



Town and Country Planning Act

Second Supporting statement

on behalf of Artichoke Heart Limited

in respect of the Queens Head and Artichoke, 30-32 Albany Street, Camden,
London NW1 4EA

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1 Introduction

- 1.1 This second statement is produced on behalf of Artichoke Heart Limited (the **Applicant**) in support of its application for planning permission for development at the Queens Head and Artichoke, 30-32 Albany Street, Camden, London NW1 4EA (the **Property**) with Camden Borough Council (the **Councils**) reference of 2017/4134/P (the **Application**).
- 1.2 This statement is supplemental to the planning statement submitted with the Application (the **Original Statement**). Following a site visit and correspondence between the Robert Lester of the Council and the Applicant this second supporting statement has been prepared to address a number of the Council's concerns regarding the Application.
- 1.3 The Council primary concern appears to be that the Application is detrimental to the Property's long term viability as a public house. It is worth noting that the Application is not to convert any part of the Property to residential use (bar the relocation of the existing C3 accommodation) but to convert current underutilised restaurant / ancillary space to guest accommodation.
- 1.4 The provision of guest accommodation is entirely in keeping with a public house of this age and complimentary to its primary use as a pub / restaurant. There is considerable precedent for successfully run guest accommodation above public houses within Camden, London and nationally.
- 1.5 Specifically the concerns raised by the Council with the Application are:
- 1.5.1 Loss of yard / smoking area;
 - 1.5.2 Compatibility of proposed guest accommodation with public house use at ground floor; and
 - 1.5.3 Relocation of the kitchen.
- 1.6 We deal with each of these points in turn in this statement.

2 External yard / smoking area

- 2.1 There is concern that the loss of pub garden/smoking area would result in the displacement of drinking and smoking to the front and side of the pub, where the associated noise and disturbance may impact on the amenity of nearby residents. The Council does note though that this extension is acceptable on design grounds as confirmed by the Conservation Team.
- 2.2 What is currently the pub garden/smoking area only became so in in the last few years. Up until this time this space was used as a garage ancillary to the residential use of the upper floors of the Property. No planning permission was sought for this change of use.
- 2.3 On the basis that this change of use was not authorised a material consideration in determining the Application is that the fall-back position for the use of the Yard is for use within Use Class C3 and not A4.
- 2.4 The impact on neighbouring residents of use of the yard as a smoking area is evidenced by objections made in respect of prior applications for planning permission at the Property.

2.5 Specifically, in respect of application 2016/6585, a response was that:

*For example, the area marked "Yard" on the plans is in fact an **(unauthorised?) beer garden/patio area**. This beer garden/patio area is hidden behind large wooden doors on the ground floor and is only partially covered. There is absolutely no noise insulation at all from this area (or any of their outside seating) and so noise travels extremely freely into the homes of the Walton House residents via the casement windows and chimney stacks that go into each flat. **The current noise levels can sometimes be extremely challenging, especially for those who have health problems or have children of school age.***

2.6 The use of the yard for its current purpose is clearly negatively impacting on neighbouring residents and the Applicant would normalise this position via the Application,

2.7 The Applicant would be willing to enter into any reasonable mitigation measures regarding the impact of customers smoking / drinking at the front of the property although as stated up until fairly recently this had lawfully been the case since around 1900 when the Property was built.

3 **Nature of short term lets**

3.1 The Applicant proposes to make the rooms to available to business or leisure customers and a maximum stay of 28 days would be imposed to prevent them being used as permanent accommodation. It is envisaged that booking engines such as Hotels.com and Booking.com would be used to secure new business. Preferential rates would also be offered to local businesses who wish to accommodate staff on a temporary basis.

3.2 Having letting rooms above pubs was historically one of a public house's primary purposes and almost certainly the Property would have historically offered guest accommodation.

3.3 Examples of other pubs offering guest accommodation in the Borough are:

3.3.1 The Enterprise Public House;

3.3.2 York & Albany Hotel;

3.3.3 The Clerk & Well Pub and Rooms;

3.3.4 The Exmouth Arms;

3.3.5 The Queens;

3.3.6 St Christopher's Inn;

3.3.7 The Pride of Paddington;

3.3.8 Prince Arthur;

3.3.9 The Harrison;

3.3.10 The Prince Albert;

- 3.3.11 Kings William IV Hotel;
- 3.3.12 Central Station;
- 3.3.13 The Black Lion;
- 3.3.14 The One Tun; and
- 3.3.15 New Market Ale House.

- 3.4 In terms of the operation of the public house impacting on guests, the Property is of a sturdy construction with thick concrete floors between each level. The Applicant has lived above the pub since acquiring it in 2002 and considers the noise impact from the ground floor bar on the upper floors to be minimal. The majority of noise is considered to emanate from the yard area. Given that this Application is to provide living accommodation to the Applicant well into old age (hence the lift) it follows that noise disturbance from the pub use is minimal.
- 3.5 The existing floor to ceiling height at first floor level is over 3.3m. the existing floor construction is believed to be of solid concrete which has particularly good acoustic qualities especially with respect to airbourne sound which might emanate from the pub below.
- 3.6 Guests at the Property would be well aware of what they are booking in terms of any residual noise or interference from the ground floor pub use and many would indeed consider it a benefit to be a above a restaurant and public house.
- 3.7 As set out above there is considerable precedent for the type guest accommodation to be provided above pubs without compromising on the operation of the public house.

4 **Kitchen relocation**

- 4.1 While the proposed kitchen at basement level will be slightly smaller than the current kitchen it will benefit from being better designed and laid out. The proposed kitchen will also be able to be heavily invested in in terms of modern equipment and features.
- 4.2 This Applicant is not able to fund a kitchen refit without the additional revenue anticipated from the lettings part of the business. Moving the kitchen to basement level will provide a much better use of space by freeing up prime parts of the building which could be put to better use. The modern kitchen with better flow and equipment including air-conditioning will provide an improved working environment and help to attract and retain a higher quality staff. The head room available at basement level will be accommodated by a moderate dig out of 300 – 400mm taking the height from 2100mm to 2400/2500 which ought to be quite adequate.
- 4.3 The proposed kitchen will allow the Applicant to provide a higher and more consistent standard of food offering. It is hoped that this will help to rebuild a core group of regular and occasional customers who will pay a premium for a high quality product. As stated in the Original Statement there are high levels of competition around the Property and it is crucial that the Applicant is able to differentiate itself from other local restaurants.

4.4 The Application with regards to the kitchen is about offering a higher standard of food rather than simply a greater volume. It has proven impossible to fill the current restaurant space and therefore the Applicant must instead raise more revenue per diner. This, in conjunction with the revenue generated by the letting rooms, will secure the long term viability of the Property as a public house.

5 **Conclusion**

5.1 The purpose of the Application is to improve on the offering at the Property and to diversify into letting rooms. By moving the kitchen to basement level what is currently underutilised space can be brought into full use. The investment unblocked by the Application can provide a high quality modern kitchen which will allow the Applicant to provide a higher standard of food to guests.

5.2 The Application is not about converting the Property to residential use by stealth or in any way acting to the detriment of the operational ability of the public house. The Applicant wishes to continue to live at and operate the Property for many years to come. The refusal of the Application will ultimately do much more harm to the future prospect of the Property than if it is allowed. As previously stated in Michael Kittos' statutory declaration, as it stands, the long term viability of the Property as a public house is far from secure.