

Bull and Last Public House
168 Highgate Road, NW5 1QS
2015/4094/P



Photograph One: Aerial view of Host Property 168
Highgate Road, on corner of Woodsome Road



Photograph Two: View from Highgate Road



Photograph Three: View From corner of
Woodsome Road and Highgate Road



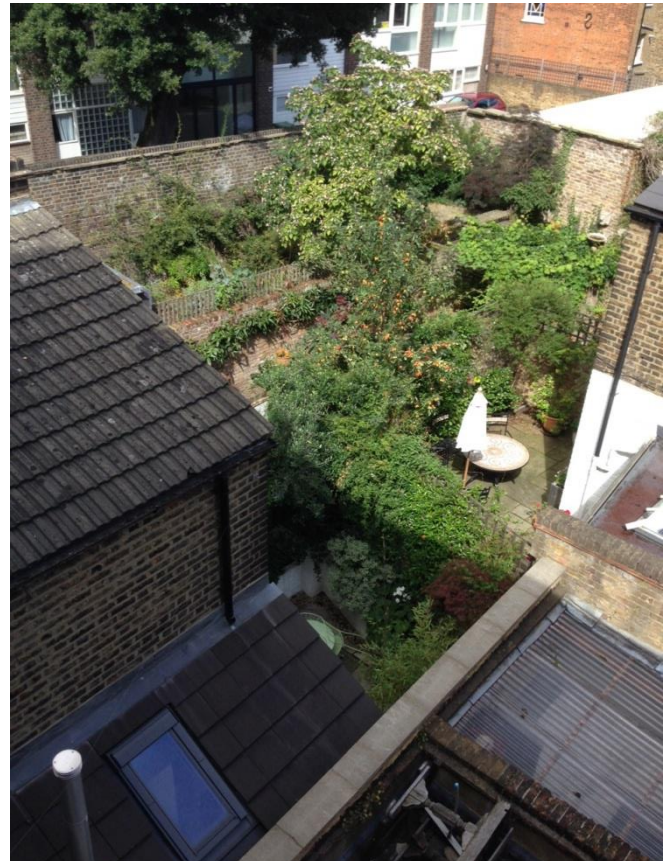
Photograph Four: View down Woodsome Road



Photograph Five: View from opposite side of Woodsome Road



Photograph Six: View from existing window of upper floor of public house



Photograph Seven: View from existing window of upper floor flat



Photograph Eight: View of existing structures on site in infill space

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	10/09/2015
		N/A		Consultation Expiry Date:	21/08/2015
Officer			Application Number(s)		
Jennifer Chivers			2015/4094/P		
Application Address			Drawing Numbers		
The Bull And Last PH 168 Highgate Road London NW5 1QS			See Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s) Works to the existing pub to provide bed and breakfast units with associated loft conversion, demolition of the existing kitchen to create a side extension with associated basement to create two flats and basement excavation to existing pub.					
Recommendation(s):		Grant Planning Permission subject to conditions and a section 106 legal agreement			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	9	No. of responses	23	No. of objections	19
					No of support	2
Summary of consultation responses:	Site notice displayed 06/08/2015 – 27/08/2015 Press advert published 05/08/2015 – 26/08/2015					
	Objections have been received from the following addresses: <ul style="list-style-type: none">• 32 and 32A Grove Terrace• 11 Croftdown Road• 1 Hillside, Highgate Road• 2A , 3A, 8a, 5A, 16, 44, 45,62 Woodsome Road• 38 York Rise• 43 Lady Somerset• 7 Burghley Road• 4 Grove Terrace• 56 Croftdown Road• 56 Lady Somerset• Flat 3, 36 Darmouth Park Road• Resident of Woodsome Road					
	The issues referred to in the objections are summarised as follows:					
	<u>Basement</u> <ul style="list-style-type: none">• The effects of excavation and underpinning and new foundations on surrounding soil and underground water• Levels of noise and disturbance from construction works.• The BIA is incorrect there are trees within 25 metres of the proposed basement.• The properties on Woodsome Road have very shallow foundations and the houses exhibit signs of movement. The proposed basement will affect this.• The basement extension will make the area more prone to flooding and subsidence.• Building basement over river fleet and underground services full hydrology and geological surveys would have to be done before, during and after any work carried out.• The immediately adjoining properties have no cellars any underpinning to the boundary and party walls are likely to cause movement and subsidence.• There is evidence of subsidence and ground movement in the surrounding properties in the form of cracks and house movements are common.• The existing cellars suffer from damp and have standing water. The proposal is likely to exacerbate this problem.					
	Officer Response: Please refer to assessment in section 5 of this report.					
	<u>Design</u> <ul style="list-style-type: none">• The design of the extension is not in keeping with the character of the area and needs to be made more sympathetic with a properly pitched slated roof.• The proposed new building does not fit with the rest of the street in materials or style and does not conform to conservation area criteria.• There are several possible versions contained within the application.• Unsympathetic and intrusive design of extension.• The chosen façade is dark and will exacerbate the reduction in light received by our property.• Development in Gap sites – gaps are important established feature and					

should be retained as per Conservation statement.

- The roofline of the building is not in keeping with the rest of the street.

Officer Response: Please refer to assessment in section 4 of this report.

Amenity

- The building of a 4 storey house at the rear of the pub will effectively block off all light to our ground floor kitchen which has 2 velux skylights on the side as well as to our very small rear courtyard.
- Further noise from the flats and bed and breakfast.
- The presence of high walls adjacent to our property also cut out the light.
- Loss of privacy to adjacent residential properties and overlooking.
- Significant negative impact on light received to adjacent properties.
- Glass roof of the flats would add significantly to light pollution
- Windows look directly into the flat 3A Woodsome Road.

Officer Response: Please refer to assessment in section 7 of this report.

Transport

- The pub already has a significant impact on the street from deliveries, cars in the evening and pressure on street parking, the addition of the Bed and breakfast will exacerbate this and impact on the residential area.
- Increase in the number of people going to the site
- Increase in cars on the street
- No provision of services to the flats for bins and recycling.
- The area for the flats currently provides the source of storage and waste facilities to the pub, where is this to be stored in future.
- Insufficient provision of parking spaces in the area
- The corner of Woodsome Road and Highgate Road is dangerous as visibility is often compromised by vehicles parking outside the pub.

Officer Response: Please refer to assessment in section 8 of this report

Use

- Hotel facility with 24 hour operations are unsuitable for the area.
- Overly dense infill with no consideration for surrounding density.
- The B and B will be converted to residential.
- The provision of bed and breakfast constitutes a change of use.
- A B & B is not needed in the area.

Officer Response: Please refer to assessment in section 3 of this report

Other

- Sale of a community asset.

Officer response: The first floor area utilised by the community will be retained in its current configuration and available for community use. It should be noted that the pub has not be formally designated as an Asset of Community Value.

- The timing of this application is poor during summer holiday period when affected residents are away and did not consult enough residents.

Officer response: The application was received on 16th July and sent for consultation on 31st July. A site notice was erected and press notice was printed. The Council has consulted in accordance with its statutory requirements. The surrounding residents were notified of the application and a formal recommendation on the application was not forthcoming until November.

Two letters of support for the proposal were received on the basis of:

- The existing extension is an eyesore and the new building will add some

	<p>much needed housing and improve the streetscape.</p> <ul style="list-style-type: none"> • The B and B will help to preserve the use as a pub and not lead to future development. The site was historically a Coach house on the route to and from London, so restoring the buildings use is actually of historical importance and should be supported. • Relocating the kitchen facilities to the basement seems like an logical idea • The cellar for deliveries is consistent of pubs in London • An excellent, careful and thoughtful design. It will transform an untidy and ugly 'left-over' space into a good modern extension to the pub adding interest to the street. • It is good to see such a pub in the area developing its amenities instead of closing down to make way for expensive housing as so many are doing. <p>Councillor Gimson and Councillor Lewis have objected to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • Welcome infill houses and support the aims of Bull and Last however development could have a negative effect on immediate neighbours in relation to light and overlooking. Officer Response: <i>Please see section 4 - design of this report.</i> • Large basement could cause movement to adjacent properties. Officer Response: <i>Please see assessment in section 5 of this report.</i> • There needs to be proper provisions to service the pub and would not disrupt near by residential neighbours. Officer Response: <i>Please see assessment in section 8 of this report. The provision for servicing to the pub will be provided through the proposed hatch located on the highway.</i> • Provision of storage space and rubbish for pub and flats. Officer Response: <i>The storage of rubbish for the pub will be provided within the basement level of the pub and through a car lift service. This will be more controlled than what currently exists on site. Further assessment provided in section 8 of this report.</i> • We would want the development to be car-free. Officer response: <i>The development would car free and restricted via section 106 legal agreement.</i>
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**CAAC/Local groups
comments:**

The Dartmouth Park Conservation Area Advisory Committee object on the following grounds:

- The original development was deliberately designed to protect the light of the backs of the Hillside houses.
Officer Response: *The windows located on the properties at Hillside house are directed away from the proposed infill development. Additionally, these properties have been subject to further development to their properties and this original assessment may no longer be applicable. Please see further assessment in section 4 and 7 of this report.*
- The development will have a seriously deteriorative effect on the neighbourhood and will harm the Conservation Area.
Officer Response: *Please see section 4 - design of this report.*
- The excavation would be significantly lower than the foundations of the Hillside houses.
Officer Response: *Please see assessment in Section 5 of this report. It is acknowledged that the basement would be lower than adjacent foundations however this has been addressed through the provided engineering assessments.*
- Direct overlooking into the rooflight windows at 1 Hillside and conservatory at 2A Woodsome Road.
Officer Response: *Please see assessment in section 7 amenity of this report.*
- Extensive glazing will cause light pollution.
Officer Response: *Please see assessment in section 7 of this report.*
- No adequate provision of cycle parking.
Officer Response: *Please see section 8 - transport of this report.*
- Significant likelihood of additional cars from the B and B and proposed residential development in an already highly congested area.
Officer Response: *Please see assessment in section 8 of this report.*
- The development will deprive the pub and proposed B and B of storage for kitchen waste and rubbish risking such waste being placed on the street and endanger public health.
Officer Response: *As part of the application, a new hatch is proposed adjacent to the pub (and in the place of a historic hatch). This will provide access to designated area for rubbish. Therefore rubbish will not be located on the street.*
- The design of the proposed new residential units is completely out of keeping with the neighbouring structures and will no way preserve or enhance the Conservation Area.
Officer Response: *Please see section 4 - design of this report.*
- There is a borough wide attempt to convert pubs into residential accommodation to which the proposals here under consideration might provide a first step. It is highly regrettable that no reference has been made to the valuable facility available to the community in the first floor of the pub.
Officer Response: *The ground floor and first floor will remain as existing and the relocation of services to basement level will provide an upgrade in on site facilities. The first floor is often utilised as a community facility to hold parent's evenings from nearby schools, neighbourhood meetings and community events and this will not be changed. The pub has not been formally designated as an asset of community value.*

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Site Description

The Bull and Last Public House is located on the corner of Highgate Road and Woodsome Road within the Dartmouth Park Conservation Area. The host building is a 3 storey structure (with basement) that has a butterfly roof with a shallow pitch set behind a parapet. To the rear/side of the main building lies a single storey element and a courtyard which is currently used as ad hoc storage.

The building is currently used as a public house with the main bars and dining spaces on the ground and first floors. The first floor dining room is used as a community facility to hold parent's evenings from nearby schools, neighbourhood meetings and community events. Staff accommodation is located on the second floor with ancillary facilities to serve the pub located in the basement. The building has been a pub for over two hundred years (since 1759) with the building originally providing coaching inns for travellers to/from central London.

The Bull and Last is mentioned as a positive contributor and a shopfront of merit within the Dartmouth Park Conservation Area Appraisal and Management Statement. The statement mentions that it is "prominent on the corner with Woodsome Road with a fascia and details of pilasters, fine Composite capitals, corbels, a projecting cornice, stucco details and metal gargoyle lamp holders."

The surrounding area includes William Ellis and Parliament Hill Schools on the opposite side of Highgate Road (west); Hampstead Heath to the northwest; shops along Highgate Road with residential flats above, and apart from these uses, the area is predominately residential in character. Woodsome Road is served by a mixture of dwellings and flats within semi-detached or terraced buildings. The Dartmouth Park Conservation Area Appraisal and Management Statement describes the buildings that lie close to the host property with the following statement: "The houses are flat fronted except for projecting front bays at ground level with pilastered front door cases, sash windows throughout and houses on the north side have stucco at ground floor level. The grouping of the houses produces hipped slate roofs with projecting eaves whose brackets are picked out in white. Small front gardens are defined by piers, low walls."

Relevant History

PE9900457 - The erection of a single storey rear extension at ground floor level; the formation of a new escape door at first floor level with safety railings, stair to ground floor and entrance gates; the installation of an extract ventilation duct (internal with external elements at first floor and roof level); and the retention of the external boiler housing – Granted 20/01/2000

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework

The London Plan March 2015, consolidated with alterations since 2011.

Core Strategy

CS 1 – (Distribution of growth)

CS 5 – (Managing the impact of growth and development)

CS 6 – (Providing quality homes)

CS 8 – (Promoting a successful and inclusive Camden economy)

CS10 - (Supporting community facilities and services)

CS11 – (Promoting sustainable and efficient travel)

CS13– (Tackling climate change through promoting higher environmental standards)

CS14 – (Promoting high quality places and conserving heritage / conservation areas)

Development Policies

DP2 – (Making Full use for Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 – (Lifetime homes and wheelchair homes)

DP12 - (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)

DP13 – (Employment sites and premises)

DP16 – (Tourism development and visitor accommodation)

DP15 - (Community and leisure uses)

DP16 - (The transport implications of development)

DP17 – (Walking, cycling and public transport)
DP18 – (Parking standards and limiting the availability of car parking)
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)
DP23 – (Water)
DP24 – (Securing high quality design)
DP25 – (Conserving Camden's heritage / conservation areas)
DP26 – (Managing the impact of development on occupiers and neighbours)
DP28 – (Noise and vibration)

Camden Planning Guidance

CPG 1 (Design)
CPG 2 (Housing)
CPG 3 (Sustainability)
CPG 4 (Basements and Lightwells)
CPG 5 (Town Centres, Retail and Employment)
CPG 6 (Amenity)
CPG 7 (Transport)
CPG 8 (Planning Obligations)

Dartmouth Park conservation area appraisal and management strategy adopted January 2009

Assessment

1.0 Proposal

- 1.1 The proposed development involves the refurbishment and extension to the main pub building into the basement and roof levels, the provision of a bed and breakfast within third and fourth floor level and the demolition of the existing kitchen and toilet block to the rear and a two storey side extension (with basement) to create two residential flats.
- 1.2 There is an existing basement below the pub and the proposal seeks to extend this under the entire pub and infill extension. The relevant dimensions are:
- The proposed basement under the existing pub would be 10.6 metres by 12.1 metres in width with the existing basement being 10.6 metres by 11.5 metres (114sqm total).
 - The proposed basement under the proposed residential units would be 6.3 metres by 10.6 metres in depth.
 - The total basement area under the development would be 17 metres by 11 metres in width or 187sqm.
- 1.3 The bed and breakfast would be located on the second floor and the proposed roof extension would contain six bedrooms for the bed and breakfast with associated bathrooms and a night porters room.
- 1.4 The proposed side infill extension would contain 2 x 2 bed residential units. Unit A is proposed to be 96.3m² and Unit B is proposed to be 68m². The units are both split over two levels (basement/ground floor and first/second floor).

2 Assessment

The main Issues for consideration are:

- Land Use
- Design and Impact on the Conservation Area
- Basement Impact
- Housing Mix and Quality of Residential Accommodation
- Neighbouring amenity
- Transportation, parking and refuse
- Sustainability
- CIL

3 Land Use

- 3.1 The ground floor and first floor are currently utilised as Public House and associated dining area. The proposed development would retain the pub use by maintaining the existing internal floor space, apart from the reconstruction of the modern rear extension on the ground floor and relocating these facilities within the basement. This would result in improved bathroom and refuse storage facilities.
- 3.2 While it is noted that the first floor dining room is used as a community facility to hold parent's evenings from nearby schools, neighbourhood meetings and community events, the use of this space is not proposed to be altered or lost. While the first floor use is valuable and recognised the pub has not been designated as an Asset of Community Value and the use is not proposed to be changed as part of this application. Therefore the proposal is consistent with policies DP15 and CS10.
- 3.2 The remainder of the second floor is currently used as an office and ancillary staff accommodation and it is considered that ancillary residential accommodation has been established at this level. Given the residential character of the surrounding area the B and B accommodation is considered to be broadly acceptable. Due to the small scale of the proposal it would not harm the balance and mix of uses in the area, residential amenity or the surrounding highways.
- 3.3 The b & b accommodation would be accessed through the pub. Concerned residents have commented that the proposed B and B facility is unnecessary and will operate as a 24 hour facility which is

unsuitable for the area. A night porter would be present which would help contain any noise and general disturbance as well as preventing anti-social behaviour and maintaining security. A Management Plan will be secured via section 106 legal agreement to ensure that the surrounding highways and residential occupiers are not subject to undue harm in accordance with policy DP 16.

3.4 Policy DP2 seeks to maximise additional homes in the borough and expects the majority of the contribution to come from vacant or underused sites like the host property. The proposal includes two residential units both 2 beds (very high priority) this is in accordance with policy DP5 and the proposed mix is acceptable. The residential use is in accordance with the surrounding area and provides an appropriate mix of housing, with an adequate standard of living accommodation while protecting the prospective occupiers from the pub use (as discussed in section 6 and 7 below).

3.5 On this basis, it is considered that the proposal would be in accordance with policies CS10, DP10 and DP15.

4 Design and Impact on the Conservation Area

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

4.2 Council Planning Guidance 1 Design states that additional storeys and roof alterations are likely to be acceptable where there are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.

4.3 Furthermore paragraph 4.10 – 4.15 states that extensions should be designed proportionally in relation to the existing buildings and groups of buildings and in particular should be secondary to the building being extended in terms of form, scale and proportions.

Roof Extension

4.4 The infill of the valley roof to create a new floor level would be located within the existing roof pitched. The majority of the extension would be concealed behind the existing high parapet and would not be visible. While the upper part of the new roof may be seen in long views, it would be of a shallow pitch roof that contains traditional roof materials. This style of extension is an established roofscape feature for buildings of this age and style and would not harm the host building or the wider conservation area.

Extension to the pub

4.5 Concerned residents have commented that the gap between the residential properties and the pub is important and should be retained. The gap between is not considered to be of importance however it is considered important to retain separation from the public house which sits on the junction plot with the terrace to the east. The proposal is considered to achieve this by being subordinate in height to both the public house and the adjoining dwelling allowing the separation to be easily recognised and appreciated. The gap over the top of the infill and the pub would also allow the break to be sufficiently recognised. The infill is also set back from the front building line of both the pub and adjoining terrace allowing it to be read as a subordinate extension rather than a new individual dwelling house.

Detailed design of the extension

4.6 Concerns have been raised regarding the design of the side infill extension being out of keeping and not sympathetic to the surrounding area. It is acknowledged that the design of the extension is contemporary and this is welcomed by CPG1 and Policy DP 24. The design of the extension is viewed as a contemporary interpretation of a side addition to the more historic main building without competing for attention or appearing overbearing. The proposed façade is a smooth black render which relates to the ground floor of the public house, where the white detail enlivens the façade and relates to the decorative stucco of the public house.

4.7 The ground floor fascia follows the material and form of the pub fascia. This is repeated at first floor level (the parapet of the infill). The matching detail and matt black finish provides continuity to the infill and helps conjoin it to the public house and read as an extension. The corbelled detailing to the windows also reinforces this relationship by matching similar traditional detail found to the decorative

window architraves of the pub. Further details of these materials will be secured by condition to ensure the materials are of a high quality and in keeping with the existing public house.

- 4.8 Additionally, part of the design quality of the scheme is the close relationship between the pub and infill which is derived from the matching colour scheme. It is important to maintain the coloured ground floor cohesively with the infill extension. A condition will be attached to ensure the ground floor is coloured to match the infill and remains in perpetuity.
- 4.9 Furthermore, the infill extension does not automatically read as domestic. The windows have been carefully positioned on the front façade to provide light as well as privacy and do not betray the fact that the infill is a separate dwelling to the pub which reinforces the view of the extension to the pub. The entrance is set back from the pavement and defined by a planter to help provide defensible space for the occupants, while maintaining the non-domestic perception of the extension at street level.
- 4.10 It is considered overall the proposal is considered acceptable in terms of design and is in accordance with policies CS14, DP24, DP25 and DP26.

5 Basement Impact

- 5.1 Policy DP27 states 'In determining applications for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, 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. It states that developers will be required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.
- 5.2 The application was accompanied by a Basement Impact Assessment (BIA) undertaken by Michael Alexander Consulting Engineers associates dated July 2015. This was accompanied by a flood risk assessment by Evans Rivers and Coastal and a ground investigation and ground movement assessment by Geotechnical Environmental Associates. The BIA reports submitted by the applicant have been subject to independent verification. The independent assessment undertaken by Campbell Reith concludes that the submitted BIA does reflect the processes and procedures set out in DP27 and CPG4.
- 5.3 It is acknowledged that the proposal will result in the foundations being deepened to below those of neighbouring properties has been recognised in the proposed methodology comprising underpinning and a sheet piled retaining wall. A building damage assessment suggests Category 0 (negligible) to category 1 (very slight) damage may occur to the surrounding structures (recognised on Burland Category). This is considered acceptable in accordance with CPG4.
- 5.4 The construction of the new basement will incorporate three well established construction techniques namely traditional underpinning, reinforce concrete underpinning and sheet piling.
- 5.5 The basement will be founded within the London Clay which has a very low permeability the depth of the proposed single storey basement is considered to have no significant effect on ground water flow. It is not proposed to remove any trees and the risk of shrink swell in the London Clay remains unchanged.
- 5.6 A flood risk assessment has confirmed that the site is not in an area recognised to be prone to flooding.. It has been assessed and is accepted that there is no significant adverse impact of surface water flows and the risk of flooding. There is no appreciable change to the area of hard surfacing.
- 5.7 The ground movements dependent on the construction sequence and methodology. Therefore a condition will be attached requiring the applicant to submit details of a qualified engineer to inspect approve and monitor the critical elements of both the temporary and permanent construction works throughout their duration.

Conclusion

- 5.8 As such, the independent review by Campbell Reith concluded that the BIA is adequate and in accordance with policy DP27 and guidance contained in CPG4 (Basements and Lightwells) 2015. The

applicant has satisfactorily demonstrated that the proposed basement would not cause harm to the built and natural environment and would not result in flooding or ground instability. No further details have been requested and it is not considered a Basement Construction Plan is required.

6 Housing Mix and Quality of Residential Accommodation

- 6.1 The proposal includes two residential units both 2 beds (very high priority) this is in accordance with policy DP5 and the proposed mix is acceptable.
- 6.2 The proposed residential units conform to table 3.3 of the London Plan and paragraph 4.14 of CPG2 (housing), with the flats all exceeding the minimum gross internal floor area requirements comfortably. The room sizes are considered generous and the layout of the units are functional. Unit A has provided external amenity space in the courtyard at ground floor rear. There is no external amenity space proposed for Unit B and given its upper level and the site constraints this is considered acceptable.
- 6.3 Each flat would have adequate light and ventilation and the proposal would provide a good level of aspect for all future occupiers with appropriate setbacks from the boundaries of the site and spacing in front of proposed windows being provided. With the exception of the basement all levels are dual aspect. As the basement has direct access to light via a courtyard area and a high proportion of glazing and large opening doors this lack of dual aspect is, on balance considered to be acceptable.
- 6.4 The proposed units would sit adjacent to a pub. Policy DP26 seeks to ensure that developments provide an acceptable standard of accommodation and policy DP28 provides more detail on noise and vibration. DP28 specifically states that the Council will not grant planning permission for development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided. A 'Noise Impact Assessment Report' has been submitted by KP Acoustics to assess the potential noise impacts on the proposed residential development.
- 6.5 The report identifies that the external fabric of the proposed design would be comprised of block work. This coupled with good quality double glazed windows would contribute towards a significant reduction of ambient noise levels. Full details of the possible insulation are included within the provided report. Council's environmental health officer has reviewed the reports and requires further additional sound insulation details to ensure that the immediate and surrounding uses do not adversely impact on the quality of life of the prospective occupiers. The noise insulation details would also need to be submitted as part of the Building Consent process and confirmation of noise insulation details would be reserved by way of a planning condition.
- 6.6 From the 1st October 2015 planning authorities are no longer able to apply Lifetime Homes standards, although compliance is welcomed. New build residential developments must now comply with the access standards in Part M of the Building Regulations. A full Lifetime Homes assessment is provided within the design and access statement with most of the criteria being met excluding the level access to the residential unit on first floor. Compliance with the access standards referred to in Part M of the Building Regulations will be secured via condition.
- 6.7 A sustainability statement has been provided demonstrating how selected energy efficiency measures have been incorporated into the development. The statement identifies that the new residential units are expected to meet the target of 20% reduction in carbon emissions from the installation of on-site renewable technologies, where feasible. Accordingly a condition is recommended to require the submission of details demonstrating the approved measures have been implemented.
- 6.8 In addition new residential development is required to demonstrate that the development is capable of achieving a maximum internal water use of 105 litres per person/day, with an additional 5 litres person/day for external water use. The Sustainability statement confirms that this will be met and a condition is recommended to ensure that such measures are implemented and details submitted to the Council.

7 Neighbouring Amenity

- 7.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on

daylight and sunlight. CPG6 seeks for developments to be “designed to protect the privacy of both new and existing dwellings to a reasonable degree” and states that the Council will “aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers.”

- 7.2 Camden CPG2 states that good practice is, “To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other”.

Privacy/Overlooking

- 7.3 The existing windows within the upper floors of the public house afford some views onto the adjacent properties at 1 Hillside, Highgate Road and 2A Woodsome Road (as viewed in photograph six and seven attached). The proposed residential units face a blank gable wall at 1A Hillside and 2A Woodsome Road.
- 7.4 There are no windows on the adjacent properties that directly face the host property or the proposed extension. While there is a window located at first floor level it is located on the rear façade of 1A Hillside and positioned to view its rear garden and away from development. There are no direct views into this window that could be achieved given the angle of the proposed development. The glazed conservatory to the rear of 2A Woodsome Road is located in parallel to the proposed units and given its location and the location of the proposed upper floor windows on there would be no additional material overlooking. Therefore it is unlikely that the views from the proposed new residential units would be of greater detriment in terms of overlooking than that which is already experienced.
- 7.5 Additionally, screens on the rear façade of the flats have been included in the detailed design as further mitigation to any perceived overlooking. A condition will be included to require further details of the screens and to ensure the screens are implemented and maintained in perpetuity.

Daylight/Sunlight

- 7.6 The properties directly adjacent to the subject site to the north (1 Hillside) and east (2A Woodsome) do not have any windows that directly face the development. The property at 1 Hillside has two skylights located within the side infill extension above the kitchen. These are subsidiary windows with both a window and doors to the rear of the room. Therefore it is not considered that any loss of light would be substantial.
- 7.7 The development is set back from the glazed conservatory at 2A Woodsome Road and maintains the same setback as the existing dwellings and is set away from the flank wall. The conservatory also contains doors to the rear and it is not considered that the extension would result in a substantial loss of light to this area.
- 7.8 The indicative daylight and sunlight assessment states that it is considered that the two adjacent properties will meet the BRE guidelines in terms of both the daylight (VSC) and sunlight (APSH).
- 7.9 Concerned residents have commented that the proposal provides a significant amount of glazing and this could give rise to light pollution. The proposal is for two residential units within a surrounding residential environment. It is not anticipated that these glazed elements would give rise to significant light pollution over and above that typically expected in an established residential neighbourhood. It is also anticipated that the residential units would contain internal privacy screens which would also mitigate any additional light effects
- 7.10 Therefore, it is considered that the proposal is in accordance with Policy CS5 and DP26 and CPG 6.

8 Transport, Parking and Refuse

- 8.1 The site has a PTAL score of 3, which indicates that it has a medium level of accessibility by public transport. The nearest station is Gospel Oak, located to the southwest of the site, whilst the nearest bus tops are located on Highgate Road in close proximity to the site. The site is located within Controlled Parking Zone CA-U (Highgate) which operates between 10am and 12 noon Monday to Friday. As the proposed new residential units could contribute to parking stress in the surrounding area it is recommended that they both are secured as car free by means of the Section 106 Agreement. This will prevent the future occupants from being able to obtain on-street parking permits from the Council and so prevent them from contributing to local parking stress in accordance with DP18.
- 8.2 The development provides one cycle parking space in the entrance courtyard and another in the

basement courtyard; it is considered that these are unlikely to be used in practice. Given the very constrained nature of this site it is considered that the full cycle parking requirement is not required in this instance.

- 8.3 The host site is located near to Parliament Hill School and William Ellis School and within a sensitive residential area. While the development is of a relatively modest scale it is recommended that due to the nature of the surrounding area a construction management plan is required in order to ensure public safety and ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network.
- 8.4 The CMP shall be submitted for approval following consultation with local residents and neighbouring properties and prior to any works commencing on site. Give the location of the site opposite a school, construction deliveries to the site should be restricted to between 9.30am and 3pm on weekdays during term time (and 9.30am and 4.30pm outside term time) and 8am and 1pm on Saturdays in accordance with Policy DP20.
- 8.5 Further, a highways contribution will be secured via section 106 in order to prevent any damage that may occur to the highway during the development the provision for the repaving of the footway adjacent to the site in accordance with DP21.
- 8.6 The construction of the cellar beneath the public highway requires independent consent under the highways act. The highways department has considered the application and consider that while the highways team and engineering department do not wish to encourage the provision new openings or cellar hatches in the public highway, it is acknowledged that in this particular instance adequate evidence of the former hatch has been provided and therefore the current proposal is acceptable subject to the application for the independent consents mentioned above.
- 8.7 Concerns have been raised by residents regarding the provision for onsite storage of waste and recycling facilities. The residential units have provision onsite for both internal and external storage of waste. The waste storage area for the Public House will be located to in the basement. The waste will remain in this location until the collection of refuse at which point the bins would be accessed via the cellar lift. This will be accessed via the proposed hatch on the highway on Woodsome Road.

9 Community Infrastructure Levy

- 9.1 The proposal will be liable for the Mayor of London's CIL and Camden CIL as the proposal results in more than one unit of residential accommodation. This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

10 Section 106

- 10.1 It is recommended that a section 106 legal agreement is required to secure the following heads of terms:
- Construction Management Plan
 - Car Free Development
 - Highways Contribution (£TBC)
 - Management Plan

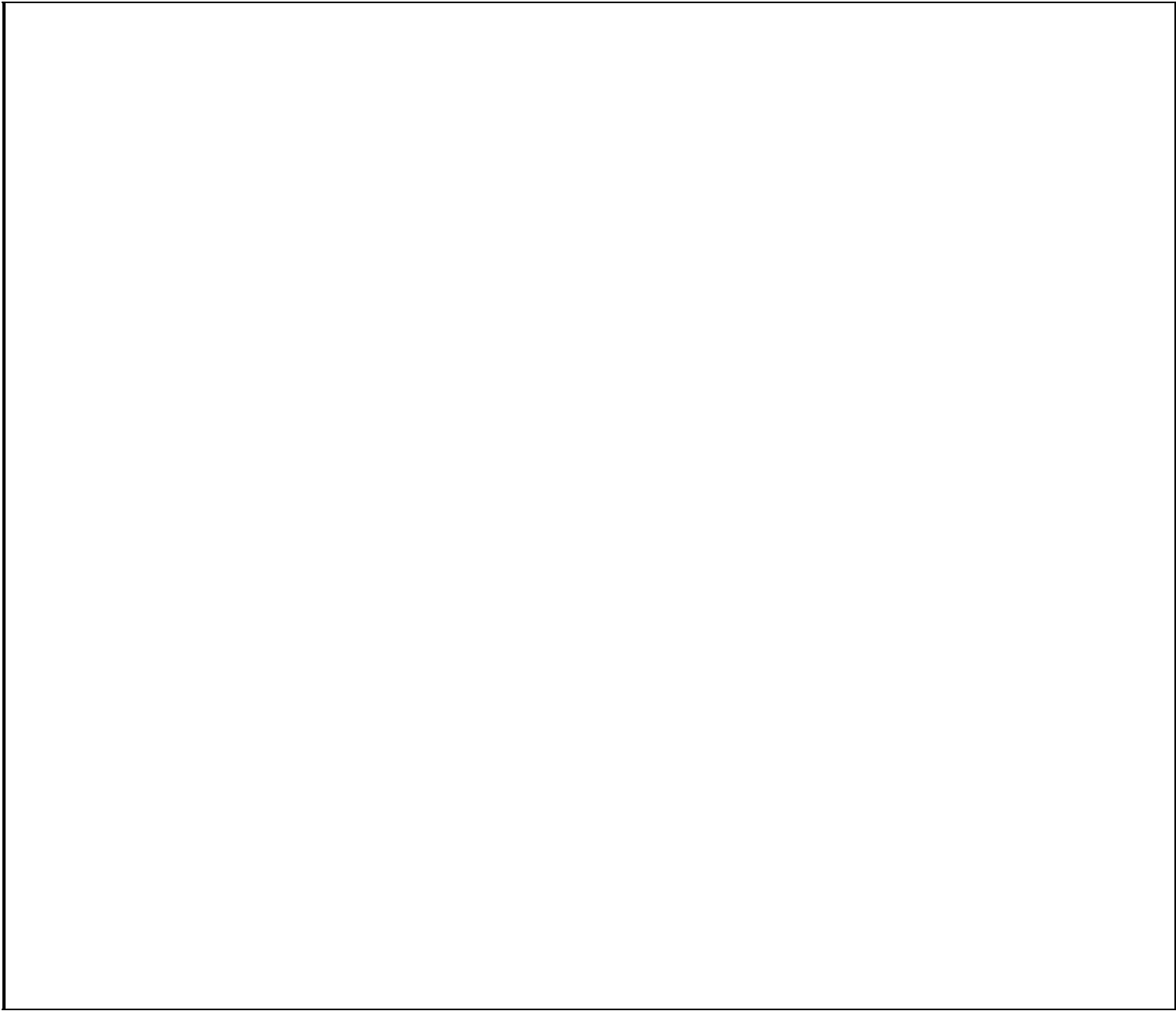
11 Conclusion

- 11.1 The proposed development would retain the pub use by maintaining the existing internal floor space and placing the public house facilities within the basement area. The extension to the public house to incorporate B and B accommodation and residential units are acceptable in this location and the units would be of a high standard for its future occupiers. The basement assessment has concluded that the proposed basement will not harm the built and natural environment or local amenity. The extensions to the pub are considered to preserve and enhance the conservation area and the surrounding environment and respect the character and appearance of the surrounding area. Due to the location and nature of the development there are not considered to be any material impacts to neighbouring amenity.

Recommendation: Grant conditional planning permission subject to a section 106 agreement.

DISCLAIMER

Decision route to be decided by nominated members on Monday 23 November 2015. For further information please click [here](#)



The D*Haus Company Limited
Flat 1
Derby House
Coleridge Road
London
NW5 1UE

Application Ref: **2015/4094/P**

18 November 2015

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
The Bull And Last PH
168 Highgate Road
London
NW5 1QS

PROPOSAL

DECISION
Works to the existing pub to provide bed and breakfast units with associated loft conversion, demolition of the existing kitchen to create a side extension with associated basement to create two flats and basement excavation to existing pub.

Drawing Nos: BALP_PA_000; BALP_PA_001 Rev A; BALP_PA_002; BALP_PA_003 Rev A; BALP_PA_004 Rev A; BALP_PA_005 Rev B; BALP_PA_006 Rev A; BALP_PA_007 Rev A; BALP_PA_008 Rev B; Design and Access Statement Revision A, prepared by WMG Studio dated October 2015; KP Acoustics Design Advice, dated 13 July 2015; Noise Impact Assessment prepared by KP Acoustics dated 16 June 2015; Basement Impact Assessment prepared by Michael Alexander Consulting Engineers dated 14 July 2015; Flood Risk Assessment prepared by Evans Rivers and Coastal dated July 2015; Desk Study and Ground Investigation Report prepared by Geotechnical and Environmental Associates; Ground Movement Assessment prepared by Geotechnical and Environmental Associates dated August 2015; Basement Impact Assessment Audit prepared by Campbell Reith dated October 2015; Sustainability Statement prepared by Blue Sky Unlimited dated 1st June 2015; Daylight/Sunlight indicative review prepared by Waldrams dated 18 November 2015.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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.

BALP_PA_000; BALP_PA_001 Rev A; BALP_PA_002; BALP_PA_003 Rev A; BALP_PA_004 Rev A; BALP_PA_005 Rev B; BALP_PA_006 Rev A; BALP_PA_007 Rev A; BALP_PA_008 Rev B; Design and Access Statement Revision A, prepared by WMG Studio dated October 2015; KP Acoustics Design Advice, dated 13 July 2015; Noise Impact Assessment prepared by KP Acoustics dated 16 June 2015; Basement Impact Assessment prepared by Michael Alexander Consulting Engineers dated 14 July 2015; Flood Risk Assessment prepared by Evans Rivers and Coastal dated July 2015; Desk Study and Ground Investigation Report prepared by Geotechnical and Environmental Associates; Ground Movement Assessment prepared by Geotechnical and Environmental Associates dated August 2015; Basement Impact Assessment Audit prepared by Campbell Reith dated October 2015; Sustainability Statement prepared by Blue Sky Unlimited dated 1st June 2015; Daylight/Sunlight indicative review prepared by Waldrums dated 18 November 2015.

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 Council before the relevant part of the work is begun:

a) Typical details of the new planter at a scale of 1:20 including materials, finish and method of fixing;

b) Plan, elevation and section drawings of all new doors at a scale of 1:10 with typical moulding and architrave details at a scale of 1:1.

c) Plan, elevation and section drawings, including jambs, head and cill, of all new window and doors at a scale of 1:10 with typical glazing details at 1:5

d) Samples and manufacturer's details of new facing materials to be provided on site and retained on site during the course of the works. The panel must include render and facing brickwork and demonstrating the proposed colour, texture, face-bond and pointing.

The relevant part of the works shall then be carried in accordance with the approved details

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The ground floor façade of the public house shall match the colour of the new infill development and shall be retained and maintained in perpetuity

Reason: In order to safeguard the special architectural and historic interest of the building and conservation area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP245 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 7 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Before the use commences, full details of the sound insulation measures used in the new residential units shall be submitted to and approved by the local planning authority in writing. The measures as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use (110l,p,d). Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 10 The development hereby approved shall incorporate sustainable design principles and climate change adaptation measures into the design and construction of the development in accordance with the approved sustainability statement prepared by Blue Sky Unlimited dated 1st June 2015. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

- 11 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2) in relation to accessible dwellings and shall be maintained thereafter.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to occupation of the relevant part of the development full details of proposed screens on the rear elevation shall be submitted to and approved in writing by the Local Planning Authority. These shall include, materials and sections. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 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.

- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 Please note no work may start until any necessary approvals by the Highway Authority (should they deem it appropriate) has been granted.

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.

Yours faithfully

Culture and Environment Directorate

DRAFT

DECISION