



Lord Southampton, NW5

Planning Statement

February 2020

DP9 Limited

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1. INTRODUCTION

1.1 This Planning Statement is prepared by DP9 Ltd on behalf of No Limit Hospitality Limited ('the Applicant'), in support of a retrospective planning application for a change of use in relation to the 'The Lord Southampton' in the London Borough of Camden ('LBC').

1.2 Retrospective planning permission is sought for the retention of an existing hostel use located at the upper floors of 'The Lord Southampton' Public House. Planning permission is sought for the following:

"Change of use from class A4 Public House to A4 Public House and Sui Generis (Hostel) use."

1.3 The hostel on Site is operated by No Limit Hospitality Limited, under the 'Hostel One' brand. No Limit Hospitality is an operator of tourist hostels in a number of European cities, including the Site and another London hostel in Notting Hill. The Public House use at ground floor level is also operated by No Limit Hospitality, but is independent of the hostel, with persons not staying at the hostel able to visit at all opening times.

1.4 This Planning Statement should be read in conjunction with the other supporting information submitted in support of this application, which comprises;

- **Cover Letter** prepared by DP9 Ltd;
- **Planning Application Form and Certificates** prepared by DP9 Ltd;
- **Site Location Plan**;
- **Existing Floor Plans, Elevations and Sections** prepared by Point 2 Ltd;
- This **Planning Statement** (including a Sustainability Statement) prepared by DP9 Ltd; and
- **Hostel Management Plan** prepared by Hostel One.

1.5 This Planning Statement is structured as follows:

- **Section 1:** Introduction
- **Section 2:** Site and Surrounding Area
- **Section 3:** Planning History
- **Section 4:** Proposed Development
- **Section 5:** Planning Policy Framework
- **Section 6:** Planning Assessment
- **Section 7:** Community Infrastructure and Planning Obligations
- **Section 8:** Conclusion

2. SITE CONTEXT

- 2.1. The site is located within the London Borough of Camden (LBC) in Haverstock Ward, to the north of Chalk Farm and to the west of Kentish Town.
- 2.2. The site is located in an area with a Public Transport Accessibility Level ('PTAL') rating of 3. The site is an approximate 10-minute walk from Chalk Farm Underground Station (Northern Line).
- 2.3. The site is located within Flood Risk Zone 1 (low risk).
- 2.4. The property is not statutory listed, nor is located in a Conservation Area. The nearest Conservation Area is Parkhill and Upper Park, located to the west beyond Southampton Road.
- 2.5. The site is recognised as an undesignated heritage asset on Camden's Local List (2015). The Local List Description is as follows:

A mid-19th century Public House on the corner of Grafton Terrace and Southampton Road. Of three storeys with rendered elevations, rusticated quoins and window architraves. It is a storey taller than the neighbouring terraces which enhances the visual landmark status it has within the streetscape. It was given a major refit between the wars, as indicated outside by the buff and mottled dark blue faïence facing. The dividing walls were progressively cut through between about 1973 and 1986, but you can still gain a good sense of how the pub was laid out half a century or more ago. There were three rooms, each with its own external doorway and also an off-sales area entered from Grafton Terrace which remained in use till the late 1970s. There are plenty of inter-war features remaining. These include extensive wall panelling, exposed timbers in the ceilings (to create an olde worlde effect) and the bar counter and back fitting.

The most intact part of the Lord Southampton is the left-hand rear area which forms an intimate panelled space with its own glazed hatch to the servery. It's here that the door to the gents' leads off and from it a big surprise – to get to

the gents' you need to walk over a steel bridge spanning a small enclosed yard below.

- 2.6. We have identified no further designations of relevance to planning.

3. PLANNING HISTORY

- 3.1. The table below provides details of the planning history associated with the site. None of the previous planning permissions are of relevance to this application.

Application Ref.	Details	Consent	Date
CA180	12" cut out letters arranged horizontally to read "TAKE" and vertically to read "COURAGE" all illuminated to glow ruby constantly. Height 12'6" Maximum width 5'. Overall height 27'6"	Granted	02/09/1965
7A/JMB	Cut-out letters arranged vertically to read "BARCLAYS" and "STOUT" arranged horizontally, all illuminated to glow red. Height 15'6", maximum width 5' and overall height 33'6"	Granted	14/10/1957

Recent Engagement with LBC regarding introduction of Hostel Use

- 3.2. The following list describes the sequence of events that has culminated in this planning application:
- The site's Historic use is as a Public House, including an off-sales (i.e. off-license) area with its own entrance fronting Grafton Terraces and ancillary Public House residential accommodation on the first and second floors. It is considered that this use collectively comprised an A4 Public

House use, albeit with most of the floorspace ancillary to the main Public House use located at ground floor level.

- During the intervening years, the off-sales operation ceased and the ancillary residential accommodation became vacant. The Public House continued to operate during this period;
- In circa 2016, the ground floor former off-sales area and former ancillary residential accommodation at first and second floors were converted into use as Hostel, with the main Public House use unaffected at ground floor;
- In February 2016, Hostel One took over as the operator of the hostel and Public House, operating each as separate but closely related entities;
- Following its occupation, Hostel One converted a part of the basement for use as ancillary hostel space;
- On 4th November 2019, a Planning Contravention Notice was issued by LB Camden relating to the lawfulness of the hostel use, alleging that a Change of Use from A4 Public House to a Sui Generis Use had taken place without Planning Permission (see Appendix 1);
- On 22nd November 2019, Trowers and Hamlins, on behalf of No Limit Hospitality responded answering the queries in the PCN and confirming a willingness to retrospectively submit a Change of Use application to retain the Hostel element (see Appendix 1);
- On 4th and 22nd of November 2019 further email advice was issued by LB Camden related to the planning application submission, including a list of validation requirements and a target submission date of 10th February 2020 (see Appendix 1);

4. APPLICATION PROPOSALS

Description of Development

- 4.1. Planning Permission is sought for the following:

“Change of use from class A4 Public House to A4 Public House and Sui Generis (Hostel) use.”

- 4.2. The proposal seeks permission for the change of use on part of the basement, part of the ground floor (former off-sales area), first and second floors of the property to operate as a Hostel (Class Sui Generis).
- 4.3. The proposal retains the current Public House (A4) at ground floor level, allowing it to continue to serve the local and wider community in addition to Hostel guests. The Public House and the Hostel would continue to operate as separate but closely related businesses.
- 4.4. No external works requiring planning permission are proposed as part of the application, nor has the need for any retrospective planning permission been identified for any external works.

5. PLANNING POLICY FRAMEWORK

- 5.1. This section provides an assessment of the proposals in the context of planning policies and material considerations. The planning policy context comprises three levels of adopted and emerging policy and guidance, at national, regional and local levels.

National Planning Policy

- 5.2. National planning policy is set out in the National Planning Policy Framework (NPPF). The current NPPF was adopted in February 2019 and replaces all previous planning policy statements and guidance notes.
- 5.3. The NPPF is a material consideration to the determination of a planning application but does not form part of the Development Plan. In addition, the National Planning Practice Guidance ('NPPG') is a material consideration for planning applications. The NPPG adds further context to the NPPF and is updated on a regular basis in response to changes in the planning system.

The Development Plan

- 5.4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan for the area consists of the London Plan (2016) and the London Borough of Camden Local Plan (2017).

The London Plan

- 5.5. London-wide Planning Policy is set out in the London Plan (2016).

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- 5.6. The London Plan is supported by Supplementary Planning Guidance ('SPG'), which is a material consideration to the determination of planning applications.
- 5.7. A new draft London Plan is being prepared and has undergone Examination in Public. Following the release of Inspectors' Panel recommendations, the Mayor issued his 'intend to publish' version of the New London Plan in December 2019. This will replace the current London Plan and it is a material consideration given its stage.

London Borough of Camden Local Plan

- 5.8. Local planning policy is set out in the London Borough of Camden Local Plan, which was adopted in 2017.
- 5.9. The Council also has a suite of planning guidance documents that are material considerations to the determination of planning applications. The most relevant guidance document to this application is the CPG 'Community Uses, Leisure Facilities and Pubs' (March 2018).

6. PLANNING POLICY ASSESSMENT

- 6.1. This section reviews planning policies relevant to the development and assesses the acceptability of the proposals in the context of planning policy.

Loss of Public House ancillary floorspace

- 6.2. This retrospective application seeks to formalise the change of use of part basement, part ground floor and the upper floors of 'The Lord Southampton' Public House from ancillary Public House use (A4) to hostel (Sui Generis) use.

- 6.3. Policy C4 of the Camden Local Plan seeks to ensure that development proposals would not result in the loss of Public Houses that are of community, heritage or townscape value. In relation to the change of use of ancillary Public House floorspace, the policy states:

"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."

- 6.4. The change of use to Hostel use only relates to facilities ancillary to the main Public House. The main Public House function is retained on the ground floor of the property. The main Public House area continues to be accessible to non-hostel guests including the local community via doors onto Southampton Road/Grafton Terrace and is publicly accessible during all operational hours. The retention of the ground floor as a fully operational Public House ensures that there is no loss of functionality of the Public House to the local community. Instead, the proposals make good use of an aspect of the Public House that was previously vacant, to the benefit of the long-term viability of the Public House given the additional customers that may potentially be attracted by the hostel use.

- 6.5. The Community Uses, Leisure and Pubs SPD (2018) states that *“viability assessments are not required to justify the loss of spaces ancillary to the operation of the Public House”*. The change of use provides a positive use to the surplus space whilst ensuring the protection of the use of the Public House.
- 6.6. The change of use to a Hostel did not result in any material changes to the external appearance of the property, nor its main Public House area. The only internal alterations to have taken place relate to the ancillary areas at part basement, part ground and upper floor levels. The traditional Public House architecture described in the Local List entry remains unaffected by the Change of Use.

Change of use of ancillary space to hostel use

- 6.7. Hostels fall under the ‘Sui Generis’ use class of the Planning and Use Classes Order 1987 (as amended). A hostel is usually *“defined as a use providing an overnight or short-term accommodation which may be supervised, where people (including sometimes the homeless) can usually stay free or cheaply and most provide facilities for self-catering.”* The existing hostel is in keeping with this definition, providing low-cost accommodation aimed at backpackers, predominantly comprising dormitory rooms with shared facilities (including a kitchen).
- 6.8. Local Plan Policy E3 states the importance of the visitor economy in Camden and expresses a broad support for tourism development including visitor accommodation. Part c) of the policy expects tourism development outside of identified growth areas, including the site, to have a local or specialist focus and to attract a limited number of visitors from outside of the Borough. The hostel provides a specialist product of low-cost hostel accommodation aimed at tourists from outside of the Borough. Its scale is local in nature, offering a

modest 42 bed spaces at an average 73% occupancy, which is appropriate to its location.

- 6.9. The policy further sets out four criteria that all tourism development, including visitor accommodation, must meet.
- 6.10. Criterion f) requires all visitor accommodation to be easily reached by public transport. With a PTAL rating of 3, the site is a short 10-minute walk north of Chalk Farm Underground Station. The site is also within a 10-minute walk of Kentish Town West Railway Station and located within a 3-minute walk of two bus stops served by routes 24/46. Hostel guests are provided with information of how to use public transport on arrival, encouraging the use of the underground, trains and buses instead of private hire taxis.
- 6.11. Criterion g) requires necessary pick up and set down points for private hire cars and coaches to be provided. The scale of the hostel means that it will not be accessed by coach and that specific taxi set down/pick up points would be disproportionate to the scale of the use. The Public House occupies a prominent site adjacent to which taxis are able to safely set down and pick up.
- 6.12. Criterion h) states that proposals must not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community, the environment or transport systems. The area is predominantly residential and does not suffer from an over concentration of visitor accommodation, meaning that the balance and mix of uses in the area is protected.
- 6.13. With regard to protecting residential amenity, the accompanying Hostel Management Plan details the procedures operated by the Hostel to ensure that the impact on local residents is minimised. The hostel has operated since 2016 and since that time has provided local residents with opportunities to

make contact in the interest of ensuring a positive relationship with the surrounding area.

- 6.14. With regard to protecting local character, the change of use to provide hostel accommodation has not required any material impacts to the internal or external appearance of the property which would affect its contribution to the local character of the area. In terms of character, it is also worth noting that a hostel use is consummate with that of a Public House, given each involve regular comings and goings of customers.
- 6.15. With regard to protecting services for the local community, the retention of the bar on the ground floor within the Public House allows for continued service to the local community. The hostel does not alter or affect the function and/or operation of the Public House and its service to the local community.
- 6.16. The policy also seeks to ensure that development does not cause harm to the environment. The Sustainability Statement (Section 7) within this document outlines the positive environmental measures taken as part of this change of use to a hostel.
- 6.17. Finally, criterion i) states that visitor accommodation proposals must not cause the loss of residential accommodation. The lawful use of the site was previously as a Public House (Class A4), which included ancillary space including residential use. As this was not self-contained residential (C3) accommodation and was instead ancillary to the Public House (A4) use, there has been no loss of residential (C3) accommodation as a result of the change of use.

7. SUSTAINABILITY STATEMENT

- 7.1 Local Plan Policy CC1 states the importance of developments minimising the effects of climate change. This is supported by the Council's 'Energy Efficiency and Adaptation' CPG (2019).
- 7.2 The Energy Efficiency and Adaptation CPG (2019) identifies methods to make an existing building more energy efficient. It states that there are a range of simple measures such as draught proofing, energy efficient lighting, windows, heating and hot water.
- 7.4 Local Plan Policy CC1 criterion d) states that the Council will support and encourage sensitive energy efficiency improvements to existing buildings. 'Hostel One' operates sustainably in both the Hostel and the Public House. Both the Hostel and the Public House use energy Saving Light Bulbs (compact fluorescent light bulbs (CFLs).
- 7.5 The Energy Efficiency and Adaption CPG (2019) ensures that buildings include measures that prevent overheating. The use of, light sensors in most general spaces are installed to reduce the use of electricity when unnecessary. Public House lighting is controlled as per the opening hours to avoid excess energy consumption.
- 7.6 Following this, all rooms are equipped with blinds to provide shade from intense sunlight in order to avoid overheating.
- 7.7 Camden's Sustainability SPG states that buildings should be designed to eliminate unwanted draughts and reduce heat loss. Draught sealants have been installed on all windows to eliminate cold draughts, leaks and unnecessary heat loss from the property.
- 7.8 There is no central heating system, instead there are portable convection heaters in each room. These have timers and are turned off completely when rooms are vacant. Due to multiple guests sharing rooms, the Hostel can keep heating to a minimum.
- 7.9 In line with Local Plan Policy CC2, the property facilitates the use of natural cooling/ventilation through the opening and closing of windows. One exception is the basement where throughout the summer months the use of

a portable air-conditioning unit is used to avoid issues of condensation and water damage.

- 7.10 In summary, the change of use within the existing building has sought to implement as many sustainability measures as possible to facilitate the sustainable function of the Hostel. This has improved the sustainability of the building compared to its use prior to the occupation of the Hostel.

8. CONCLUSIONS

- 9.1. This retrospective planning application seeks to formalise the change of use of part basement, part ground, first and second floor levels of 'The Lord Southampton' Public House from ancillary Public House (A4) uses to Hostel (sui generis) use. The wider ground floor is retained for Public House (A4) use.
- 9.2. The change of use only relates to former ancillary areas of the existing Public House and does not adversely affect the continuing function and operations of the Public House. To this end, the change of use is in accordance with LBC policy regarding Public Houses and continues the provision of a service to the local community.
- 9.3. The Hostel Use is carefully managed and is of a scale that is appropriate to the locality, hosting a modest number of bed spaces. Procedures are in place to protect the amenity of neighbouring residents.
- 9.4. Overall, it is considered that the change of use is in accordance with the provisions of the Development Plan, and as such full planning permission should be granted.

9. APPENDIX

Appendix 1:

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
The London Borough of Camden Council

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the
PLANNING AND COMPENSATION ACT 1991)**

PLANNING CONTRAVENTION NOTICE

Address of the Land:
2 Southampton Road, London NW5 4HX

1. It appears to the London Borough of Camden Council ("the Council"), being the local planning authority for the purposes of section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land").
2. The breach of planning control, which may have occurred, is specified in Schedule 2 below.
3. This notice is served on you as a person who-
 - (1) is the owner or occupier of the land or has any other interest in it; or
 - (2) is carrying out operations in, on, over or under the land or is using it for any purpose.
4. In exercise of their powers under Section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing *within twenty-one days*, beginning with the day on which this notice was served on you:
 - (i) *The authorised use of the premises is as a Public House (Class A4 Use) however it appears that that the use may have changed to Hostel either fully or in part (Sui Generis Use). Please describe in detail the uses that the premises are currently occupied for and how they operate;*
 - (ii) *Please set out the proportions of the uses that take place at the property. Please outline this by details of the operation of the business over the past three months, setting the information out for each month as follows:*
 - a. *the proportion of customers who visited the premises for the respective uses;*
 - b. *the proportion of the floorspace which each of the respective uses takes; and*
 - c. *the proportion of the takings from each of the respective uses.*
 - (iii) *Please set out what proportion of the customers of the public house are hostel users and what proportion are non-hostel users. If this information is not readily available please carry out a survey lasting at least one week;*
 - (iv) *There are two access points to the hostel reception: through the bar and via the Grafton Terrace entrance. Please state how hostel customers access the premises for check-in, during daytime and at night time when the public house is close;*

- (v) It is understood that internal works were carried out at the premises this year. Please set out in detail the list of works and provide drawings and photographs of the works;
- (vi) Please outline the purpose of these works and the impact they have on access by customers of the hostel and the public house;
- (vii) Please outline what engagement the hostel has carried out with neighbouring occupiers over the past 12 months;
- (viii) Please outline the steps the operator has made in the last 12 months to limit noise from the hostel use to neighbouring occupiers. Please also provide photographic evidence of the measures taken;
- (ix) Please outline the steps the operator has made in the last 12 months to limit other disturbance from the hostel use to neighbouring occupiers e.g. from litter, smoke, deliveries etc. Please provide photographic evidence of the measures taken;
- (x) Is it the intention of the operator of the premises to make an application for planning permission for the use as a hostel?
- (xi) Please state the nature of your interest (if any) in the land and the name and address of any other person known to have an interest in the land, including freeholders, leaseholders, tenants, licensees, occupiers, mortgagees and mortgagors.

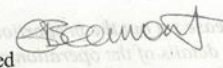
If you wish to make-

(a) an offer to apply for planning permission, or to refrain from carrying out any activities in relation to this use; or

(b) any representations about this notice,

Please contact **John Sheehy** on **020 7974 5649**

Dated: 04/11/19

Signed 
Council's authorised officer

SCHEDULE 1

Land to which this notice relates

2 Southampton Road London NW5 4HX

SCHEDULE 2

Suspected breach of planning control

1. The unauthorised change of use of the premises from public house (Class A4) to hostel use (Sui Generis Class).

WARNING

1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

ADDITIONAL INFORMATION

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach or any injury to amenity caused by it, to be remedied.

4. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

(1) The authorized use of the premises is as a Public House (Class A4 Use) however it appears that that the use may have changed to Home either fully or in part (See General Use). Please describe in detail the use of the premises currently occupied for and specify the response.

(2) Please set out the operations of the use that take place at the property. Please outline in detail the operation of the business over the past three months, setting the information out for each month as follows:

(a) the number of customers who visited the premises for the respective use, the number of the floor space which each of the respective uses takes and the number of the tables used for each of the respective uses.

(3) Please set out what proportion of the customers of the public house are hotel users and what proportion are non-hotel users. If this information is not readily available please provide a survey listing as follows:

(4) There are two car spaces at the hotel entrance through the bar and the Council's records indicate that some customers of the premises for the use of the public house use the car spaces. Please state how many customers of the premises for the use of the public house use the car spaces.

Appendix 2:

