

# 11 Princess Road



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<b>Delegated Report</b> (Member's Briefing)		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>25/12/2014</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>25/12/2014</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Fergus Freaney				1) 2014/7338/P 2) 2014/6935/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
11 Princess Road London NW1 8JR				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>							
1) Erection of single storey rear extension to replace existing conservatory at pub 2) Erection of new 2-storey house, including basement & sunken garden, and new boundary wall (following demolition of garage building).							
<b>Recommendation(s):</b>		1) Grant Planning Permission 2) Grant Planning Permission					
<b>Application Type:</b>		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>09</b>	No. of responses	<b>57</b>	No. of objections	<b>42</b>
Summary of consultation responses:	<p data-bbox="424 427 979 499">Site notice: 03/04/2014 – 24/12/2014 Press notice: 04/12/2014 – 25/12/2014</p> <p data-bbox="424 539 1506 611">A <u>support petition</u> set up by the landlord and signed by locals at the pub has been submitted with <u>180 signatures</u></p> <p data-bbox="424 651 1481 723"><u>42 Objections</u> (including 3x Councillor objections) received from residents, the relevant planning considerations summarised as follows:</p> <p data-bbox="424 763 1517 976"><b>The pub is being lost and will become a restaurant.</b> <u>Officer comment:</u> <i>This is not the case, the pub will remain and there is no application for a change of use away from this use. Food will be served at the pub, but will be prepared off site to accord with an A4 Public House use class. Food being served within pubs is a very common feature and does not alter the use away from a public house.</i></p> <p data-bbox="424 1016 1509 1529"><b>There will be a loss of pub garden space to the detriment of the viability of the pub:</b> <u>Officer comment:</u> <i>The pub will continue to have a garden, the existing garden is approx. 150m, following construction of the proposed dwelling (subject to a separate application) and extension approx. 64sqm of outdoor space would remain. Although slightly less than 50% it is considered that the space would be improved by way of better landscaping and arrangement. It should be noted that there is no policy/guidance aimed at protecting pub garden space therefore the improvement works and retention of space is welcomed. Given that outdoor space will generally only be used during the warmer/brighter periods of the year it is not considered that its reduction in area would be detrimental to the viability of the pub in its own right – furthermore the general improvement works to the garden arrangement and internal layout of the pub will more than outweigh any potential harm that reducing the garden space may cause.</i></p> <p data-bbox="424 1570 1501 1895"><b>There would be noise/impact on amenity caused by the openable doors/windows within the new extension:</b> <u>officer comment:</u> <i>The orientation of the proposed extension would, in effect, create a courtyard area with the focus of view from the extension out into a more secluded space, the openable doors/windows would not face directly on the adjoining flats to the rear (as now happens from the existing extension) therefore noise/amenity issues are likely to be reduced. Furthermore, noise will not become more of an issue than it may already be at the pub – this will need to be subject to the appropriate licensing laws.</i></p> <p data-bbox="424 1935 1509 2152"><b>The new dwelling would block light to the pub garden:</b> <u>Officer comment:</u> <i>The height of the proposed house has been reduced from 2.5 storeys to 2storeys following pre-app advice and further community consultation. This proposal is similar in height to the other buildings on Kingsdown Street and is lower than the 3 storey Auden Place flats. A daylight and sunlight study has been carried out showing that the house is BRE compliant.</i></p>					

**The proposal is an example of unnecessary overdevelopment in a densely built up area:** Officer comment: *The proposal provides a 2 bedroom house which is identified as a very high priority within the borough (DP5 of the Local Development Framework). The proposal meets the requirements in terms of Camden's minimum size and access standards. It should also be noted that historically housing existed on this plot of land.*

**Concerns regarding the excavation of the basement, construction management, sunlight/daylight and trees.** Officer comment: *A series of reports have been provided including a Basement Impact Assessment, Construction Management Plan, Sunlight/daylight assessment and Arboricultural report. The BIA has been independently assessed and no concerns have been raised. The CMP has been reviewed by the councils transport team and no concerns have been raised, this will be secured by way of section 106 legal agreement. The arboricultural report has been reviewed by the council's tree officer and the tree/shrubs being removed are not considered high quality the existing Apple tree (and Mistletoe) will remain unaffected by the proposal. The sunlight/daylight assessment has been carried out by a qualified professional with relevant raw data provided, no concerns have been raised.*

**Passive surveillance over Auden Place to the rear would be lost:** Officer comment: *Any surveillance offered by the pub garden is severely compromised by the trees, shrubs and vegetation on the strip of land between the pub and Auden Place. The proposed alterations would not affect this; furthermore passive surveillance will continue to be offered by the upper stories of the buildings on Princess Street and the properties on Auden Place itself.*

**The applications should be considered as a pair, and not individually:** Officer comment: *As they are for two distinct schemes which could be erected exclusive of each other it is not considered that they should have been submitted as a single application to the council. However, for ease, and to assess the cumulative impact of both, they will be assessed together in this report.*

Primrose Hill CAAC – Objection

1. Main issue: The main issue for the Committee is whether the proposals preserve or enhance the character and appearance of the conservation area. The main areas of consideration are the effect of the proposals on the surviving pub garden, in terms of its use, now formally recognized as of community value, and of the impact on the significance of the character and appearance of the conservation area. Officer comment: See Section 13, viability.
2. Process: The two applications need to be considered together, as well as on their own merits. The conservatory proposal (2014/7338/P) is clearly made in the expectation of construction of the house. While some drawings (for example, 985.03 - P3 - 150, 151, and 182) appear to show the conservatory without the house constructed, the ground floor plans provided show no access to a surviving garden through the south wall of the proposed conservatory. Were the conservatory to be constructed as now shown, without the house, the garden to the south would not be accessible from the public areas of the pub. We address the issues arising if the house were consented without the conservatory approved in our advice on application 2014/6935/P. Officer comment: As they are for two distinct schemes which could be erected exclusive of each other it is not considered that they should have been submitted as a single application to the council. However, for ease, and to assess the cumulative impact of both, they will be assessed together in this report.
3. We note that the applications have been subject to no request for pre-application consultation with the Advisory Committee. Officer comment: This would be a matter for the applicants and the CAAC – there no formal requirement for CAACs to be consulted at pre-planning stage.
4. We address first the impact of the proposed conservatory and house on the pub garden.
5. We note the overall guiding policy on use in the NPPF at para 70 which states ‘To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: ... guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;’.
6. We note that the test here is to guard against decisions which would ‘reduce’ the community’s ability to meet its day-to-day needs.
7. The garden has been specifically recognized by the Council as part of the larger recognition of the Albert as an asset of community value (confirmed 17 November 2014). The local community character of the pub was recognized, as was its value as a meeting place for local clubs. The garden’s function in this role was specifically acknowledged. The recognized value of the garden depends on its scale, and its location, which together have no equivalent in the conservation area. On its size, what is critical is that group users, whether sports groups or extended family parties, have the space to meet. The reduction to less than half the current space threatens this

**CAAC/Local groups\* comments:**

\*Please Specify

community value. It clearly fails the test of NPPF 70 by 'reducing' the community's ability to meet its recognized day-to-day needs. Officer comment: See Section 13, viability.

8. The proposals also harm the character of the existing garden: that is, they reduce its function as an external space of community value by changing its character. The existing space is both enclosed, and so gives a sense of safety, but with views through to Kingstown Street, reinforcing the sense of community value – an open space visible to the larger public realm. These views would be completely destroyed in the present proposals. Officer comment: Please see paras 4.9-4.10, the site has historically been built on.
9. The loss of much of the current openness of the garden to Calvert Street, for which the garden provides a degree of informal supervision, would also be a further loss to the community value of the garden. These aspects of integration within the community space – neither enclosed by high walls, nor abutting busy pedestrian routes – are key aspects to its community role. Officer comment: Any surveillance offered by the pub garden is severely compromised by the trees, shrubs and vegetation on the strip of land between the pub and Auden Place. The proposed alterations would not affect this; furthermore passive surveillance will continue to be offered by the upper stories of the buildings on Princess Street and the properties on Auden Place itself.
10. The openness to the south has also been important in allowing the garden to enjoy direct sunlight over extensive areas. The proposals would greatly diminish this. Pressed into the northern end of the open space, the surviving garden would be shaded by the raised roof to the conservatory, while the existing configuration of Auden Place already shades this part of the garden from the western, afternoon, sun. Officer comment: Please see section 14 for sunlight/daylight assessment
11. We note in support of the protection of the asset of community value the recognition of these issues by the Planning Inspector in the appeal decision in 2014 on the Chesham Arms, 15 Mehetabel Road, London, E9 6DU (APP/U5360/C/13/2209018, paras 30, 35-40), and references to Appeals Ref APP/25600/A/12/2172028 & 2175522, and APP/X5990/A/14/2215985 (inquiry document 17). Officer comment: This property appears to be in the LB Hackney and will have been assessed on its own merits.
12. We note that if application 2014/6935/P were not consented, the conservatory application, as currently submitted, would still cause the harms identified, by destroying access to the southern section of the garden. Officer comment: Please see section 4 for assessment of the design of the rear extension.
13. The design of the conservatory, with its solid brick wall to the south, would, in itself, be harmful to the character and appearance of the conservation area. Rear additions are required to 'be in harmony with the original form and pattern of the house and the historic pattern of extensions within the terrace or group of buildings' (PH27 in the Primrose Hill conservation area statement, formally adopted in 2001

	<p>with strong community support). In this case the proposed conservatory extends across the garden in a form quite alien to the existing pattern: its alien quality is reinforced by its division of the garden into two, separated, parts. The proposal would neither preserve nor enhance the character or appearance of the conservation area. <i>Officer comment: Please see section 4 for assessment of the design of the rear extension.</i></p>
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## Site Description

The site is located on the east side of Princess Road. It comprises public house – ‘The Albert’ – which is an attractive three storey corner pub, close to Primrose Hill which dates from the mid-19th century. The building shares common characteristics with the adjacent terrace to the north, with a strong stucco parapet and stucco surrounds to its timber sashes, but with a traditional timber and tiled ground floor frontage. To the rear is a large garden that encompasses both this site and part of the rear garden of the adjacent building at no.13 Princess Road.

The ground and basement floors are in Class A4 pub use whilst the first and second floors are in ancillary residential use to the pub. The property is not listed but is located within the Primrose Hill Conservation Area.

The pub and meeting room are considered to be of a significant value to the community and as such the building has been designated as an Asset of Community Value (ACV) since 17/11/2014. An ACV is a nominated asset under the Localism Act 2011. If a landowner wishes to sell a registered property they must notify the Council and community groups who are able to trigger a 6 month moratorium if they want to buy an ACV. The Albert PH was nominated as an ACV because it is a traditional pub serving the local community and as such is distinct from other pubs in Primrose Hill. Social, sporting and cultural groups meet at the pub regularly and it is more generally a social hub for the area. The garden is a particularly valued feature of the pub.

## Relevant History

8600186 – Demolition of a garage and erection of a conservatory for use as a licensed extension to the existing saloon bar. *Granted 02/04/1986*

2014/2533/P - Conversion of residential accommodation (ancillary to public house) on 1st and 2nd floors to create 2 selfcontained 2-bedroom flats (Class C3), and erection of a mansard roof extension to provide a selfcontained 1 bedroom flat, plus associated alterations to ground floor rear entrance. *Granted 11/09/2014*

## Relevant policies

### National Planning Policy Framework (NPPF) 2012 The London Plan 2011 (with alterations 2013)

LDF Core Strategy and Development Policies  
CS5 Managing the impact of growth and development  
CS10 Supporting community facilities  
CS13 Tackling climate change through providing higher environmental standards  
CS14 Promoting high quality places and conserving our heritage.

DP2 Making full use of Camden’s capacity for housing  
DP5 homes of different sizes  
DP15 Community and leisure uses  
DP16/17/18 Transport  
DP20 Movement of Goods and Materials  
DP21 Development connecting to the highway network  
DP22 Promoting sustainable design and construction  
DP24 High quality design  
DP25 Conserving Camden’s heritage  
DP26 Managing the impact of development on occupiers and neighbours  
DP27 Basements and lightwells

**Camden Planning Guidance (CPG 1) - Design (revised 2013)**  
**Camden Planning Guidance (CPG 2) - Housing (revised 2013)**  
**Camden Planning Guidance (CPG 4) – Basements and lightwells**



## Primrose Hill Conservation area statement.

### Assessment

#### 1. Proposal:

1.1. Permission is sought for the following

- Replacement of existing single storey conservatory with enlarged single storey extension at the pub.
- Erection of 2 storey single family dwelling within the pub garden fronting Kingstown Street.

2. The applications have been submitted separately as they relate to schemes which could be implemented exclusively of each other, however, for the sake of clarity they shall be assessed together.

#### Assessment:

#### 3. Single storey rear extension

3.1. The main planning considerations in relation to the single storey rear extension are the impact on the:

- appearance of the host building (Design).
- amenity of neighbours (Amenity).

#### 4. Design

4.1. The pub and its garden are noted as an asset of community value, therefore the application was carefully considered.

4.2. The existing single storey conservatory measures approx. 3.9m in depth x 3.7m wide x 3.7m high (at its highest point). It is constructed from timber framed glazing and brickwork.

4.3. The proposed extension would measure approx. 9.6m in depth x 4.2m wide x 3.4m wide at its highest point. It would be constructed from glazed opening doors, brickwork and contain a green roof.

4.4. Camden Planning Guidance advises that rear extensions should be secondary to the building being extended; respect and preserve original design and proportions of the building; respect and preserve the historic pattern and townscape of built to unbuilt space; allow the retention of a reasonably sized garden; and, retain the open character of existing garden landscaping and garden amenity.

4.5. It is considered that the replacement of the existing conservatory with the proposed extension is acceptable in design terms. Although larger, the proposed extension would still be very much subordinate to the building being extended, it would be marginally lower than the existing at its highest point and it would not obscure or harm any historic features.

4.6. It is a simple design which would read as a contemporary and complementary addition to the more historic main building without competing for attention or appearing overbearing.

- 4.7. The existing pub garden has an area of approx.150sqm- following construction of the proposed extension and dwelling (discussed later in this report) - approx. 64sqm of outdoor space would remain. Although this is slightly less than 50% of the current garden space, it should be noted that historically part of the garden fronting Kingstown Street did contain a dwelling(s).
- 4.8. The remaining pub garden would be redesigned to provide seating around the perimeter and the apple tree in the centre would be made more of a feature with a circular seating area placed around it. Furthermore, the proposed extension would contain openable glass doors which allows for the garden to be enjoyed from within the pub during all seasons. At present the garden could only realistically be used during seasons when the weather is favourable.
- 4.9. When the site's historic built nature is taken into account, together with the specific design of the rear extension and redesigned pub garden it is considered that the proposal is acceptable in design terms. A significant sized pub garden would be retained, which would be better laid out to allow for improved movement of customers, the proposed extension would allow for views out into the garden, which currently can only be enjoyed by a small number of people in the limited seating within the existing conservatory.
- 4.10. It is considered that the pubs status as an asset of community value will not be impacted upon negatively as a result of the scheme. The extension will allow for more internal space for customers to enjoy the pub throughout the year, whilst still being able to enjoy the outside space by way of the openable doors. The existing conservatory has limited seating and is poorly designed for pub use. During periods when outdoor pub use is likely the redesigned garden will provide ample space in an attractive environment.

## 5. Amenity

- 5.1. It is not considered that there would be any impact on the amenity of surrounding residents. The pub/garden has been in use for many years and will continue to operate in the same manner. The erection of the extension would not allow for any additional noise nuisance issues beyond what would be currently possible in the existing garden – any such issues will need to be considered by the Council's Environmental Health Team.
- 5.2. Furthermore the extension would be positioned so as not to impact on the light levels of surrounding properties, it is set away from the boundary with other buildings on Princess Road and is a relatively low rise structure.

## **Two Storey Dwelling**

6. The main planning considerations in relation to the two storey dwelling are:

- Land Use
- Standard of residential accommodation
- Residential Amenity
- Design
- Transport
- Basement Excavation
- Trees

## 7. Land use

- 7.1. The proposal would see part of the pub garden fronting Kingstown Street annexed to allow for the creation of a two storey dwelling plus basement.
- 7.2. When historic maps were examined they showed a narrow series of structures to the rear of the pub in 1874, Located in close proximity to the rear elevation of the building. By 1892 these had been replaced with a more conventional terrace of 4 houses which project further back into the open space behind the pub. These houses were demolished during the 20th century and the space now forms part of the pub's substantial rear garden. The buildings on the opposite side of Kingstown Street at nos. 1-5 survive as vestiges of the mews that once served the large houses on Regent's Park Road. These are located directly at the back of pavement and the historic OS maps suggest that the former houses to the rear of the pub had a similar relationship. Given the historic built nature of the area the principle of a dwelling which complies with our wider policy and guidance is considered to be acceptable.
- 7.3. Policy CS6 seeks to maximise the supply of additional housing to meet or exceed Camden's target of 5,950 homes from 2007-2017, including 4,370 additional self-contained homes and maximise the supply of additional housing over the entire plan period to meet or exceed a target of 8,925 homes from 2010-2025, including 6,550 additional self-contained homes. The proposed scheme would provide 1x2bed unit which would contribute to these targets.
- 7.4. Policy DP5: Homes of different sizes states that 2bed dwellings are a very high priority for the borough, with 4 bedroom dwellings being a medium priority. There is an aim for 40% of new development to be 2bed flats. Therefore the proposed mix is considered appropriate. CPG2: Housing and states minimum dwelling sizes for a 4 person dwelling (2xdouble bedrooms) as 75sqm – the property would measure approx. 97sqm.

## 8. Standard of residential accommodation

- 8.1. The proposed dwelling would be laid out with living/kitchen accommodation at basement level with direct access to a sunken garden. Bedrooms with en suite facilities would be located at ground and first floor levels.
- 8.2. The proposed bedrooms would measure 14.9sqm an 19.3sqm which complies with Camden's minimum standard (11sqm for double rooms).
- 8.3. The layout of the flat is good, rooms have generous proportions and are laid out well, with the exception of the basement they also have dual aspect. As the basement has direct access through large bi-folding glazed doors this lack of dual aspect is, on balance, considered to be acceptable.
- 8.4. A lifetime homes statement has been submitted which demonstrates that the dwelling will comply with all relevant lifetime homes criteria.

## 9. Residential amenity

- 9.1. The proposed dwelling would have both a good outlook from the dual aspect ground and first floor yet would not be overlooked to the detriment of future residents. Similarly, the new dwelling would not allow for overlooking to surrounding residential properties above what may currently be possible from the pub garden or the public realm.

9.2. The dwelling would contain its own rear garden at basement level measuring approx. 18 sqm. This is considered to be a sufficient size and is acceptable.

## 10. Design

10.1. The proposed dwelling would be constructed from brickwork and is similar in height, scale and size to other more traditional mews houses on Kingstown Street so that it is in proportion to the immediate physical context. It has a two storey elevation facing onto Kingstown Street similar to the residential buildings on the opposite side of the road.

10.2. The façade treatment fronting Kingstown Street would be a contemporary interpretation of the more traditional mews houses on the street. At ground floor there would be a large element of glazing to reflect the openings for horse and carts, with smaller windows above.

10.3. Policy DP25 states that The Council will only grant planning permission for development in Camden's conservation areas that preserves and enhances the special character or appearance of the area. The character of conservation areas derive from the combination of a number of factors, including scale, density, pattern of development, landscape, topography, open space, materials, architectural detailing, and uses.

10.4. The Primrose Hill Conservation Area Statement supports this, stating - New development should be seen as an opportunity to enhance the Conservation Area. All development should respect existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings

10.5. The proposal is considered to be acceptable; it reads as a contemporary addition to the street but makes use of historic elements in the form of materials and design touches. It respects and preserves the special character of the conservation area by taking reference from the surrounding properties in terms of scale, material and architectural detailing.

10.6. In order to ensure a high quality finish conditions will be added requiring that material samples are provided.

## 11. Transport

11.1. The site has a PTAL rating of 3 (good) and is within the Primrose Hill CPZ, no off-street parking is proposed.

11.2. Camden Development Policy DP18 states that we will expect development to be car-free within certain town centres and other highly accessible areas.

11.3. The site is within 10mins walk of Camden Town Station/Chalk Farm Station and is close to numerous bus routes. Furthermore it is within close proximity of the Camden Town centre, the applications have proposed that the development is Car-free to take this into account. This will be secured by way of a s106 legal agreement.

11.4. The proposal would have provision for 2x cycle parking spaces in a store by the main entrance. This complies with London Plan requirements for 1x cycle space per bedroom.

11.5. The building proposes a secure bin store alongside the main entrance. The amount of storage is considered to be sufficient and has a level access directly off the highway and within 10 metres

from the point of storage to the collection vehicle. The proposals are therefore compliant with the guidance set out in CPG1.

11.6. Given the relatively confined nature of the site, its residential surroundings and the scale of the development coupled with its location within a busy part of the Camden, it is considered that the construction process will need to be controlled by way of a construction management plan, secured by way of a legal agreement, to ensure the highways network is not seriously impacted upon and the amenity of residents is not detrimentally affected.

## 12. Basement

12.1. The proposed basement would have an internal area of approx. 35sqm and an external area for a sunken garden of approx. 18sqm. The total area being excavated being approx. 53sqm and approx. 2.6m deep.

12.2. A BIA has been submitted which has been independently assessed.

12.3. CPG4 (Basement and lightwells) refers primarily to policy DP27, which states that in determining proposals for basement and other underground development, the Council will require an assessment of the schemes impact on draining, flooding, groundwater conditions and structural stability where appropriate. The Council will only permit basement development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability.

12.4. The independent assessment of the applicants BIA found that the evidence presented appeared sound; the assessments made appeared reasonable; and the conclusions and proposed mitigation measures appeared sufficiently robust.

12.5. It was noted that some details regarding the construction methodology has not been provided, nonetheless the conclusions were as follows:

12.6. *The submitted BIA does reflect the processes and procedures set out in DP27 and CPG4.*

12.7. *There are some elements of detail which have not been fully addressed. However, given the particular circumstances of this site it is not considered that the present submission is so technically deficient as to not meet the requirements of DP27, in respect of: a) Maintaining the structural stability of the building and any neighbouring properties; b) Avoiding adverse impact on draining and run-off or causing other damage to the water environment, and; c) Avoiding cumulative impacts on the structural stability or the water environment.*

12.8. Based on both the applicants BIA and the independent assessment carried out by a suitably qualified engineer, it is considered that the basement element of the proposal is acceptable and is compliant with both DP27 and CPG4.

## Other issues

### 13. Viability

13.1. It is noted that there is concern from local residents that the owners of the pub may wish to change the use to a restaurant or affect its viability through the implementation of these applications. However, the council has received no applications to change the use of the pub, nor

can the council presume approval of these applications would lead to a change of its use.

13.2. The proposals need to be assessed on their own merits and based on relevant information. It is not considered that the schemes would impact upon design or amenity of the adjoining neighbours, and the proposed basement has been found to be policy compliant – and they are therefore acceptable on those grounds.

13.3. As no change of use is proposed there is no planning requirement for the impact of the proposed schemes on the viability of the pub to be considered. Nonetheless, it should be noted that the current landlords have signed a long term management agreement with the freeholders of the pub to operate the property as a public house.

13.4. The landlords – a company called ‘London Pubs’ - are a company that owns and operates pubs in London, including both The Stag and The Magdala public houses, both in Hampstead. The Magdala is also listed as an asset of community value and has been subject to a recent application create new flats within the building and extend, in order to ensure the future viability of the pub (ref 2014/6588/P) . The pub operators they have stated that:

13.5. *“the economic dynamics of many London pub sites are unsustainable. Rents are high and getting higher, operating costs of maintaining a three or four storey Victorian building challenge even the strongest pub operators.*

13.6. *As a business we whole heartedly support the planning application for the proposed 2 bedroom unit in part of the existing garden. Without this development in the garden, the rent that would need to be levied on the site would make it unviable.*

13.7. *There is a reason that the last tenants handed back their keys for the lease and that there was no viable financial future for their model.*

13.8. *We strongly believe that the trading space on the ground floor is the best route forward for the pub site, and that a reduced garden space and improved conservatory at the rear of the building will create a sustainable long term viable business with reasonable operating costs that the community can enjoy”*

13.9. When the pub operator and type of proposed development are taken into account, it is considered that contrary to impacting negatively upon the viability of the pub the scheme will allow for an improved business and therefore improve the viability and continued use of the pub.

13.10. The internal space created will not impact upon the traditional pub interior, but will provide a modern, attractive area to the rear, with views into the garden and will likely act as a draw for customers. The proposed two storey dwelling is proposed to help subsidise the rent and maintenance so that the pub can remain as a pub.

#### 14. Impact on sunlight/daylight

14.1. A number of objectors have cited loss of sunlight/daylight levels in the beer garden as a result of both the schemes. It should be noted that the Council has no specific policies aimed at protecting sunlight/daylight levels within pub gardens. Nonetheless, a sunlight/daylight assessment has been submitted to demonstrate impact on light levels.

- 14.2. The assessment takes into account the impact on surrounding properties and the beer garden itself.
- 14.3. The report findings show that daylight access to the surrounding properties will not be significantly affected. The ground floor window of the opposing building at 38-43 Kingston Street is the only building that would be affected to a degree. The space this window serves has additional south facing glazed areas that would be unaffected by the scheme proposals.
- 14.4. Daylight access to the New Mews House is shown to exceed the minimum advised levels for the relevant room activities.
- 14.5. Direct sunlight access to the surrounding garden and window areas has been assessed. The garden of Albert Pub will meet the BRE guidance for sunlight access in the presence of the scheme proposals. The ground floor opposing window of No. 38-43 Kingston Street will be impacted, but as detailed above the space it serves benefits from additional glazing on its south orientation that would be unaffected by the scheme proposals, therefore the overall impact is likely to be negligible.

## 15. Trees

- 15.1. The proposal would see a small Japanese Flowering Cherry tree removed from the rear garden at the boundary with Kingstown Street (to accommodate the new dwelling). This tree does not have a TPO and does not contribute significantly to the conservation area. Its removal is not considered to be harmful.
- 15.2. The proposed rear extension would extend into a small part of the root protection zone of trees outside of the boundary. However, as the area within the pub's ownership is currently hard standing it is not considered that a significant amount of roots would extend into this zone and there would be no harm caused to the surrounding trees.

## 16. Sustainability

- 16.1. It is proposed that the dwelling will achieve the mandatory energy requirements of Code for Sustainable Homes Level 4. This requires that Building Regulations Part L (2010) is achieved.
- 16.2. The proposal contains a green roof on the extension and photovoltaic panels on the roof of the dwelling, limited details have been provided at this stage, nonetheless these will be secured by way of condition.

## CIL

for the proposal is liable to pay CIL (community infrastructure levy) as it creates a new dwelling. Camden will be introducing its own CIL for all applications granted after the 1<sup>st</sup> April. Should the application not be finalised before this date it will be liable for a contribution of £500 per sqm (£48,500) in addition to the £4,850 payable for the Mayoral CIL.

## 17. Conclusion

- 17.1. The Albert Pub is an attractive, well preserved local pub which has been listed as an Asset of

Community Value – it is therefore important that any developments which affect the pub are carefully considered so as not to negatively impact upon this status.

- 17.2. However, the listing of the pub as an Asset of Community value does not imply that it needs to be preserved in aspic. In order to maintain the use as a public house it needs operate in a viable manner within a competitive market, much has been made in recent years of the loss of many valuable local pubs.
- 17.3. The Council wishes to preserve pubs, such as this, which are a valuable asset to the community; however the council is mindful that too much restriction can result in public houses no longer being viable and shutting down.
- 17.4. The current landlords operate a small chain of pubs in London, including two within the borough, their name – ‘London Pubs’ – is indicative of the type of business they operate. The proposals submitted do not imply that the use of the pub would be affected in any way, to the contrary – the enlarged rear extension would allow for an increase in usable internal pub space and improved facilities (such as a disabled toilet at ground floor level).
- 17.5. Whilst the loss of such a large garden is regrettable, it considered that on balance, the erection of the new dwelling will help subsidise the continued use of the pub. It should also be noted that historically this site would have contained buildings.
- 17.6. The proposals comply with all of Camden’s policies with regard to Design, Amenity, provision of housing and basements and is therefore considered to be acceptable, subject to the following section 106 Legal Agreement clauses (in relation to the dwelling house):
- Car-free
  - Construction Management Plan

**Recommendation: 1) Grant Planning Permission; 2) Grant Planning Permission subject to S106 legal agreement.**

**DISCLAIMER**

**Decision route to be decided by nominated members on *Monday 16<sup>th</sup> March 2015*. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for ‘members briefing’**



Brooks Murray Architects  
Brooks Murray Architects  
8-10 New North Place  
London  
EC2A 4JAApplication Ref: **2014/6935/P**  
Please ask for: **Fergus Freaney**  
Telephone: 020 7974 3366

10 March 2015

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:

**Rear of The Albert PH  
11 Princess Road  
London  
NW1 8JR****DECISION**

Proposal:

Erection of new 2-storey house, including basement &amp; sunken garden, and new boundary wall (following demolition of garage building).

Drawing Nos: 985.03 - P2 - 101A; 109B; 110B; 113B; 150B; 151B; 152B; 15A; 180B; 181B  
985.03 - P - 010; 011; 013; 050; 051; 052; 080; 002; 009

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 985.03 - P2 - 101A; 109B; 110B; 113B; 150B; 151B; 152B; 15A; 180B; 181B 985.03 - P - 010; 011; 013; 050; 051; 052; 080; 002; 009

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Samples and manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority)

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy

DP22 of the London Borough of Camden Local Development Framework  
Development Policies.

- 6 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

**DRAFT**

**DECISION**

Brooks Murray Architects  
Brooks/Murray Architects  
8-10 New North Place London  
EC2A 4JA United Kingdom

Application Ref: **2014/7338/P**  
Please ask for: **Fergus Freaney**  
Telephone: 020 7974 3366

11 March 2015

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**11 Princess Road**  
**London**  
**NW1 8JR**

# DECISION

Proposal:  
Erection of single storey rear extension to replace existing conservatory at pub  
Drawing Nos: 985.03 - P - 001; 002; 009; 010; 050; 051; 052; 080  
985.03 - P3 - 110; 113; 150; 151; 180; 181; 182

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

985.03 - P - 001; 002; 009; 010; 050; 051; 052; 080

985.03 - P3 - 110; 113; 150; 151; 180; 181; 182

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 5 Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the local planning authority before any works on site are commenced. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service,

Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment



Shed to be demolished – from Kingstown Street



View along Kingstown Street from junction with Princess Road (site to the right)





Beer Garden



View from rear into beer garden



View from beer garden towards location of new extension and dwelling



Rear view showing site of extension and new dwelling



Cherry Tree at boundary with Kingstown Street