

Mr. Phillip Taylor
Planning Resolution Ltd.
Thorncroft Manor
Thorncroft Drive
Leatherhead
KT22 8JB

Application Ref: **2016/6345/P**
Please ask for: **Rob Tulloch**
Telephone: 020 7974 **2516**

10 January 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
The Old White Bear
1 Well Road
London
NW3 1LJ

Proposal:

Retention of public house (Use Class A4) at ground floor and basement; change of use of first and second floors from ancillary pub accommodation (Class A4) to dual educational use (Daytime - Monday to Friday) and ancillary pub use at all other times (Sui Generis); installation of a replacement side access gate (access from New End Square) to provide a dedicated access for the educational use from the rear of the building.

Drawing Nos: Site Location Plan; 902-GE01-P1; GE02-E1; GE02-P1; GE03-P1; GA00-P1; GA01-P1; GAB1-P1; GA02-P1; Design and Access Statement by Bramley Bars UK Ltd; Planning Statement by Planning Resolution Ltd dated 18th November 2016; Operating Strategy

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: Site Location Plan; 902-GE01-P1; GE02-E1; GE02-P1; GE03-P1; GA00-P1; GA01-P1; GAB1-P1; GA02-P1; Design and Access Statement by Bramley Bars UK Ltd; Planning Statement by Planning Resolution Ltd dated 18th November 2016; Operating Strategy

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

- 4 The gates hereby approved shall only open inwards as indicated on drawing number GA00-P1, and not open out onto the public highway.

To protect the safety of pedestrians and other highway users in line with policies CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 and DP17 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The application seeks a change of use of the 1st and 2nd floors (170sqm) from an ancillary pub use to a dual use which would allow for the upper floors to be used as overspill accommodation for Heathside Preparatory School (Middle School) during school hours and a continued ancillary pub use at other times.

The pub was successfully nominated as an Asset of Community Value in 2013 as it was considered to provide a valuable contribution to the local community by providing a space for local groups to convene. Since the nomination the pub has closed, but the applicant is intending to refurbish and reopen. A certificate of lawfulness (proposed) was granted in 2015 for the use of the upper floors as a community use ancillary to the existing public house (2015/3764/P). This was for use by a local theatre company, and was considered acceptable as the use would have been occasional, was the type of community provision that the community

had fought for the pub to continue to provide, and being ancillary to the main pub use, would not have resulted in a material change of use.

The proposed educational use would be materially different to an ancillary pub use, but would still be a community use, and only occur during the day and during term time. As such it is not considered to have a harmful impact on the operation of the pub. When the pub was in operation, the upper floors were used as staff accommodation, offices and a function room. The proposal would allow for the upper floors of the pub to continue as ancillary public house floorspace outside school hours and provide the type of community and ancillary provision it previously provided without harming the future viability of the pub or its importance as an asset of community value.

The school needs additional floorspace and has used a local synagogue on an ad hoc basis, and the lower school received permission for permanent changes of use at nos. 80 Heath Street (2007) and 82 Heath Street (2016), but these have not been implemented.

As the school is a private preparatory school it is outside local authority control and not bound by the DoE standards in terms of toilets, health and safety, acoustics, lighting or outdoor space, but would have to meet the relevant building regulations.

Separate access to the upper floors would be possible via the rear of the pub. There is currently a solid metal gate on New End Square which has not been in use for many years. The proposal seeks to replace the gate and reintroduce this secondary access to the pub. As the road is relatively narrow, and traffic relatively slow, it is not considered that access through these gates would be particularly hazardous. The plans show the gates opening inwards and a condition will ensure this is so. The proposed gate would be the same height as existing with open metal railings to improve visibility and safety. The design of the proposed gate is not considered harmful to the host building, street scene or conservation area.

Due to the small amount of floorspace involved, day time and term time use, and the lawful public house use, the use for educational purposes is not considered to be harmful to the amenity of residential adjoining occupiers.

The school is approximately 20m away from the application site on New End and as the proposed school use would provide overspill teaching and admin floorspace, and there would be no increase in the school's roll, it is not considered that the proposal would affect local transport conditions.

One objection has been received and duly taken into consideration. The site's planning history was taken into account when coming to this decision.

Considerable importance and weight has been attached and special attention has been paid to the desirability or preserving and enhancing the character and appearance of the conservation area under s.72 of the Listed Buildings and Conservation Areas Act 1990, as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies CS5, CS10, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP15, DP16, DP17, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

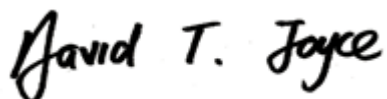
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, 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 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).

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



David Joyce
Executive Director Supporting Communities