the instance when water damage had become apparent below. The condition of the ceiling was sufficiently poor for a suspended ceiling to be introduced some time ago. The current panels were installed using the old hangers in 1980. The external brickwork screen and doorway, which entirely replaces the old entrance, also dates from this period.

English Heritage (EH) provided additional comments in relation to the PH and original scheme, detailed in correspondence dated 17th January 2005. In its advice, EH state that the *'corner Crown & Goose pub, which appears to be mid 20th century in date, together with its 1980s extension, adjacent to the grade II listed tramshed, are of little interest. And that the new development is inoffensive - providing that the set back section and plant provision, adjacent to the tramshed, is not easily visible'*. However, no assessment has been provided by the applicant regarding the condition of the PH, other than to reiterate previous comments made by English Heritage .

(ii) Efforts to retain the building in use

Insufficient justification provided by the applicant. All that has been stated is that the PH is an inadequate building and that the residential element above does not conform to modern standards. They also state that the snooker hall is in poor condition and has struggled due to lack of demand; but this does not appear to be the case. No information has been put forward as to what efforts if any have been employed to retain the buildings.

(iii) Merits of the alternative proposal

Refer to comments above with respect to the acceptability of the replacement scheme. It is considered that the proposal is respectful of its setting, engendering an appropriate scale, height, massing and materials palette.

On the basis of the above assessment, it is considered that the current proposal/revisions addresses the comments made by the Inspector with regards to the detailed design of the originally proposed fenestration pattern. Overall, the design of the scheme largely derives its form from the existing buildings and does not overstate its presence in respect of its relationship to the Grade II listed Tram Shed. The revised replacement scheme is considered to enhance the character and appearance of the conservation area and as such is recommended for approval.

However, necessary information required, as detailed in section 3.19 of PPG15, justifying the demolition of the existing buildings (ie. full condition survey and specification of costs of repair, to compare against costs of redevelopment, are required, to justify demolition on the basis of poor condition) has not been submitted, as part of this application. It is therefore recommended that the application be refused on the basis of the lack of information submitted with the current application.

It is considered that the applicant's justification for the demolition of the existing buildings is inadequate and as such, is unacceptable. On this basis and in the absence of the necessary PPG15 test assessment, the proposal is recommended for refusal.

The loss of the Snooker Hall (Class D2)

The development proposes a change of use from D2 Assembly and Leisure Use (snooker hall) to A3 as part of the creation of a ground floor restaurant on the site. Policy C4A – Protecting existing provision of the Replacement UDP states that the Council will not grant planning permission for development that results in the loss of a leisure facility unless it is demonstrated that:

- a) an adequate replacement facility will be provided in a location accessible to the users of the facility; or
- b) the loss would not create, or add to, a shortfall in provision for the specific leisure user; and
- c) the specific leisure facility is no longer required and it can be demonstrated that there is no demand for an alternative leisure use of the site that would be suitable.

Through policy C4A the Council seeks to resist the loss of leisure uses because of the growing demand and need for such uses as a result of population increases. Furthermore they can make a positive contribution to the social and communal well being of the Borough. If a proposal results in the loss of a leisure facility, applicants should demonstrate that adequate alternative facilities are already available in the area, and no shortfall in provision will be created by the loss. They should also show that the site cannot be used for an alternative leisure use, either because there is no demand, or because the location is no longer suitable for leisure uses. Therefore there is a potential for the change of use this floorspace provided that the applicant can justify, through evidence, that a) there are alternative facilities in the area and there will be no shortfall in provision and b) that the site cannot be used for an alternative leisure use.

The objections received on the application indicate that the snooker hall is valued and in use by the local community. This suggests that the snooker hall is still required, particularly as it seems that there are no other snooker halls within Camden Town. The manager of the premises has also verbally stated that since the new owners of the premises took over in October 2006, that the premises have become more attractive to locals and the number of members plus the number of visiting guests has been rising. At present the number of members is currently about 350. The manager also stated that the snooker club attracts visitors of all ages, from teenagers upwards.

The agent has stated that the snooker hall is no longer financially viable but the policy does not allow for this aspect to be considered, neither has any specific financial information has been submitted. Also, after speaking to the manager of the premises, they stated that whilst they are no losing money, they are breaking even. The agent has also stated that no objection was previously raised to the loss of this use, but the previous applications were determined under a different policy context, and prior to the adoption of the Replacement UDP 2006 and now the criteria for assessing the loss of such uses is more stringent.

The provision of a Class A3 café/restaurant

This proposal would lead to the creation of a 425sqm Class A3 unit located within the Town Centre. The existing public house is a Class A4 unit which has a floorspace of 310sqm as existing, 56sqm of which is ancillary staff accommodation. The D2 Snooker Hall has a floorspace of 385sqm, which together with the existing PH, cumulatively equals almost 700sqm of entertainment floorspace. The snooker hall no longer sells alcohol though it does sell some hot food and snacks. The PH has an opening hours licence until 1am daily (although not always used), and the Snooker Hall generally

closes between midnight and 2am daily. Neither of the opening hours are subject to planning controls.

The change of use from the existing public house (Class A4) to a restaurant/café (Class A3) would fall within permitted development rights as a change not warranting planning permission. Thus, the existing public house floorspace of 310sqm could turn into a restaurant/café overnight. The change of use from the snooker hall to the restaurant/café however, would still require planning permission and the relevant policy for assessing this change is Policy R3 (Assessment of food and drink uses and licensed entertainment). This policy gives 18 criteria under which the creation of new Class A3 floorspace should be assessed and these are considered below:

- a) *The number and distribution of existing A3, A4, A5, D2 or sui generis uses:* As the proposal involves the loss of one entertainment use (D2) to another, the number and distribution of existing A3, A4, A5, D2 or SG uses does not change. This aspect of the scheme was appealed but was allowed on the grounds that no unacceptable impacts on residential amenity would arise.
- b) *The effect of the development on shopping provision:* No harm would be caused to shopping provision as no loss of Class A1 uses is proposed.
- c) *The impact of the development on nearby residential uses and future occupiers:* The main entrance to the A3 use is on the Delancey Street elevation. This is the only entrance and is positioned away from the predominantly residential area on Arlington Road. Furthermore, the proposed use is for a A3 café/restaurant use which is considered to be of a lower intensity when compared to a A4 public house use where the focus is more on drinking as opposed to eating. Hours of opening will also be conditioned so that they are not open after . The applicants do not dispute these hours.
- d) *Any record of harm caused to residential amenity:* No record of noise or disturbance complaints have been received by Environmental Health against either the pub or the snooker hall. Some noise complaints have been made around the area but not in any direct relationship to the existing uses.
- e) *Any record of littering or anti-social behaviour:* None known.
- f) *Emission of fumes and impact of ventilation:* The submitted noise report states that the proposed plant and machinery will not result in a loss of residential amenity and standard noise conditions will be attached to the decision notice.
- g) *Noise and vibration generated inside and outside of the site:* The application comes accompanied with a noise report which states that the site is suitable for residential development, and that noise from the new A3 use will not have a significant impact on residential amenity. These conclusions have been based upon noise readings which have been taken at the site.
- h) *The effect of the development on ease of movement on the footway:* The footway paving on both Delancey Street and Arlington Road has recently been upgraded to boulevard standard. As such, the pedestrian infrastructure is of a standard to cope with any likely increase.
- i) *The vehicular stopping and parking characteristics of the development and their effect on noise and highway conditions:* Due to the location of the proposal within the Camden Town: Town Centre, it is likely that most of the users of the premises will be coming by foot or using public transport. Plus, it would be difficult to argue any additional harm over and above the existing patterns of activity.
- j) *Controls on the hours of operation:* Conditions attached.
- k) *Controls on the expansion of public space into ancillary areas such as basements:* The basement space will be occupied by the Biomass boiler (to be secured by S106), as such, it is unlikely that the restaurant will expand into this area.
- l) *Controls on the provision of tables and chairs outside:* No tables and chairs are proposed.
- m) *Controls on the provision of opening frontages:* Condition will be attached to ensure that the glazing on the ground floor elevation is kept shut (with the exception of the front entrance doors).
- n) *Schemes to manage the off-site effects of the development, including contributions to town centre management:* This limb of the policy refers to issues that are more pertinent to the Licensing regime (e.g having taxi numbers at the entrance, doormen to the premises etc).
- o) *Controls on the storage of refuse and customer litter:* Space for refuse storage has been allocated at rear ground floor level. No provisions for the storage of customer litter have been made, but this is a need likely to arise more for Class A5 takeaway uses.
- p) *Controls on the emissions of noise and fumes:* Conditions attached.
- q) *Requirements for noise attenuation:* Conditions attached.
- r) *Restrictions on changes from one food and drink use to another:* This will require planning permission in its own right as there is no permitted change from Class A3 uses.

The SPG on 'Food, Drink and Entertainment In Camden Town' also provides relevant guidance on A3 uses. This identifies the vast majority of the site within the 'Other frontages and areas' designation - which requires that in such locations new, extended or expanded food, drink and entertainment uses may be acceptable subject to impact assessment (whether it causes unacceptable harm). Only 102 Arlington Road, the infill building, lies within the 'Predominantly residential area' designation. However, this infill building is occupied by the PH at ground floor level and the Snooker Hall on the upper floors. In this regard, as this infill forms part of the remainder of the site, and is used in association with the existing uses, the amount of weight that can be carried to its designation to this is minimal.

The relevant paragraph of the SPG which contains guidance on 'Other frontages and Areas' is quoted below:
'The Other Frontages and Areas are of varied character and have a range of uses. They include the side streets of the Major Centre (as defined in the UDP), employment and market areas adjacent to the Regent's Canal and the Roundhouse. These areas include only limited residential development and are generally well-served by public transport

facilities.

However, it is important to note that there are some residential uses in or near these locations (e.g. Safeway supermarket), and that food, drink and entertainment uses could cause harm to residential amenity. New late licenses and variation of conditions may be acceptable in these areas. However, on the minor side streets, the latest closing times for new entertainment and night café licences (and variation of conditions) will be 1am and 3am respectively, and later licences will not be considered. For all applications, the Council will not grant consent for proposals that it considers would cause harm to the area'.

Although not strictly a planning issue, Camden's Licensing Policy does not allow for any increase in floorspace for new or existing licensed premises in Camden Town. The applicant may therefore encounter problems with seeking the relevant alcohol license. However, the Planning and Licensing regimes are two separate areas of control, each containing their own policies and restrictions. This application should therefore continue to be assessed on the planning merits.

Impact on residential amenity

The proposal will not lead to any loss of daylight, sunlight or outlook to any residential property. The site is situated on a corner plot with the nearest buildings being the Tram shed at 104 Arlington Road which is in commercial use and the rear of the Camden High Street shops on Camden High Street itself.

Terraces are proposed to the scheme, some of which face onto Delancey Street. However, in the absence of facing residential units, no loss of privacy will result. Details will be requested by condition in any resubmission to show how these terraced areas will be delineated to prevent overlooking between the proposed flats in the scheme.

Impacts from the proposed A3 use have been considered above.

The provision of residential floorspace and housing mix

The proposed scheme is for the erection of a new building providing A3 floorspace at basement and ground floor levels and residential accommodation on the upper floors. As the proposal seeks to provide a significant amount of the additional floorspace for residential use, the proposal accords with policies seeking to maintain mixed uses in accessible locations and to increase residential accommodation.

The scheme proposes a range of different sized units including one, two and three bedroom accommodation. Whilst there is a bias more towards smaller sized accommodation and only one 3 bedroom unit, it is considered that in this major centre location with good public transport accessibility, the mix is satisfactory.

All habitable rooms would have acceptable floorspace and layout, and good access to natural light. Only 5 of the flats have access to external amenity space in the form of terraces (2 bed flat at first floor level, 1 bed and 2 x 2 bed flats at second floor level and the 3 bed flat at third floor level), No provision is made for the remaining 5 units but this is not unreasonable in this location and as such, no overall objection is raised.

Energy and sustainability issues

Policy B1 of the Replacement UDP seeks to ensure that all development should be built in a manner which incorporates sustainable design principles. In housing this should be done through an EcoHomes pre-assessment and for uses for which there is no specific BRE assessment then a BREEAM bespoke assessment should be undertaken. Policy SD9 requires demonstration of a development's energy requirements and consideration of how the site can meet a portion of its energy requirements from renewable sources on-site, with a target of 10% to be generated. Guidance on this is given in the London Renewables toolkit "Integrating renewable energy into new development: Toolkit for planners, developers and consultants".

The applicant has submitted an Ecohomes pre-assessment estimator which relates to the 10 proposed residential dwellings on the site. From the information provided by the applicant the scheme achieves a rating of "very good". In addition to the Council expecting developments to achieve a "very good" rating, it is also expected that applicants achieve 60% of available credits in water and energy and 40% of available credits in materials. In terms of materials and water the design of the development will achieve the appropriate number of credits (54% and 100% respectively) through the incorporation of low flush toilets, spray taps and through the installation of a rainwater collection system. However the number of credits achieved for Energy is below the required amount (50%). Therefore it would be appropriate for the applicant to review this element of the assessment with a view to increasing energy credits to achieve 60%. Should the scheme be built out it will be expected that additional assessments are submitted including Ecohomes Design Stage Assessment and an EcoHomes Post Construction Review. These additional assessments should be secured through the S106 Legal Agreement.

The applicant has mentioned in their report that a biomass would be installed as part of the development in order to achieve the 10% of the site's energy demand. In this case, it should be ensured that the biomass will be able to be maintained in operating order and that it is a priority over the back up gas boiler. Additionally we would need to see evidence of a renewable supply of biomass for the facility and this would need to be given prior to occupation. Delivery

arrangements for the renewable supply of biomass would also need to be provided. The applicant has also mentioned the possibility of installing solar panels and photovoltaic cells. Any resubmission should be subject to a legal agreement to secure a full renewables report, prior to construction, which should detail which technology they intend to implement and to ensure that it achieves the 10% as required by policy SD9C – Resources and energy (Use of energy and resources).

A reason for refusal is attached to the decision notice in the absence of a Legal Agreement to secure these energy requirements.

Car parking, servicing and transport issues

Residential use: Development standards require 1 cycle park for each of the flats. A bicycle store has been proposed within the ground floor entrance to the flats, however the cycle stands are not drawn on. Further details of this will therefore be requested by condition. Space has been allocated for refuse storage on the Arlington Road elevation with direct access to the highway.

Given the limited nature of parking within the area, and in order to be acceptable in transport terms, the new residential units will need to be designated car free, such that future occupiers will not be eligible for on street parking permits. Refusal will also be recommended on this ground in the absence of a Legal Agreement to secure this.

A3 use: Although the number of servicing movements to and from the site will be limited, it is recommended that a servicing management plan be secured through legal agreement to ensure servicing is carried out in a safe manner and avoids times of peak traffic flows.

No cycle parking is required for the A3 use as it lies below the threshold. Refuse storage for this use has been allocated to the rear of the ground floor which faces onto Signmakers Yard.

Construction works and construction vehicle movements have the potential to disrupt the day to day functioning of Arlington Road and Delancey Street for an extended period, and will need to be carefully managed to ensure disruptions are kept to a minimum. The applicant will need to submit a construction management plan including a construction methodology and drawings indicating the extent of any partial closure, along with mitigation measures to ensure pedestrian and vehicle access on the surrounding highway network is secured at all times. This will need to be secured by S106 in any resubmission.

Other issues

Open Space: In order to ensure that a public open space deficiency is not created or made worse Policy N4 states that the Council will only grant planning permission for development that is likely to lead to an increased use public open space where an appropriate contribution to the supply of public open space is made. The proposed development makes provision for approx 90sqm of open space in the form of terraces. However is still still over 100sqm short of the required level of open space sought and as such a financial contribution will be needed in any resubmission make up for the balance. The amount required is £12,727.00. Refusal will also be recommended on this ground in the absence of a Legal Agreement to secure this payment.

Educational contributions: As the proposal involves the provision of more than 5 new units, a financial contribution towards education provision will be required in any resubmission. The amount payable is £30,973.00. The contribution is sought for the 2 and 3 bed units only. Refusal will also be recommended on this ground in the absence of a Legal Agreement to secure this.

Access and lifetime homes: The access to the restaurant is on Delancey Street. This street is on sloping land, and thus a stepped entrance has been proposed. This would not achieve the required level access so a revised entrance arrangement will need to be considered in any resubmission.

The scheme has been designed to Lifetime Homes standards so the approach to entrances is level, and doorways and hallways are of a sufficient width. A lift has been provided in the building which provides access to all of the 10 flats. The policy requirements of policy H7 are therefore met. However in the absence of a Legal Agreement to secure these lifetime homes terms, refusal on this ground will be recommended.

Community safety: The Crime Prevention Design Advisor has raised no objection to the design of the proposal on community safety grounds.

CONCLUSION

Refuse planning permission on grounds of 1. loss of snooker hall use in absence of justification; 2. car free housing; 3. energy requirements; 4. lifetime homes; 5. educational contributions; 6. open space contributions

Refuse Conservation Area Consent on grounds of insufficient information to justify loss of the buildings which make a

positive contribution to the CA.

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