

Site Address - 175 West End Lane, NW6 - SUPPORTING STATEMENT

Pre-App reference - 2017/4311/PRE

Camden Contact: Laura Hazelton

Proposal:

Change of use from nightclub (sui generis) to bar (A4) use, demolition and rebuild of ground floor rear extension, rear infill extension, and shopfront alterations.

Site description:

The application site comprises a three-storey mid-terrace property with mansard roof and basement. The ground floor and basement are currently in use as a nightclub (sui generis use), with residential flats on the upper floors. The application site is not listed, but is located within the South Hampstead Conservation Area and the Fortune Green and West Hampstead Neighbourhood Area and Forum.

Relevant planning history:

G5/6/1/26724- Continued use of basement as a discotheque dancing club. Allowed at appeal 22/08/1980.
G5/6/1/7818 - Change of use of ground floor and basement from club to a cafe and restaurant. Granted 12/11/1969.
G5/6/1/5433 - The Change of use of the ground floor and basement of 175 West End Lane, Camden from club to a fried fish restaurant and fish and chip shop. Granted 31/07/1968.
G5/6/1/4080 - The use of the ground floor and basement of 175 West End Lane, Camden, as a non-residential club. Granted 21/09/1967.
Planning Solutions Team Planning and Regeneration Culture & Environment Directorate London Borough of Camden 2nd Floor 5 Pancras Square London N1C 4AG
www.camden.gov.uk/planning
G5/6/1/14508 - The conversion of the three upper floors of No. 175 West End Lane, NW6 into two self contained residential units. Granted 29/11/1972.

Relevant policies and guidance:

- National Planning Policy Framework 2012
- The London Plan March 2016
- Camden Local Plan 2017 Policy A1 Managing the impact of development Policy A4 Noise and vibration Policy D1 Design Policy D2 Heritage Policy D3 Shopfronts Policy TC4 Town centre uses
- Camden Planning Guidance CPG1 (Design) 2015 CPG5 (Town centres, retail and employment) 2013 CPG6 (Amenity) 2011
- South Hampstead Conservation area character appraisal and management strategy 2011
- Fortune Green and West Hampstead Neighbourhood Plan

Principle considerations:

1. Land Use (principle of change of use from nightclub (sui generis) to bar (A4 use));
2. Design (impact of the proposals on the character and appearance of the host building and wider South Hampstead conservation area)
3. Amenity (impact on neighbouring amenity in terms of outlook, daylight, privacy and noise).

(1) Land Use:

Extract from Pre-app response –

“The proposals involve the change of use of the existing nightclub to a new bar. Policy TC4 (Town centre uses) of the Local Plan states that the Council will ensure that the development of shopping, services, food, drink, entertainment and other town

centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area, or the amenity of neighbours.

Within each of Camden's centres, the Council will seek to prevent concentrations of uses that would harm an area's attractiveness to shoppers or its residential amenity. The Council wishes to see a wide range of entertainment uses within its centres, not just those that primarily involve drinking and will encourage suitable uses that contribute towards this. (paragraph 9.39).

CPG5 (Town centres, retail and employment) seeks to protect retail uses within core and secondary frontages in West Hampstead to ensure that the area retains a viable shopping function. Paragraph 3.30 relates to food and drink uses and advises that for all proposals for new or expanded food, drink and entertainment uses in West Hampstead, the Council will consider the impact of these uses, whether cumulatively or individually, on:

- the retail character and function of the centre;
- the overall mix of uses in the centre; and
- local amenity.

The application site is located within a secondary frontage in the West Hampstead town centre, where the Council would expect a minimum of 50% retail in each frontage. To protect the character of the town centre, permission for development of food, drink and entertainment uses may be granted to a maximum of 25% of total premises in each individual frontage. To avoid the creation of concentrations of food, drink and entertainment uses that could result a harmful impact to the amenity of local residents and businesses, we will not permit development which result in more than two of these uses being located consecutively in a frontage.

Currently, the small parade of 6 properties has 33% in retail use and 33% in food, drink and entertainment. The current proportion of retail uses is lower than the Council would seek; however, it is not considered that the proposed change of use would harm the retail function of this frontage because the application site would still remain within food, drink or entertainment use. Furthermore, the change of use would not result in more than 2 consecutive food or drink uses, and the use of the premises as a bar is similar to the existing lawful use as a nightclub. The principle of the change of use is therefore likely to be considered acceptable at application stage."

Applicant Comments –
No additional comments.

(2)Design:

Extract from Pre-app response –

"The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan is supported by CPG1 (Design) and the South Hampstead Conservation Area Statement.

Shopfront alterations-

Chapter 7 of CPG1 provides specific guidance regarding shopfronts and advises that shopfront alterations should respect the detailed design, materials, colour and architectural features of the shopfront and building itself.

The proposals involve a reduction in size of the fascia sign and the retention of the original corbels either side, which is welcomed. The existing bi-folding doors would be replaced with glazed windows with a new stall riser and transom, which would re-introduce a more traditional appearance to the shopfront in accordance with Camden's planning guidance.

The changes to the shopfront are considered appropriate in terms of design, scale and materials. They would be in keeping with the commercial identity of this town centre secondary frontage, and would preserve the character and appearance of the host building and surrounding area."

Applicant Comments –
No additional comments.

Rear extensions -

“The proposals involve the demolition of the existing single storey rear extension at ground floor level and the erection of a replacement rear extension of the same dimensions. Elevation and section drawings have not been provided so I cannot comment fully on the acceptability of detailed design of this; but provided the extension is no larger than the existing and is constructed of matching materials to the host building with appropriate fenestration, it is likely to be considered acceptable. The proposal also involves the demolition of the existing infill extension at lower ground floor level and the creation of a new two storey extension within the same footprint at basement/ground floor level. This would be linked to the rear garden level by a raised platform/walk way. This extension would match the floor area of the existing structure and would be set within the existing recess. The erection of an extension in this location would have limited impact in design terms. It would be relatively small in size and subject to very limited views from the surrounding area and is not considered to cause harm to the character and appearance of the host building or wider conservation area.”

Applicant Comments -

Rear Extension elevation and section drawings have now been provided with materials proposed to match existing host building.

Concerns were raised in respect of the proposed use of the rear extension and these comments were taken on board as can be seen from the plans submitted which should address these concerns fully.

(3)Amenity:

Extract from Pre-app response –

“Policy A1 seeks to protect the amenity of Camden’s residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight. Where food, drink and entertainment uses are permitted, they will need to be managed to protect the amenity of residents. To ensure such uses do not harm amenity or the character of an area, either individually or cumulatively, we will consider applying controls on:...”

Applicant Comments -

- hours of operation; - Existing hours of operation to be replicated, further details available if required?.
- refuse and litter; - commercial waste and recycling to be disposed in the appropriate / required manner.
- noise/vibration; - New / replacement air conditioning equipment is shown in proposed locations on the plans and have been designed to comply with Camden’s noise standards. If noise, vibration and ventilation assessment is required as part of this application please confirm in order that this can be submitted. It may be that the council would prefer to see a separate application for the air handling units in which case this can be conditioned and submitted in conjunction / separately and alongside this application.
- fumes; - n/a
- customer area; - to be refurbished and improved for access, noise attenuation and fire safety.
- changes of use (Policy TC4, paragraph 9.40) – addressed in pre-app submission / officers responses as detailed above.

With regard to the change of use, the use as a bar is likely to cause no more disturbance to neighbouring residents than the existing nightclub use. – Correct, indeed protected to decrease.

Use of garden:

The garden is proposed to continue to be used by customers; in the pre-app response Council Officers incorrectly suggested that the garden was not currently used by customers. This is not the case. Attached please find a letter from the current owner confirming the use of the garden together with a photograph of the existing outside of the establishment which clearly advertises the garden as a popular facility. Use of the garden area is and will continue to be carefully managed by the applicant to ensure any noise disturbance is mitigated with the garden “opening hours” remaining as they currently are (closed by

11pm). This would therefore have a nil impact on privacy of neighbours. Additionally, the applicant has proposed a new lightweight covering to the garden as part of further noise attenuation / mitigation measures.

Fenestration:

Concerns were expressed in relation to the side wall of the ground floor extension where some glazing is proposed. These windows are designed to bring natural light into the rear section of the building where there is currently no natural light. The height of these windows has been revisited and they are additionally proposed to be fixed glazing (non-opening) and fitted with blinds. Together with the proposed boundary wall treatment (privacy / noise attenuation screen fence) this would result in no harm to neighbouring amenity.

Conclusion:

The principle of the change of use is likely to be considered acceptable;
Concerns raised in relation to potential harm to be caused to neighbouring amenity clarified / addressed in full application plans. Comments / feedback received in pre-application advice have all been considered and addressed.

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