

Planning Statement

Apart-hotel Change of Use

105 King's Cross Road London

November 2019

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1. INTRODUCTION

1.1. This Planning Statement has been prepared by Centro Planning Consultancy on behalf of Mendoza Limited (“the Applicant”) in support of a full planning application at 105 King's Cross Road London WC1X 9LR, to Camden Council (“the Council”). The proposed development is described as follows:

“Temporary change of use of the first and second floors from ancillary drinking establishment floorspace (Use Class A4) to three serviced apartment units (Use Class C1).”

1.2. The purpose of this Planning Statement is to describe the site and its surroundings; describe the proposed scheme; summarise the planning policy context and planning history; and provide a comprehensive analysis of the proposal having regard to the development plan and other material considerations.

1.3. This Planning Statement is structured as follows:

- Section 2: Site Context and Proposal;
- Section 3: Decision Making Framework;
- Section 4: Land Use Considerations;
- Section 5: Other Planning Considerations;
- Section 6: Conclusions

1.4. The report should be read in conjunction with other documents submitted as part of the application, namely:

- Architectural Drawings (Milan Babic Architects)
- Pub Viability Assessment (Lambert Smith Hampton)

2. SITE CONTEXT AND PROPOSAL

Site Context

- 2.1. The application site comprises the first and second floors of an existing three-storey (plus basement) drinking establishment, located on the west side of King's Cross Road, on the corner of Frederick Street.
- 2.2. It is located approximately 750 metres from Kings Cross Station (a 10-minute walk), and benefits from a PTAL (Public Transport Accessibility Level) of 6b (Excellent). There is a cycle route on King's Cross Road.
- 2.3. There are two hotels located in close proximity to the site along Kings Cross Road (Clink 78, and Travelodge), as well as number of eating-out venues. The immediate wider area is residential in character.

Existing and Proposed Use

- 2.4. The whole building has a lawful drinking establishment (Use Class A4) use.
- 2.5. The building was formally known as the Carpenters Arms PH. During the Carpenters Arms' operation, the customer area was at the ground floor. Between the mid-nineties and its closure in October 2016, the first floor comprised a staff rest area, and a kitchen which was, on occasion, used to cook food for events held for the pub customers. The second floor was the landlord's living quarters. The basement was mostly unused, other than for ancillary storage purposes.
- 2.6. In December 2016, the ground floor and basement of the building were leased to Gin and Ignorance Ltd, which remains the present occupier. It is currently operating as a drinking establishment, trading under the name of The Racketeers. The associated lease expires on 22 December 2031. The ground floor and basement lock-up unit was substantially refurbished prior to the Racketeer commencing trading. The customer area at ground level was extended by the removal of an internal private lobby and stair area, with services relocated into the basement. The preparation and storage facility is in the basement.
- 2.7. The viability report (submitted as part of this application) confirms that The Racketeers is trading reasonably successfully (see para 13.1); and is of a broader appeal compared to the Carpenters Arms' operation (see para 13.2). The current food offering is appropriate to the venue, but should

a more substantial menu be proposed then there is scope to provide additional preparation facilities in the basement which is still not utilised to its maximum potential (see para.3).

2.8. The first and second floors are currently vacant and unused (since early 2019), but have already been laid out as three self-contained flats:

- Unit 1 is a studio flat, located on the first floor
- Unit 2 is a 1-bedroom flat, located on the first floor
- Unit 3 is a 3-bedroom flat, located on the second floor

2.9. This application now seeks to formalise the use of these units as visitor accommodation (Use Class C1), but on a temporary basis only. The proposed change of use would exist until 22 December 2031, when Gin and Ignorance Ltd's lease expires (or at the point of any early termination of the lease). For the avoidance of doubt, after 22 December 2031, the use of upper floors would revert to A4 use.

2.10. In order appropriately control the propose use, the Applicant would expect a relevant planning condition to be attached to any permission, preventing occupation for more than 90 consecutive days.

Site Allocations and Designations

2.11. The application site lies within the Central London Area as defined by the Camden Local Plan. The site also lies within the Central Activities Zone as defined by the London Plan.

2.12. The building is not listed, and neither are the properties either side. The premises fall within the Bloomsbury Conservation Area. The ground floor shopfront is recognised as being of merit. However, on the basis that no external works are proposed, these features will not be affected, and this is not discussed further in this report.

Asset of Community Value

2.13. In August 2015, the Carpenter Arms public house was listed as an Asset of Community Value (ACV), The following extract from the council decision letter gives the council's reasons why the pub meets the definition of an asset of community value:

2.14. " *...Carpenter's Arms does further the social interests of the local community, particularly sporting interests. It is an important darts venue with five teams based at the pub and darts being played*

four nights a week... There is also evidence of regular live music and charitable activities at the pub which contribute to the recreational interests of the local community.

- 2.15. *We recognise that the Carpenter's Arms is a traditional English pub in an area where many similar pubs have shut down and as such provides an environment distinctive from other drinking establishments in the area. Online reviews stress that it is a friendly neighbourhood pub popular with locals. While this could be taken as evidence of lack of demand for this kind of pub, we are satisfied that it has a relatively healthy customer base as locals are supplemented by workers from local businesses and tourists."*
- 2.16. It should be noted that the provisions for assets of community value (ACV) give communities a right for a fair chance to make a bid to buy such a property on the open market, should the asset come up for sale. The provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership.
- 2.17. The Racketeers operation is significantly different from that of the Carpenter Arms. The Viability Report provides a summary of the operation difference as follows:
- 2.18. Until 2016, The Carpenters Arms was a male-orientated wet-led public house or "boozer" with trade drawn from local residents and contractors. Customers were attracted by darts, televised sport, occasional live music, and events such as karaoke and quiz nights. The pub focused on draught ale and lager; saliently no food was available on the premises other than crisps, nuts and snacks. The trade kitchen at first-floor level had not been utilised for the preparation of substantial food for many years, albeit was claimed by a previous tenant during a planning hearing that the kitchen had been used to prepare snacks for the darts team.
- 2.19. The Racketeers establishment has remained wet-led, albeit it now offers a selection of snacks and sharing dishes appropriate to the size and use of the venue as a destination for social drinking. The menu includes cheeseboard, charcuterie, hot dogs and cheese toasties. The bar servery has been reconfigured and extended and provides a much wider choice of drinks for customers. This includes craft beers and lagers as well as a selection of spirits and wines.
- 2.20. With the Racketeers signed up to a 15 years lease, there are no reasonable prospects of an operation similar in character to the Carpenter Arms' format being reinstated at the premises in the foreseeable future. As such whilst an ACV status remains, in practice, the existing operation by The Racketeers does not offer the same community service as did the Carpenter Arms – this was noted by the Inspector at the recent appeal, see Section 4 below.

3. DECISION MAKING FRAMEWORK

- 3.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan

- 3.2. The London Plan (2016), of which the most relevant policies are:

- Policy 2.10 Central Activities Zone – Strategic Priorities
- Policy 3.1 Ensuring Equal Life Chances for All
- Policy 4.8 Supporting A Successful and Diverse Retail Sector And Related Facilities and Services
- Policy 4.5 London's Visitor Infrastructure

- 3.3. The Camden Local Plan (2017), of which the most relevant policies are:

- Policy C2 Community facilities
- Policy C4 Public houses
- Policy C6 Access for all
- Policy E1 Economic development
- Policy E3 Tourism
- Policy A1 Managing the impact of development
- Policy A4 Noise and vibration
- Policy D1 Design
- Policy TC1 Quantity and location of retail development
- Policy TC4 Town centre uses
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car-free development
- Policy CC5 Waste

Material Considerations – Other Planning Documents

- 3.4. The following documents form other material consideration for the purposes of assessing the application in question:

- The National Planning Policy Framework (NPPF)

- National Planning Policy Guidance (NPPG)
- Camden Planning Guidance (CPG): Community uses, leisure facilities and pubs (March 2018) (SPD).
- Camden Planning Guidance (CPG): Amenity (March 2018) (SPD)
- Mayor's Central Activities Zone Supplementary Planning Guidance (March 2016)

3.5. The Draft London Plan (July 2019) is subject to further revisions and is yet to be adopted. As such, less than full weight should be applied to it.

Material Considerations – Planning History

- 3.6. In March 2016, planning permission at the site was sought for *“Change of use of the first and second floors from public house (Class A4) to create 1x2 bedroom and 1x3 bedroom flat (Class C3); erection of mansard roof extension to create 1x3 bedroom flat (Class C3) and associated works”* (Ref: 2016/0759/P). The Council refused planning permission, and the subsequent appeal was dismissed on 17 September 2018 (Ref: APP/X5210/W/16/3153219). The main consideration was around the effect of the proposal on the use of the public house as a valued local community asset. The commentary in the appeal decision are relevant to determination of the scheme now in question. This matter is discussed in detail in Section 4.
- 3.7. The above proposal was built out at some point between the submission of the planning application, and the Council issuing an Enforcement Notice on 12th December 2017. The Enforcement Notice set out the following remedies:- 1) Permanently cease the use of the first and second floors as self-contained flats, and 2) Reinstate the original shopfront removing the new door that gives separate access to the upper floors. The appeal against the Enforcement Notice (APP/X5210/C/18/3193274) was co-joined with the above planning appeal and upheld. The Council has confirmed that the Enforcement Notice has been complied with in full.
- 3.8. In the co-joined decision, the Inspector stated that *“the site is within the Bloomsbury Conservation Area whose special interest and significance is set out in the Area Appraisal. It is also common ground that the developments would preserve its significance and special interest and I concur with this”*.

4. LAND USE CONSIDERATIONS

The Benefits of Visitor Accommodation

- 4.1. Visitor accommodation is of fundamental importance to a location's economy. As well as creating direct, indirect and induced employment and economic activity, it enhances the viability of local business and leisure economics – i.e. its benefits are much greater than simply its direct employment.
- 4.2. *"The total gross value-added contribution to GDP from the hospitality industry is estimated to have been £143 billion in 2014. This is equivalent to 10% of UK GDP".¹*
- 4.3. By another measure *"the hospitality industry is estimated to have supported a total of 4.6 million jobs in 2014 either through its own activities, its supply chain or the induced expenditure of its employees and those in its supply chain. This equates to 14% of the total employment in the UK"*².
- 4.4. The viability of business and leisure destinations is reliant on the existence of visitor accommodation in all its guises.
- 4.5. Businesses, whether domestic or international operations will often have requirements for visitors to remain within their vicinity for more than a day, in which case, visitor accommodation will need to be provided. An absence (or lack of cost effective options) of this type of accommodation can have serious implications for a business's ability to function properly and grow, and can create a lack of desire to locate in that particular destination.
- 4.6. Leisure attractions are heavily reliant on visitor patronage. Many of these visitors will be international or reside domestically, but sufficiently far away to require temporary overnight stay. Again, without an adequate available and cost-effective supply of visitor accommodation, a location's leisure economy can suffer and become eroded.
- 4.7. Indeed, this general presumption is recognised by the London Plan (2016) which encourages boroughs to *"support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision"*³.

¹ Page 22, Economic contribution of the UK hospitality industry (September 2015), Oxford Economics (on behalf of the British Hospitality Association).

² Page 8, Economic contribution of the UK hospitality industry (September 2015), Oxford Economics (on behalf of the British Hospitality Association).

³ Policy 4.5, London Plan

The Issues facing Greater London and LB Camden

- 4.8. London has one of the world's most important business economies and is the second most visited city globally for international tourism. International and domestic tourists created 31.5 million overnight visitors within the capital in 2015⁴.
- 4.9. *"Given the importance of tourism to London's economy, London needs to ensure that it is able to meet the demands of tourists that want to visit the Capital, and a most important aspect of that is to provide suitable accommodation for those that wish to visit. However, currently the supply of serviced rooms is tight and the cost of accommodation expensive. In 2015 London had the highest occupancy rate of all European cities, and the fourth highest average daily rate, behind Zurich, Paris and Geneva"*⁵. The average daily rate in 2015 was £194.40⁶.
- 4.10. Consequently, whilst the current London Plan seeks at least 40,000 new visitor rooms over a 20-year period (i.e. 2,000 per annum)⁷, the draft London Plan explains that *"it is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum"*⁸. In other words, the draft London Plan seeks more than a 10% uplift in the annual target, compared to its adopted counterpart.
- 4.11. LB Camden contains the second highest number of serviced accommodation rooms amongst London Boroughs – 18,038 or 12.4% of London's total⁹. This is behind only Westminster. Its position is unsurprising given the borough central location, excellent transport links, visitor attractions and business. It is a very desirable borough for visitors to wish to stay in, and hence there is strong demand from hotel owners/operators to gain representation. It is also projected to increase its supply by 1,760 by 2041¹⁰.

The Principle of Visitor Accommodation Use

- 4.12. **LP Policy 2.10 Central Activities Zone – Strategic Priorities** seek that the CAZ should retain its status as a world-class visitor destination. **LP Policy 4.5 London's Visitor Infrastructure** supports London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision. The focus for visitor accommodation should be Central Activities Zone (CAZ), with smaller scale

⁴ Page 3, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

⁵ Page 3, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

⁶ Table 7, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

⁷ Policy 4.5, London Plan 2016

⁸ Paragraph 6.10.2, draft London Plan (July 2019)

⁹ Table 4, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

¹⁰ Table 20, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

provision being directed to CAZ fringe locations with good public transport. **CLP Policy E3 Tourism** recognises the importance of the visitor economy in Camden and supports tourism development and visitor accommodation. The policy directs visitor accommodation to be located in Central London. **CLP Policy TC1 Quantity and location of retail development** states that the Council will focus new town centre uses (which, by the NPPF definition, includes visitor accommodations) in Camden's designated growth areas and existing centres. The supporting Map 7 sets out the "Camden's Centres", whereby "Central Activity Zone" is classed as a Centre.

- 4.13. The application site lies with Camden's Central London Area, and the London Plan's Central Activity Zone (CAZ). As such, based on the above the proposed Use Class C1 (visitor accommodation) floorspace is acceptable in principle at the application site.

Loss of Ancillary A4 Floorspace

- 4.14. **LP Policy 4.8 Supporting A Successful and Diverse Retail Sector and Related Facilities and Services** relates to supporting a successful and diverse retail sector and related facilities and services. It indicates that the Local Development Frameworks should take a proactive approach to planning for retailing and related facilities and services providing a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities which provide local goods and services, and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping or valued local community assets, including public houses, justified by robust evidence.
- 4.15. Supporting paragraph 4.48A indicates that The Mayor recognises the important role that London's public houses can play in the social fabric of communities and recent research highlights the rapid rate of closures over the past decade and the factors behind these. **LP Policy 3.1B Ensuring Equal Life Chances For All** seeks that facilities and services that meet the needs of communities should be protected and enhanced. To address these concerns, where there is sufficient evidence of need, community asset value and viability in pub use, boroughs are encouraged to bring forward policies to retain, manage and enhance public houses.
- 4.16. **CLP Policy C4 Public house** relates to public houses and notes that the Council will not grant planning permission for proposals for the change of use of a public house unless it can be demonstrated that:
- a) the proposal would not result in the loss of pubs which are valued by community ... unless there are equivalent premises available capable of meeting the community's needs served by the public house; or

- b) there is no interest in the continued use of the property or site as a public house and no reasonable prospect of a public house being able to trade from the premises over the medium term (emphasis added);
- 4.17. CLP Policy C4 goes on to state that 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.
- 4.18. **CLP Policy C2 Community facilities** states that the Council will ensure that community facilities (which include public houses) are developed and modernised to meet the changing needs of community and reflect new approaches to the delivery of services. The Council will ensure existing community facilities are retained subject to exemptions. The Council will also take into account listing or nomination of 'Assets of Community Value' as a material planning consideration and encourage communities to nominate Assets of Community Value.
- 4.19. As stated above, the application site has held an Asset of Community Value (ACV) status since August 2015. The designation was made when the pub was operated as the Carpenters Arms. The customer area was at the ground floor. At first floor existed a function room, which since the mid-nineties had been inaccessible to the public and used exclusively as a staff rest area. A kitchen was also present at the first floor, which was, on occasion, used to cook food for events held for the pub customers. The second floor was the landlord's living quarters. The ACV was granted on the bases that the pub furthered the social interests of the local community, particularly sporting interests as a darts venue. There was also regular live music and charitable activities that took place at the public house. It had a reasonable customer base with locals supplemented by nearby workers as well as some tourists.
- 4.20. For the most recent proposals, the subject of co-joined appeals (APP/X5210/W/16/3153219 & APP/X5210/C/18/3193274, determined in September 2018), the first and second floors of the pub were to be permanently lost by converting these to residential use. The Inspector compared the current operation (i.e. with The Racketeers occupying the basement and ground floors; and the first and second floors being vacant) to that of the Carpenters Arms. He stated that "*while providing a high class A4 establishment, [it] does not provide the same community service, and this may continue as long as the owner and landlord want*" (para 26); "*the current use can and will continue as there is a 15 year lease that can only be broken by the agreement of the parties*" (Paragraph 22). In other words, the Inspector recognised that the first and second floors will remain vacant whilst Gin & Ignorance Ltd are trading from the premises.
- 4.21. The Inspector, however, concluded that "*it remains important to ensure that the building can function as an ACV in the future in accordance with the development plan policies to protect such*

uses and loss of their floor space” (Paragraph 26, our emphasis). This suggests that an alternative temporary use of the first and second floors of the pub can be acceptable on the basis that this would be reverted to A4 use once the present lease expires. It should also be noted that in making this conclusion the Inspector was specifically referring to the first floor whereby *“the loss of the first floor accommodation and its potential to contribute to the ACV would adversely affect the public house”* (para 26); *“the loss of the accommodation on the second floor would not affect the premises as an ACV or materially affect its community function or compromise the operation or viability of the use”* (Paragraph 19).

- 4.22. The current proposal is for a temporary change of use covering the areas of the pub that will remain vacant otherwise. It is considered that the proposed temporary visitor accommodation is the most appropriate interim use for the vacant floorspace. It will not have any adverse impact on the current operation of the pub, nor prejudice any future opportunities to revert the upper floors back to A4 use when there may be a market demand for it. The proposal would also be complementary to the existing pub operation, as having visitor accommodation above a drinking establishment is common physical relationship in the UK – the associated users would no doubt create additional patronage for the pub.
- 4.23. Furthermore, the future loss of the proposed temporary accommodation would not create any social injustices given that any future users of the proposed floorspace would seek a temporary accommodation only (as opposed to a permanent home in a C3 Use Class).

5. OTHER PLANNING CONSIDERATIONS

5.1. Having reviewed the planning context it is considered that the key matters in assessing the proposed scheme are as follows:

- Amenity
- Design
- Traffic and Highways
- Economy

5.2. Below we discuss these matters in more detail.

Amenity

5.3. **CLP Policy E3 Tourism** states that all tourism development and visitor accommodation must not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community, and the environment. **CLP Policy TC4 Town centre uses** states that the Council will ensure that the development for 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. **CLP Policy A1 Managing the impact of development** seeks to protect the quality of life of occupiers and neighbours.

5.4. The proposal is for a change of use, and hence there will be no visual impact on the local character. The application site sits within the context of residential and leisure uses (including hotels), and hence the proposed use would be complementary to the existing uses in the area and the local character.

Design

5.5. **CLP Policy D1 Design** seeks to secure high quality design in development. The proposal includes an efficiently laid out plan to each unit with adequate circulation space. All units have a good aspect as well as a generous amount of light coming in from well-placed windows.

5.6. **CLP Policy CC5 Waste** seeks that developments include facilities for the storage and collection of waste and recycling. The proposed units are to have a dedicated refuse and recycling cupboard in each kitchen negating the need for a separate bin store. Given the frequency of waste collection during the week internal storage would be adequate in this existing situation.

- 5.7. **CLP Policy C6 Access for all** states that the Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. Due to the nature of the existing building, it is not practical to incorporate disabled access into the scheme.

Traffic and Highways

- 5.8. **CLP Policy E3 Tourism** states that all tourism development and visitor accommodation must:
- f) *“be easily reached by public transport”* – as stated above, the application site is located approximately 750 meters from Kings Cross station (a 10-minute walk) and benefits from PTAL (Public Transport Accessibility Level) score of 6b (Excellent). There is a cycle route on King’s Cross Road.
 - g) *“provide any necessary pickup and set down points for private hire cars and coaches and provide taxi ranks and coach parking where necessary”* – the limited number of units negates this requirement.
 - h) *“not harm the transport systems”* – owing to the scale of the proposed development the impact on the road network would be insignificant.
- 5.9. **CLP Policy T2 Parking and car-free development** states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The proposed scheme does not propose any visitor parking.
- 5.10. **CLP Policy T1 Prioritising walking, cycling and public transport** seeks to promote sustainable transport by prioritising walking, cycling and public transport in the borough. It also seeks that development provides for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan (Table 6.3). The London Plan seeks that for C1 uses 1 long space is provided for every 20 bedrooms; 1 short stay space is provided for every 50 bedrooms. Given the small scale of the proposal (with a total of 5 bedrooms), there is no need to provide cycling spaces.

Economy

- 5.11. **The NPPF** states that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”* (para 80). **Policy E1 Economic development** states that the Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses.

- 5.12. **Draft Policy SD7 of the London Plan** states that *“borough’s should...support flexibility for temporary or ‘meanwhile’ uses of vacant properties”*.
- 5.13. **The NPPG** seeks that local authorities encourage best use of under-utilised land in the short term, stating that *“Temporary uses can help improve the physical appearance of vacant or partially-utilised land or buildings, and provide space for local services and community spaces, businesses and residential accommodation, until more permanent development is delivered.”* (Paragraph: 003 Reference ID: 66-003-20190722).
- 5.14. The proposed temporary use for C1 floorspace is a policy-compliant proposal that would bring the currently vacant first and second floors of the building back into use. To refuse the application would effectively sterilise the floorspace in question until the end of the current occupational lease in 2031.

6. CONCLUSION

- 6.1. This Planning Statement has been prepared by Centro Planning Consultancy on behalf of Mendoza Limited (“the Applicant”) in support of a full planning application at 105 King's Cross Road London WC1X 9LR, to Camden Council (“the Council”). The proposed development is described as follows:
- 6.2. *“Temporary change of use of the first and second floors from ancillary drinking establishment floorspace (Use Class A4) to three serviced apartment units (Use Class C1).”*
- 6.3. The whole building has a lawful A4 use. The ground floor and basement of the building are leased to Gin and Ignorance Ltd. It is currently operating as a drinking establishment, trading under the name of The Racketeers.
- 6.4. The upper floors have been laid out as 3 units, and this application now seeks to formalise the use of these units as visitor accommodation (Use Class C1), but on a temporary basis only. The proposed change of use would exist until 22 December 2031, when Gin and Ignorance Ltd's lease expires (or at the point of any early termination of the lease). For the avoidance of doubt, after 22 December 2031, the use of upper floors would revert to A4 use.
- 6.5. The application site has held an Assets of Community Value (ACV) status since August 2015. The designation was made when the pub was operated as the Carpenters Arms. The ACV was granted on the bases that the pub furthered the social interests of the local community, particularly sporting interests as a darts venue. There was also regular live music and charitable activities that took place at the public house.
- 6.6. In the recent appeal decision, the Inspector stated that *“while providing a high class A4 establishment, [The Racketeers operation] does not provide the same community service”* as the original Carpenters Arms operation. With the current operator signed up to a lease, with 12 years left to run, there is no reasonable prospect of an operation similar in community value to that of Carpenter Arms being reinstated at the premises in the foreseeable future. As such the first and second floors are would remain vacant. The Inspector, however, concluded that *“it remains important to ensure that the building can function as an ACV in the future”*. This suggests that an alternative temporary use of first and second floors of the pub can be acceptable on the basis that these can be reverted to A4 use when the present lease expires. As such, on the basis that the proposal does not result in a permanent loss of A4 floorspace, and hence ensures that the building can function as an ACV in the future, it is considered that the scheme is compliant with LP Policy 4.8 Supporting A Successful and Diverse Retail Sector And Related Facilities And

Services; LP Policy 3.1B Ensuring Equal Life Chances For All; Policy C4 Public house; and CLP Policy C2 Community facilities.

- 6.7. The application site lies within Camden's Central London Area, and the London Plan's Central Activity Zone (CAZ), to which town centre uses are directed. As such, the temporary proposed Use Class C1 (visitor accommodation) floorspace is acceptable in principle at the application site; and complies with LP Policy 2.10 Central Activities Zone; LP Policy 4.5 London's Visitor Infrastructure; CLP Policy E3 Tourism; and CLP Policy TC1 Quantity and location of retail development.
- 6.8. The proposal is for a change of use, and hence there will be no visual impact on the local character. The application site sits within the context of residential and leisure uses (including hotels), and hence the proposed use would be complementary to the existing uses in the area and the local character. As such, the proposal complies with CLP Policy E3 Tourism; CLP Policy TC4 Town centre uses and CLP Policy A1 Managing the impact of development.
- 6.9. The scheme secures secure high-quality design. The proposal includes an efficiently laid out plan to each flat with adequate circulation space. All units have a good aspect as well as a generous amount of light coming in from well-placed windows. It includes adequate refuse and recycling storage facilities. Due to the nature of the existing building, it is not practical to incorporate disabled access into the scheme. The proposal hence complies with CLP Policy D1 Design; CLP Policy CC5 Waste; CLP Policy C6 Access for all; and CLP Policy A1 Managing the impact of development.
- 6.10. The proposed scheme does not propose any visitor parking, is located in a highly accessible location, includes a separate cycling storage room to accommodate 5 spaces, on the first floor. There will be no significant impact on the local highways. The proposal hence complies with CLP Policy E3 Tourism; CLP Policy T2 Parking and car-free development; CLP Policy T1 Prioritising walking, cycling and public transport.
- 6.11. Finally, the proposal would bring back into use floorspace that would otherwise be vacant, thus exhibiting wider economic benefits. The proposed temporary use for C1 floorspace is a policy-compliant proposal that would bring the currently vacant first and second floors of the building back into use. To refuse the application would effectively sterilise the floorspace in question until the end of the current occupational lease in 2031. As such, the proposal complies with the NPPF; the NPPG; and CLP Policy E1 Economic development.
- 6.12. As such, the proposal is in accordance with the development plan and no material considerations indicate otherwise.

CENTRO

104 St. John Street
London, EC1M 4EH

info@centroplan.co.uk
07855 490 252