

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>14/08/2014</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	10/07/2014
<b>Officer</b>			<b>Application Number(s)</b>	
Mandeep Chaggar			2014/3365/P 2014/3394/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Assembly House 292 Kentish Town Road London NW5 2TG			Please 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>				
<p><b>Planning Permission</b> – Extension at rear first to third floor level to include lift shaft and reconfiguration of plant and access servicing in association with ancillary guest accommodation at upper floor levels (Use Class A4).</p> <p><b>Listed Building consent</b>- Internal and external alterations associated with the extension at rear first to third floor level to include lift shaft and reconfiguration of plant and access servicing for ancillary guest accommodation at upper floor levels (Use Class A4).</p>				
<b>Recommendation(s):</b>		<b>Grant Planning permission subject to conditions</b> <b>Grant Listed building consent subject to conditions</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b> <b>Listed Building Consent</b>		

Conditions or Reasons for Refusal:	Refer to <b>Decision Notices</b>					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	11	No. of responses	05	No. of objections	05
Summary of consultation responses:	<p data-bbox="424 405 1254 472">Advertised in the Ham &amp; High on 26/06/2014 - 17/07/2014 Site Notice displayed from 25/06/2014 - 16/07/2014</p> <p data-bbox="424 517 1501 618">Four neighbour objections were received from the occupiers of 13 Leverton Street, Occupier at E1 4RP (address not provided), 1 Leverton Street and 3 Leverton Street.</p> <ol data-bbox="472 663 1513 1429" style="list-style-type: none"> <li>1. Breaking the terms of the licence.</li> <li>2. The applicant has specified that C1 accommodation will not be part of the development and that no partial demolition will be involved. Both these statements are untrue.</li> <li>3. I fear we will be affected by noise from the air conditioning units on the flat roof at the back, on the first floor. As these units will serve the 7 new bedrooms, the air conditioning will be going all night and the potential for noise nuisance to neighbours will be serious. I am asking Camden officers to request more details about noise prevention from the air conditioning units.</li> <li>4. There are no details about the positioning of the extract vents for the new en-suite bathrooms.</li> <li>5. Rather than making a good design statement, the proposed lift and staircase will ruin the look of the back of the building.</li> <li>6. Construction mess left on path when previous work has taken place. Noise from construction work.</li> <li>7. New outside staircase that will go all the way up the back of the building will result in overlooking.</li> <li>8. The proposal does not provide access for disabled or the elderly to the upper floor guest bedrooms.</li> <li>9. No objection to accommodation use for the upper floors.</li> </ol> <p data-bbox="424 1469 676 1503"><u>Officer Response</u></p> <ol data-bbox="472 1547 1501 2089" style="list-style-type: none"> <li>1. Concerns raised relating to licencing would not substantiate a reason for refusal. An informative shall be attached however in this regard.</li> <li>2. The proposal is for guest accommodation ancillary to the public house. If the site is to be used as an independent hotel from the public house, this would require planning permission.</li> <li>3. Concerns regarding noise are addressed in paragraph 5.2 and 5.3.</li> <li>4. A condition attached to any permission would ensure details of extract vents shall be submitted and approved in writing by the Council before the works begin.</li> <li>5. Design concerns have been addressed in paragraph 3.4-3.6.</li> <li>6. Concerns regarding construction work are dealt with under environmental health. An appropriate informative shall be attached.</li> <li>7. The staircase is a fire escape access and would not be used otherwise.</li> <li>8. Access issues are addressed in paragraph 4.1.</li> </ol>					

<p><b>CAAC/Local groups comments:</b></p>	<p><b>Kentish Town CAAC</b> –The CAAC were consulted directly via email. No comment has been received.</p> <p><b>Kentish Town Road Action:</b></p> <ol style="list-style-type: none"><li>1. Change of use has not been applied for. Change of use from A4 to C1 requires permission.</li><li>2. There are no details about the positioning of the extract vents for the new en suite bathrooms.</li><li>3. The Assembly Management is breaking the terms of the licence.</li></ol> <p><u>Officer response:</u></p> <ol style="list-style-type: none"><li>1. The proposal will refurbish guest accommodation ancillary to the public house. If the site is to be used as an independent hotel from the public house, this would require planning permission.</li><li>2. A condition attached to any permission would ensure details of extract vents shall be submitted and approved in writing by the Council before the works begin.</li><li>3. Concerns raised relating to licencing would not substantiate a reason for refusal. An informative shall be attached however in this regard</li></ol>
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## Site Description

The site is located at the junction of Kentish Town Road and Leighton Road, immediately to the north of Kentish Town underground station. The building is a Grade II listed building (listed in 1985) and is in the Kentish Town Conservation Area. The building occupies a prominent corner position and is visible in long views looking north up Kentish Town Road. The building dates from c.1898 and is designed in the French Chateau style. The property is currently used as a public house on the ground floor with ancillary staff accommodation on the first, second and third floors.

## Relevant History

**2010/5659/P** - External alterations public house including the installation of 4 new air conditioning units and associated works to the rear flat roof (Class A4). - GRANTED

**2010/6397/L** - Internal additions and alterations to include the relocation of existing radiators and installation of stud partition wall at first floor level and formation of new kitchen and new door opening and door at second floor level to existing pub (Class A4) – GRANTED

**2010/4374/L** - Internal alterations to listed grade two building (Class A4) including construction of cold room and enlarging trading area following minor internal demolition – WITHDRAWN

**2003/2823/L** - Installation of micro service lift from existing cellar to ground floor kitchen and formation of kitchen in cellar – GRANTED

**2010/5657/L** - Internal alterations including the relocation of ground floor wash room facilities and the construction of cold room at basement level with new access stairs and an enlarged trading area to the ground floor of public house (Class A4). REFUSED 10/12/2010 On the grounds of removing original timber walls and shelving at basement level. There was no objection to the location of the air conditioning units.

**2011/0027/L** - Internal alterations including the relocation of ground floor wash room facilities and construction of cold room at basement level with new access stairs and an enlarged trading area to the ground floor of public house (Class A4). GRANTED 16/02/2011

## Relevant policies

### NPPF (2012)

### London Plan (2011)

### LDF Core Strategy and Development Policies (2011)

#### Core strategies (2010)

- CS1 (Distribution of growth),
- CS5 (Managing the impact of growth and development),
- CS8 (promoting a successful and inclusive economy
- CS9 (achieving a successful Central London)
- CS11 (Sustainability)
- CS14 (Promoting high quality places and conserving our heritage)
- CS19 (delivering and monitoring the Core Strategy)

#### Development policies

- DP2 (making full use of Camden's capacity for housing)
- DP13 (employment premises and sites)
- DP14 (Tourism development and visitor accommodation)
- DP16 (transport implications of development)
- DP17 (walking, cycling and public transport)
- DP18 (parking standards and limiting the availability of carparking)
- DP19 (managing the impact of parking)
- DP20 (movement of goods and materials)
- DP21 (development connecting to the highway network)
- DP22 (Promoting sustainable design and construction)
- DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

### **Camden Planning Guidance 2013**

CPG1 (Design)

CPG6 (Amenity)

CPG7 (Transport)

## **Kentish Town Conservation Area Appraisal and Management Strategy 2011**

### **Assessment**

#### **1. Proposal**

1.1 Planning permission and listed building consent are sought for:

- A passenger lift is proposed on the rear north elevation. The lift shaft would be 1.5m wide, 2m deep and approximately 10.8m high.
- Three existing AC condensers would be relocated on the roof along with the installation of two new AC condensers.
- Proposed steel fire escape located to the rear of the property on the north-east side of the property.
- Existing kitchen ducting rerouted below new lift pit to rise through existing rooflight well and boxed in above bar walk.
- Internal alterations include demolishing walls and erecting new internal walls to form bedroom and shower rooms with acoustic performance walls to separate bedrooms. An existing rooflight on the first floor would be removed and roofed over to allow for kitchen duct risers. A window would be converted to a fire exit door on the second and third floor.
- The above works are all relate to the refurbishment and reconfiguration of the upper floors for continued use as ancillary guest accommodation for seven bedrooms.

1.2 The main issues of consideration are:

- Land use
- Conservation and Design
- Amenity for future occupiers
- Amenity

#### **2. Land use**

2.1 The proposal primarily relates to the reconfiguration of the upper floors to improve the existing guest accommodation. As a result, associated internal and external works are to take place to improve access, as well as plant works associated with the primary commercial element of the public house at lower levels.

2.2 Where proposals relate to the loss of public houses, Policy DP15 (Community and leisure uses) seeks to protect public houses, particularly those which serve a recognised community role such as providing evening classes, clubs or meetings.

2.3 With regard to this application, at ground floor level the main commercial element of the public house takes place, namely the bar and storage areas. The first floor serves as staff/guest accommodation and the manager's office, the second floor serves as staff/guest accommodation and

the third floor serves as staff/guest accommodation and a now redundant domestic kitchen. The upper floors do not therefore provide a community role, but rather ancillary staff/guest accommodation for the primary use as a public house.

2.4 Such a variety of uses associated with the main unit as a public house is not uncommon. Public houses typically retain some form of ancillary use at upper floor levels and in many cases residential use, be it transient or permanent, but always ancillary to the main use.

2.5 In this instance, the primary commercial floorspace on the basement and ground floor would remain, whilst the upper floors would be reconfigured to provide continued staff/guest accommodation, again ancillary to the main use as a public house. The proposal would not therefore constitute a change of use, as the staff/guest accommodation would not be undertaken as a separate unit, but rather remain associated with the public house falling within the A4 use class. The ancillary accommodation above is typical of pubs and would not be to the detriment of the primary business operation of the pub. The use is therefore considered to be acceptable.

### **3. Conservation and Design**

3.1 The building is a Grade II listed building (listed in 1985) and is in the Kentish Town Conservation Area. The building occupies a prominent corner position and is visible in long views looking north up Kentish Town Road.

3.2 Policy DP25 of Camden's Development Policies (Conserving Camden's Heritage) allows for alterations and extensions to a listed building, "where it considers that this would not cause harm to the special interest of the building".

3.3 The planning and listed building applications propose a rear extension from first to third floor level within a recess, to accommodate a lift shaft. The works would allow internal alterations for the change of use of part of the upper floors from ancillary use to guest accommodation.

3.4 The proposed lift shaft would be located to the rear of the building and would not rise above the terminating height of the existing building. It is considered the lift shaft, by reason of its overall height, scale; position would not be a bulky addition and would be sympathetic to the listed building and not detract from the conservation area.

3.5 The AC units would be located on the existing flat roof around the roof lantern. Three AC units would be relocated with two additional AC units installed. The proposed plant to the flat roof would be incorporated in a sympathetic manner. The plant would not be the subject of public views, but would be the subject of private views, albeit obscured by the existing roof lantern. Whilst the plant would have some impact in terms of its visibility from the rear, such alterations in this location are not considered harmful to the character or appearance of the host building and surrounding area.

3.6 The conservation officer had no objections to the proposal subject to conditions. This would ensure samples of materials to be used in the construction of the external surfaces of the extension, samples of materials or detailed drawings have been submitted and approved by the LPA, a structural engineers report outlining the works needed and the proposed method of installing the new lift, and no lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.

3.7 It is concluded that the proposals would not cause damage or loss to the significance of the heritage asset and are sympathetic to the scale, mass and height of the listed building, with minimal

intervention on the fabric and preserving the character-defining elements of the historic fabric and retaining the authenticity of the building.

#### **4. Amenity for future occupiers**

4.1 Policy CPG6 (Amenity) expect all development of buildings and places, including changes of use and alterations to or refurbishment of existing buildings where practical and reasonable, to be designed to be accessible and useable by all to promote equality of opportunity. However, conversions may not be able to meet all of the relevant criteria, and listed buildings have even more constraints. The Lifetime Home statement indicates which criteria can and cannot be met. Given the building is grade II listed and the proposal seeks to refurbish existing guest accommodation, the proposal would be acceptable.

#### **5. Amenity**

5.1 The nearest residential property is 1 Leighton Road, abutting the site to the east. The potential impacts most likely to be associated with the guest accommodation use would be noise and nuisance from the comings and goings of the guests, transport related impacts such as congestion from additional taxi trips and site servicing. The proposed guest accommodation is of a relatively small scale with the ability to accommodate 14 persons per night at full capacity (7 rooms). Whilst ancillary to the main use, the guest accommodation would be positioned on a busy red route in a town centre location. Given nature of the ancillary use and its scale, the overall impact on the amenity of neighbouring occupiers would be not be of significant harm.

5.2 An acoustic report by Accon UK, dated 17 April 2014 has been submitted in respect of the proposed AC units. The Councils Environmental Health officer has recommended noise conditions to ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by noise and vibrations. Due to the proximity of the surrounding houses, the two new condensing units are required to be fitted with timer switches so as not to run between the hours of 0000hrs and 0800 hrs, to ensure that the amenity of local neighbours is not compromised.

5.3 Due to the units being located at roof level, alongside the glass lantern and the large flue, it is not considered that they would cause a detrimental impact on the surrounding neighbours in terms of loss of daylight, sunlight or outlook.

5.4 Therefore the two additional units and the relocation of three units are considered acceptable in relation to planning policy.

**Recommendation:** Grant Planning permission subject to conditions  
Grant Listed building consent subject to conditions