

2017/6916/P & 2018/0554/L Assembly Rooms, 292-294 Kentish Town Road, NW5 2TG

Site photographs



Photo 1: Front elevation



Photo 2: Rear elevation



Photo 1: Front elevation



Photo 2: Rear elevation



Photo 3: Rear elevation



Photo 4: Existing air con units



Photo 5: facing towards Leighton Road

Delegated Report	Analysis shee	et	Expiry Date:	09/02/2018		
(Members' Briefing)	N/A / attached		Consultation Expiry Date:	01/03/2018		
Officer		Application N	umber(s)			
Kristina Smith		1. 2017/6916/P 2. 2018/0554/L				
Application Address		Drawing Numbers				
Assembly Rooms 292-294 Kentish Town Road London NW5 2TG		See Draft Decision Notice				
PO 3/4 Area Team Signatu	re C&UD	Authorised Of	ficer Signature			
Proposal(s)						
Reconfiguration of roof plant and access servicing and erection of external staircase to the rear in association with provision of ancillary guest accommodation at upper floor levels (Use Class A4).						
1. Grant Conditional Planning Permission2. Grant Listed Building Consent						
Application Type:1. Full Planning Permission 2. Listed Building Consent						

Cllr Headlem-Wells objected on the following grounds:
• The plans for the lift show that it would not serve the ground floor, and would only reach the third floor. This means that the lift would not be accessible for the disabled, and therefore would contravene the Equalities Act 2010.
Officer response: the lift has been removed from the proposal
 The plans for the external fire escape stairs contravene the Building Regulations Fire Guidance. Those escaping from a fire above would have to leave the external staircase and go back into the building at first floor level, which is patently extremely dangerous, not to say life- threatening.
Officer response: the works will require approval from Building Control which will examine compliance with building regulations
 There would be considerable loss of heritage features (e.g. original panelling) at the back of the building, in order for the lift shaft to be installed.
Officer response: the lift has been removed from the proposal
• The loss of the Function Room for community use is to be deplored.
Officer response: the upper floors are in use as landlord accommodation. No function room at upper levels was identified on the site visit.
 The proposed new air-conditioning units are planned to be installed adjacent to neighbours' bedroom windows. This would cause noise nuisance, potentially all night.
Officer response: please refer to 'Amenity of neighbouring occupiers' section of report.
No objection to principle of hotel

1						
	Bartholomew Estate and Kentish Town CAAC objected on the following grounds:					
	<u>grounds.</u>					
CAAC/Local groups* comments:	The steel external fire escape but it is made of steel is out of keeping with the area from which it is easily visible					
	Officer response: please refer to 'design and heritage' section of report					
	 Lift would bring about loss of heritage and loss of a function room used as a local amenity. 					
	Officer response: please refer to 'land use' and 'design and heritage' section of report					
	No objection to principle of hotel accomodation					
	Kentish Town Road Action objected on the following grounds:					
	• The plans for the lift show that it would not serve the ground floor, and would only reach the third floor. This means that the lift would not be accessible for the disabled, and therefore would contravene the Equalities Act 2010.					
	Officer response: the lift has been removed from the proposal					
	• The plans for the external fire escape stairs contravene the Building Regulations Fire Guidance. Those escaping from a fire above would have to leave the external staircase and go back into the building at first floor level.					
	Officer response: Building Regulations Fire Guidance is a separate consideration to the planning process					
	• There would be considerable loss of heritage features (e.g. original panelling) at the back of the building, in order for the lift shaft to be installed.					
	Officer response: the lift has been removed from the proposal					
	• The loss of the Function Room for community use is to be deplored.					
	Officer response: please refer to 'land use' section of report					
	• The proposed new air-conditioning units are planned to be installed adjacent to neighbours' bedroom windows. This would cause noise nuisance, potentially all night.					
	Officer response: please refer to 'Amenity of neighbouring occupiers' section of report					
	Request application is determined at Full Planning Committee					
	Officer response: For the Members' Briefing Panel to decide					

Site Description

The site is located at the junction of Kentish Town Road and Leighton Road, immediately to the north of Kentish Town underground station. The building is a Grade II listed building (listed in 1985) and is in the Kentish Town Conservation Area. The building occupies a prominent corner position and is visible in long views looking north up Kentish Town Road. The building dates from c.1898 and is designed in the French Chateau style. The property is currently used as a public house on the ground floor with ancillary staff accommodation on the first, second and third floors.

The site is located in Kentish Town Conservation Area and in the designated Town Centre of Kentish Town.

Relevant History

2014/3365/P - Extension at rear first to third floor level to include lift shaft and reconfiguration of plant and access servicing in association with ancillary guest accommodation at upper floor levels (Use Class A4). **Granted 09/02/2015**

2014/3394/L - Internal and external alterations associated with the extension at rear first to third floor level to include lift shaft and reconfiguration of plant and access servicing for ancillary guest accommodation at upper floor levels (Use Class A4). **Granted 09/02/2015**

2011/0027/L - Internal alterations including the relocation of ground floor wash room facilities and construction of cold room at basement level with new access stairs and an enlarged trading area to the ground floor of public house (Class A4). **Granted 16/02/2011**

2010/5659/P - External alterations to public house including the installation of 4 new air conditioning units and associated works to the rear flat roof (Class A4). – **Granted 07/03/2011**

2010/5657/L - Internal alterations including the relocation of ground floor wash room facilities and the construction of cold room at basement level with new access stairs and an enlarged trading area to the ground floor of public house (Class A4). **Refused 10/12/2010** on the grounds that: *The removal of the original timber walls and shelving at basement level, by reason of the loss of significant historic fabric, would be detrimental to the special interest of this grade II listed building*

2010/5657/L - Internal alterations including the relocation of ground floor wash room facilities and the construction of cold room at basement level with new access stairs and an enlarged trading area to the ground floor of public house (Class A4). **Refused 10/12/2010** on the grounds of removing original timber walls and shelving at basement level. There was no objection to the location of the air conditioning units.

2010/6397/L - Internal additions and alterations to include the relocation of existing radiators and installation of stud partition wall at first floor level and formation of new kitchen and new door opening and door at second floor level to existing pub (Class A4) – **Granted 02/02/2011**

2003/2823/L - Installation of micro service lift from existing cellar to ground floor kitchen and formation of kitchen in cellar – **Granted**

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

G1 Delivery and location of growth

- A1 Managing the impact of development
- A4 Noise and vibration
- C4 Public Houses
- D1 Design
- D2 Heritage

Camden Planning Guidance

CPG 1 Design (2015) CPG Amenity (2018) CPG 7 Transport (2011)

Kentish Town Neighbourhood Plan (2016)

Kentish Town conservation area appraisal and management strategy (2011)

Assessment

1. Proposal

1.1. The applicant seeks planning permission for the following works:

- Installation and reconfiguration of plant equipment consisting of 6 x AC units at roof level
- Installation of fire escape stair

1.2. In addition to the above, the applicant seeks listed building consent for:

• Internal alterations at basement, first, second and third floor levels in association with conversion of ancillary landlord accommodation to ancillary guest accommodation.

1.3. During the course of the application, the following revisions have been negotiated

- Removal of three storey rear extension accommodating lift shaft
- Removal of double height enclosure around staircase at second floor level
- 1.4. It should be noted that the applications originally sought permission for exactly the same works as the recently expired planning consents ref. 2014/3365/P and 2014/3394/L. The only difference is that the lift shaft and the internal staircase enclosure have now been omitted from the current proposal. All other elements remain as previously approved.

2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Land use
- Design and Heritage
- Amenity of guest accommodation
- Amenity of neighbouring occupiers
- Recommendation
- 2.2. The statutory provisions principally relevant to the determination of these applications are Section 16 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 2.3. Section 16 requires that in considering whether to grant listed building consent for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.
- 2.4. Section 66 of the Act requires that in considering whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest.
- 2.5. The NPPF terms listed buildings designated heritage assets. Section 12 of the NPPF provides guidance on managing change to designated heritage assets through the planning system, including avoiding or justifying harm to the special architectural or historic interest of listed buildings. Paragraph 134 states that "less-than-substantial harm" to a designated heritage asset must be outweighed by the public benefits secured by the proposals, including heritage benefits to the assets.

3. Land use

- 3.1. The proposal primarily relates to the reconfiguration of the upper floors to convert ancillary staff accommodation into guest accommodation. As a result, associated internal and external works are to take place to improve access, as well as plant works associated with the primary commercial element of the public house.
- 3.2. Where proposals relate to the redevelopment or loss of public houses, policy C4 seeks to protect public houses, particularly those which serve a recognised community role such as providing evening classes, clubs or meetings. Applications involving the loss of pub floorspace, including facilities ancillary to the operation of the public house, will be resisted where this will adversely affect the operation of the public house.
- 3.3. With regard to this application, the main commercial element of the public house, including storage area, takes place at lower ground and ground floor levels. The first floor serves as staff accommodation and the manager's office with the second and third floors serving as evidently redundant staff accommodation. The upper floors therefore do not provide a community role, but rather ancillary staff accommodation which is secondary to the building's primary use as a public house.
- 3.4. In this instance, the primary commercial floorspace on the basement and ground floor would remain, whilst the upper floors would be reconfigured to provide accommodation which would remain ancillary to the main use as a public house. The proposal would not therefore constitute a change of use, as the staff/guest accommodation would not be undertaken as a separate unit, but rather remain associated with the public house falling within the A4 use class. The ancillary accommodation above is typical of pubs and would not be to the detriment of the primary

business operation of the pub, nor would it involve the loss of any community facility. The use is therefore considered to be acceptable.

4. Design and Heritage

- 4.1. The building is a Grade II listed building (listed in 1985) and is located in the Kentish Town Conservation Area. The building occupies a prominent corner position and is visible in long views looking north up Kentish Town Road.
- 4.2. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 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 D2 'Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance. In order to preserve or enhance the borough's listed buildings, D2 additionally states that the Council will only grant consent for alterations or extensions to a listed building where it considers this would not cause harm to the special interest of the building; and will not permit development that it considers would cause harm to the setting of a listed building.
- 4.3. The Council's design guidance (CPG1) states that when assessing proposals involving listed buildings, we will consider the impact of proposals on the historic significance of the building, including its features, such as:
 - original and historic materials and architectural features;
 - original layout of rooms;
 - structural integrity; and
 - character and appearance (para 3.22)
- 4.4. CPG1 continues to state that the Council will expect original or historic features to be retained and repairs to be in matching materials; and that proposals should seek to respond to the special historic and architectural constraints of the listed building, rather than significantly change them (para 3.23).

Internal alterations

- 4.5. The scheme initially paid little regard to the historic fixtures and fittings, but has been improved over the course of the application resulting in only a minimum amount of historic fabric loss consistent with bringing the pub's upper floors back into an optimum viable use. Identified historic features of interest are to be retained, and any historic doors or panelling that need to be moved shall be retained and reused on site.
- 4.6. The applicant wishes to convert the rooms above a pub, including a well preserved Victorian kitchen on the top floor, into hotel accommodation. Following negotiations, a proposed external lift shaft, which would have required extensive external and internal works, including removing several windows, altering the plan form and redirecting ventilation ductwork through the principal ground floor saloon, has been removed from the scheme. In addition, to protect the stairs from fire, two full-height walls were proposed on the first-floor landing. By moving a doorway, this requirement has been reduced to one full-height wall.
- 4.7. Conditions on the listed building consent would ensure that all historic doors and panelling are retained and used on site and that further detail on the treatment of the timber walls and panelling is submitted and approved.

4.8. Secondary glazing is proposed at first, second and third floor levels which would enable greater acoustic and thermal performance without harming historic fabric. Further details regarding the secondary glazing will be secured via condition to ensure it is suitable for the building and will not impact on the appearance of the windows from the street.

Installation of plant at roof level

4.9. Two additional AC units would be located on the existing flat roof around the roof lantern where there are already 4 existing units. Three of the existing AC units would be relocated to alternative locations but still on the same flat roof. This is in association with the installation of the fire escape stair. The plant would not be visible in public views, but would be seen in some private views, albeit obscured by the existing roof lantern. Whilst the plant would have some impact in terms of its visibility from the rear, such alterations in this location are not considered harmful to the character or appearance of the host building and surrounding area.

Installation of external staircase

- 4.10. An external fire escape stair is proposed, spanning from first to third floor. The structure would be black painted steel and whilst visible in some views from Leverton Street to the rear, would appear lightweight and contextual with the commercial, back of house setting.
- 4.11. On balance, the level of harm is considered to be 'less than substantial' and is outweighed by the benefit of bringing the currently underused landlord accommodation back into its optimum viable use.

5. Amenity of guest accommodation

- 5.1. The proposal involves introducing guest accommodation above a noise generating use. Policy A4 of the Local Plan states that noise sensitive developments include "*housing, schools and hospitals as well as offices, workshops and open spaces*". The guest rooms are therefore not considered to be a noise sensitive use. Furthermore, guests choosing to stay above a pub are likely to be more tolerant of noise than those staying in a purpose built hotel.
- 5.2. As part of the proposal, walls and floors will incorporate sound insulation to improve the building's acoustic performance and mitigate noise transfer between guest rooms. Secondary glazing will further improve the acoustic and thermal performance of these rooms.
- 5.3. Therefore, the improvements would ensure that accommodation is closer to the informative criteria provided within BS 8233 for new build hotels, although they may not fully comply with those standards. Bearing in mind the listed status of the building, the proposal is considered acceptable in this instance.

6. Amenity of neighbouring occupiers

6.1. The nearest residential property is no. 1 Leighton Road, abutting the site to the east. The potential impacts most likely to be associated with the guest accommodation use would be noise and nuisance from guests entering and leaving and transport related impacts such as congestion from additional taxi trips and site servicing. The proposed guest accommodation is of a relatively small scale with the ability to accommodate 14 persons per night at full capacity (7 rooms). Whilst ancillary to the main use, the guest accommodation would be positioned on a busy red route in a town centre location. Given the nature of the ancillary use and its scale, the overall impact on the amenity of neighbouring occupiers would be not be significant.

6.2. A noise impact assessment has been submitted with the application and reviewed by the

Council's Environmental Health officer. The assessment as identified the maximum acceptable noise levels which may be emitted by the proposed plant equipment or ducting at The Assembly House during both the daytime and night-time periods. The noise levels identified should ensure that the likelihood of an adverse impact is low. Should the plant emit a higher sound pressure than that which is specified in Table 6.1 of the submitted report (prepared by ACCON), then noise attenuation measures such as acoustic attenuators, acoustic louvres or acoustic enclosures may be required.

6.3. Due to the units being located at roof level, alongside the glass lantern and the large flue, it is not considered that they would cause a loss of amenity to surrounding neighbours in terms of loss of daylight, sunlight or outlook.

7. Recommendation

- 1. Grant Planning Permission subject to conditions
- 2. Grant Listed Building Consent subject to conditions

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Tuesday 29th May 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to <u>www.camden.gov.uk</u> and search for 'Members Briefing'. Application ref: 2017/6916/P Contact: Kristina Smith Tel: 020 7974 4986 Date: 24 May 2018

Walsingham Planning Bourne House Cores End Road Bourne End SL8 5AR



Development Management

Regeneration and Planning London Borough of Camden Town Hall Judd Street London WC1H 9JE

Phone: 020 7974 4444

camden.gov.uk

planning@camden.gov.uk www.camden.gov.uk



Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address: 292-294 Kentish Town Road LONDON NW5 2TG

DECISION

Proposal:

Reconfiguration of roof plant and access servicing and erection of external staircase to the rear in association with provision of ancillary guest accommodation at upper floor levels (Use Class A4).

Drawing Nos: 011; 012; 013; 014; 015; 016; 017; 018; 019; 020 (Rev C); 021 (Rev G); 022 (Rev G); 023 (Rev G); 024 (Rev A); 025 (Rev D); 026 (Rev E); 027 (Rev D); 028 ; 029 (Rev B); Heritage Statement; Planning Statement; Noise Assessment prepared by accon UK (dated 12.12.2017)

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

3 The development hereby permitted shall be carried out in accordance with the following approved plans: 011; 012; 013; 014; 015; 016; 017; 018; 019; 020 (Rev C); 021 (Rev G); 022 (Rev G); 023 (Rev G); 024 (Rev A); 025 (Rev D); 026 (Rev E); 027 (Rev D); 028 ; 029 (Rev B); Heritage Statement; Planning Statement; Noise Assessment prepared by accon UK (dated 12.12.2017)

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

4 The cumulative sound level from building services and fixed plant shall be 10dB(A) or more below the lowest background sound level (15dB if tonal components are present) at the nearest residential receptor at any time. The plant and equipment shall be installed and constructed to ensure compliance with the above requirements and ACCON's Noise Assessment Table 6.1: Maximum BS 4142 Sound Power Level.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

The guest accommodation hereby approved shall be designed and located such that the unoccupied noise levels do not exceed the criteria specified in Table H.1 Airborne Sound Insulation and Table H.3 Indoor ambient noise level ranges for hotel bedrooms of BS8233:2014.

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 Director of Regeneration and Planning



DECISION



Regeneration and Planning Development Management London Borough of Camden Town Hall Judd Street London WC1H 9JE

Tel 020 7974 4444

planning@camden.gov.uk www.camden.gov.uk/planning

Walsingham Planning Bourne House Cores End Road Bourne End SL8 5AR

Please ask for: Kristina Smith Telephone: 020 7974 4986 24 May 2018

Application Ref: 2018/0554/L

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address: 292-294 Kentish Town Road LONDON NW5 2TG

Proposal:

Internal and external alterations including reconfiguration of roof plant and access servicing and erection of external staircase to the rear in association with provision of ancillary guest accommodation at upper floor levels (Use Class A4).

Drawing Nos: 011; 012; 013; 014; 015; 016; 017; 018; 019; 020 (Rev C); 021 (Rev G); 022 (Rev G); 023 (Rev G); 024 (Rev A); 025 (Rev D); 026 (Rev E); 027 (Rev D); 028 ; 029 (Rev B); Heritage Statement; Planning Statement; Noise Assessment prepared by accon UK (dated 12.12.2017)

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

Conditions And Reasons:

1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.



Executive Director Supporting Communities

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

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

a) Plan, elevation and section drawings of all secondary glazing at a scale of 1:10

b) Details of service runs for all new bathrooms demonstrating the relationship of new pipework with underfloor structures such as joists

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

5 Prior to commencement of works, provision shall be made and submitted to the Council for approval in writing, for the salvage and reuse of all historic doors and panelling.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D2 of the London Borough of Camden Local Plan 2017

All historic doors and panelling must be retained and used on site.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 You are advised that any works of alterations or upgrading not included on the

approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

3 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

You can find advice about your r	ights of ap	oeal at:		
http://www.planningportal.gov.uk	/planning/a	appeals/qui	dance/guid	ancecontent

Yours faithfully

Director of Regeneration and Planning

DECISION