

Development Control Manager  
London Borough of Camden  
Regeneration and Planning  
5 Pancras Square  
London  
N1C 4AG

**FAO: Mr Alex Bushell**

01 March 2016

Our Ref: 13/618  
BY PLANNING PORTAL

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**THE SIR RICHARD STEELE PUBLIC HOUSE, 97 HAVERSTOCK HILL, LONDON, NW3 4RL**  
**APPLICATION FOR FULL PLANNING PERMISSION**

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We write on behalf of our client, Faucet Inn Ltd to submit an application for full planning permission for development at the Sir Richard Steele Public House, 97 Haverstock Hill, London, NW3 4RL.

Planning permission is sought for:

***'Change of use of the first and second floors from public house (Class A4) to residential (Class C3) to provide 4 self-contained flats (Class C3) (2x1 bedroom and 2x2 bedroom flats), demolition of existing toilets and kitchen and erection of new single storey ground floor extension to provide new function and community room, relocation of existing kitchen extraction flue and associated external works.'***

This letter sets out the key elements of the planning case and provides justification for the proposed development.

### **The Site**

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The site is the Sir Richard Steele Public House, located on the east side of Haverstock Hill. The building is not listed but is located within the Eton Conservation Area. The building is listed as an Asset of Community Value (ACV).

The building is a traditional public house (Class A4). All of the existing building is used as a public house (Class A4) and ancillary space. The main entrance to the pub is from Haverstock Hill. The ground floor contains the main bar areas and toilets at the rear, along with a small pub kitchen and access to the basement cellar. The first floor is accessed via the ground floor bar and consists of a further upstairs bar, toilet and rooms used for ancillary purposes including an office and storage.

The second floor of the building is a flat. This is used as living accommodation for the existing Pub Manager. It is not a separate planning unit and can only be accessed through the pub at first floor level.

To the side of the public house (Class A4) is a fenced and walled outdoor seating area currently used as a pub garden.

The surrounding area is characterised by Victorian terraced buildings, along either side of Haverstock Hill. The vast majority of these buildings have active, Class A uses at ground floor level with residential (Class C3) on the upper floors. Given this character, the site is well located for facilities, amenities and services.

The application site is located between the underground stations of Chalk Farm to the south and Belsize Park to the north. The site has a PTAL rating of 4.

## **Lawful Use**

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The existing lawful use of the building is a public house (Class A4). We enclose at **Annex A**, the premises licence, along with a summary of the planning history at **Annex B** which support the lawful use of the site.

## **The Development Plan**

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the Development Plan comprises the following documents:

- The London Plan (consolidated with alterations since 2011) March 2015
- The Camden Core Strategy (2010)
- The Camden Development Policies (2010)

## **Planning history**

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The planning history is as follows:

2013/4719/P - Conversion of first and second floors to 10 accommodation rooms ancillary to public house (Class A4). Refused 19/09/2013. Reason for refusal: The proposed development would result in a material change of use of the upper floors for which planning permission would be required.

2014/1373/P Change of use of the first and second floors from public house (Class A4) to create x 10 hotel rooms (Class C1); extension and relocation of existing extraction flue and associated works. Refused.

2014/1367/P Change of use of the first and second floors from public house (Class A4) to create 2x1 bedroom and 2x2 bedroom flats (Class C3); extension and relocation of existing kitchen extract flue and associated works. Refused.

In essence, this application is a resubmission of planning application 2014/1367/P. It responds fully to the reasons for refusal because:

- The public house use would be retained and enhanced.
- The first floor function room, which was used by the community, will be replaced in a new purpose built single storey ground floor rear extension.

## **Principal Planning Considerations**

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The principal considerations associated with the proposed change of use are set out below.

### Objective

The overall objective of this application is to secure the long term future of the Sir Richard Steele as a pub business and as a building which is sufficiently viable to remain open. The proposals will:

- Retain the public house (Class A4) use and active frontage on ground floor and basement level.
- Provide a new function and community use room through the development of a purpose built ground floor rear extension.
- Extend the building in a way which is appropriate to its architectural character, location and townscape context.
- Provide much needed new homes in the London Borough of Camden in a highly sustainable location.
- Provide an appropriate residential mix, given the location of the site.
- Provide homes which exceed London Plan and Camden development standards in terms of size with good standards of residential amenity, outlook and natural daylight.
- Protect the amenity of surrounding land uses and the viability of the existing pub operation.
- Enhance the character and appearance of the building through refurbishment, repair and investment.

#### Land Use Principle

Paragraph 15.7 of Policy DP15 states that the Council will resist the loss of local pubs that serve of community role unless alternative provision is available nearby or it can demonstrated to the Councils satisfaction that the premises are no longer economically viable for pub use.

These proposals would ensure that the public house (Class A4) use is retained and would be enhanced. New public house (Class A4) floor space would be provided. The function room at first floor level would be re-provided at ground floor level in a purpose built new single storey rear extension. The new function room extension would be high quality open plan space, which would provide flexible and adaptable accommodation with good natural daylight and high standards of amenity. It would also be safer than the existing first floor space (the first floor of the Sir Richard Steele is closed owing to fire safety concerns see Fire Safety Report) and given its ground floor location, the new space would be more accessible to customers and all members of the community.

As such, the proposals are considered to comply with Policy DP15.

#### Character Of The Area

The site is located within the Eton Conservation Area. This part of the conservation area is characterised by terraced buildings containing a mix of commercially active uses at ground floor level with residential (Class C3) located on the upper floors. Page 20 of the Eton Conservation Area Appraisal recognises this as being an important characteristic of the area. The character of the area is confirmed in the buildings next door and on the adjacent side of the road all of which contain commercial uses at ground floor level with residential (Class C3) above.

Based on the above, the proposed change of use of the first and second floors from public house (Class A4) to residential (Class C3) would be in keeping with the existing land use character, function and amenity of the area.

#### Need

There is a critical need for new homes in Camden. Permanent residential use is the priority use in Camden's LDF and Policy CS6 and DP2 seeking to maximise the supply of quality homes in the

borough. Accordingly, the principle of residential use is considered to be acceptable and this proposal would make a small but positive contribution to meeting local housing need in a suitable and sustainable location.

### Housing Mix

Policy DP5 (Homes of Different Sizes) requires that new residential developments have a mix of type and tenures as well as sizes to reflect the varying needs of the borough. The dwelling size priorities table issued by the Council indicates 2-bedroom market properties as being of very high priority whilst 1-bedroom market properties are of a lower priority.

The scheme provides four units in a 2 x 2 bed and 2 x 1 bed mix. The majority of the proposed residential (Class C3) floor area would be taken up by the 2 bed units. As such, the scheme provides the type of dwellings considered to be in specific demand by the Council in accordance with Policy DP5 (Homes of different sizes) and the proposal therefore meets the target for priority housing in the borough.

### Design

The proposed conversion is design led. The design approach seeks to work within the character and existing plan form of the building to provide high quality, spacious units with good levels of natural daylight, while minimising partitioning and intrusions into the building.

Residential (Class C3) land use is a good fit for the building and a good fit for the existing floor plan. The second floor of the building is currently being used as residential accommodation for the manager of the public house (Class A4). This demonstrates that the building is suitable as a place to live and that the existing plan form can practically accommodate residential use.

New developments are also required to attain specified floorspace and floor to ceiling height standards. The proposed flats will meet all the necessary design requirements relating to room sizes and floor to ceiling heights as set out in the Interim London Design Guide and Camden Planning Guidance: Design.

### Standard of residential accommodation

The quality of the proposed accommodation for future occupants is considered to be acceptable for the following reasons:

- a) The proposed units would satisfy the London Plan and Camden Planning Guidance requirements for dwelling size and room sizes.
- b) The proposal includes a Lifetimes Homes assessment which demonstrates how the proposal responds to the issue of accessibility. The proposal satisfies most of the criteria, with the exception of the inclusion of units adaptable for wheelchair use. However, given the proposal relates to upper floors in an existing building of heritage importance, this is considered to be acceptable.
- c) The two bed units would be dual-aspect and the glazing to all habitable rooms exceed 20% of the floor area. This helps to maximise light to the rooms.
- d) The units have been designed to maximise aspect, the existing windows would remain and they are to a good standard.
- e) The proposed residential (Class C3) units would have waste and recycling facilities which would be separate for the residential accommodation and the pub.

### Amenity

The proposed development strives to achieve a high standard of amenity for occupants. The proposed residential units have good daylight and sunlight levels that comply with the requirements of BRE New Guidance for Daylight and Sunlight (2011).

The freehold of the proposed flats would be held by the applicant who also owns the public house (Class A4). The applicant therefore has a financial interest in both the public house (Class A4) and the flats (Class C3) above being successful. The applicant therefore has an interest to ensure that the amenity of the flats (Class C3) above are not affected by noise emanating from the public house (Class A4) below and as such has taken steps detailed below to mitigate this noise impact.

### Privacy

The upper floors will have the same window arrangement as currently exist as ancillary Class A4 public house space. The new residential units would have the same cross street separation as its neighbours and is considered to be acceptable in privacy terms. There would be no light or outlook issues as a result of the physical alterations.

### Acoustics

The development does not propose any additional residential (Class C3) plant. The proposed residential units will be naturally ventilated.

The proposed residential units are noise sensitive and would be sited above the existing noise generating public house. In this respect a noise assessment report has been prepared and submitted as part of this application.

The scheme proposes a number of measures in order to ensure the proposed residential (Class C3) units are adequately acoustically insulated from the commercial (Class A4) use below.

Three acoustics reports have been prepared and accompany this application. The reports investigate the fabric of the building, the internal sound insulation of the building and impact of the existing and proposed plant used for the kitchen extraction unit and flue.

The 'Preliminary Planning Compliance Report – Plant Units' found that the noise creation of the existing kitchen plant at its nearest residential receiver would be below the minimum background noise levels for both daytime and night time and therefore no sound mitigation measures would be required.

The 'Sound Insulation Investigation Report' makes a number of suggestions as to how to acoustically insulate the walls and floors between the flats. The report also endorses the Gyproc system that will be installed in the walls and between the ground floor public house and first floor residential units. The suggestions made in this report would be implemented in full, the precise detail being subject to control under the Building Regulations and or through planning condition in order to safeguard the amenity of future occupiers.

All other precautions to mitigate the impact of noise on the proposed flats (Class C3) would also be taken thus satisfying policy DP28 (Noise and Vibration).

### Flue

The proposed flue would be directed above eaves level and would be away from the proposed residential (Class C3) units. The proposed flue would meet the requirements of Environmental Health legislation. The current flue does not. As such, the proposal would represent an improvement over the existing situation.

A noise impact assessment has been undertaken to show the maximum level which should not be exceeded. The assessment confirms that the existing and proposed plant installation would not exceed the maximum background noise levels.

### Energy and Sustainability

The development of the site makes the best and most efficient use of a previously developed Brownfield site in a highly accessible location (PTAL 4) and would make the best use of finite land

resources, compatible with the key London Plan and key strategic policies in the Camden Core Strategy, particularly Policy CS6 (Providing Quality Homes).

The fabric of the building is optimised to adapt to potential impacts of climate change. This includes the provision of secondary glazing to all residential windows. The secondary glazing would improve the thermal properties of the building and would also improve the acoustics. All windows would be able to open to promote natural ventilation.

In addition to the above, the applicants are aspiring to re-use or recycle at least 80% of construction waste, to source at least 20% of the total value of materials from recycled and reused resources and to ensure that a minimum of 90% of timber used on site is responsibly sourced.

The residential units would incorporate water efficient sanitary systems to promote low water consumption along with high efficiency low NOX condensing boilers and energy efficient lighting with intelligent controls.

### Car Parking

The proposed development is unable to provide any off-street parking spaces for the proposed residential (Class C3) units. This is because the existing building is not large enough to accommodate parking inside. There is no space outside of the site in order to provide parking off-street. In addition, the creation of a new vehicular access off Haverstock Hill or the creation of on-street parking would be problematic, given the proximity of the site to the junction with Steele's Road, the area's designation as a Controlled Parking Zone and the need to ensure adequate short stay parking is retained in the area for the benefit of commercial businesses. Furthermore, the provision of car parking spaces would be contrary to the character of the area, as the vast majority of existing residential (Class C3) units have no dedicated off-street parking. The public house (Class A4) does not have a car park and so cannot practically accommodate off-street parking for the flats.

The site has a PTAL rating of 4 which indicates a good level of accessibility to public transport. It is likely therefore that the occupants of the proposed flats would use public transport and are unlikely to be car owners. To ensure that there are no adverse impacts on parking from the proposed residential (Class C3) units, a permit free section 106 agreement would be entered into as part of this planning application.

There is an existing crossover to the front of the site and this is no longer in use, this will be removed as part of the legal agreement. Such works would require a financial contribution secured via a Section 106. The figure for the associated works would be £5,292.83

It is considered that mindful of the above, the proposed car parking is in compliance with Policy DP18 (Parking Standards and Limiting the Availability of Car Parking).

### Cycle Parking

Six bike store spaces (in excess of 1 per flat) are proposed. The cycle parking is safe and secure and would be provided within a dedicated enclosure within the garden. Full details are provided on the submitted plans accompanying this application.

As such, the proposed cycle parking arrangements are considered to be in compliance with Policy DP17 (Walking, Cycling and Public Transport).

### Waste and Recycling

Each of the proposed residential (Class C3) units would have designated areas to accommodate waste and recycling. These areas are within the kitchen area of each unit and are outlined on the proposed plans accompanying this planning application.

Waste and recycling would be stored outside of the building and ready for collection in a dedicated external storage area. This is located in the garden. The Council collect the waste on a weekly basis every Wednesday.

The proposed waste and recycling arrangements are considered to be in compliance with Core Strategy policy CS18 (Dealing with our Waste and Encouraging Recycling), Policy DP26 (Managing the Impact of Development on Occupiers and Neighbours) and Camden Planning Guidance: Design.

### Operational Management Plan

An Operational Management Plan has been prepared and is submitted with this application. The aim of the plan is address the operational and management issues with the public house (Class A4) and the proposed residential conversion (Class C3) of the upper floors, to ensure that the two uses are able to exist harmoniously with no adverse impacts being caused to the respective amenity of each.

The Operational Management Plan is based on detailed consideration of the day to day operation of the site to understand where conflicts may arise and to ensure these are mitigated against.

#### **a. Application Submission**

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The submitted application comprises the following documents and information:

- Application Form and Certificate.
- CIL Additional Information Form.
- S.106 Permit Free Draft Section 106 Agreement.
- Acoustic Reports:
  - Preliminary Planning Compliance Report.
  - External Building Fabric Assessment.
  - Sound Insulation Investigation Report.
  - Acoustic section drawing.
- Fire Risk Assessment.
- Operational Management Plan.
- Design and Access Statement.
- Red line site location plan.
- As existing and as proposed plans, elevations and sections.
- Photographs of the site.
- 4 x CGI's describing the function / community room internally and externally.

We also enclose a cheque in the sum of £1,540 as the required application fee.

We look forward to receiving confirmation of registration and validation. Please contact Kieron Hodgson on 020 3435 4218 or [khodgson@iceniprojects.com](mailto:khodgson@iceniprojects.com) in the first instance should you have any questions.

Yours faithfully

*ICeni Projects Ltd.*

ICENI PROJECTS

cc. Steve Cox – Faucet Inn Ltd

Enc.