

**Date:** 19<sup>th</sup> December 2019  
**Our Ref:** 2019/4424/PRE  
**Contact:** Charles Thuaire: 020 7974 5867  
**Email:** [Charles.thuaire@camden.gov.uk](mailto:Charles.thuaire@camden.gov.uk)

Planning Potential  
Magdalen House  
148 Tooley Street  
London  
SE1 2TU

Dear Sir/Madam,

### **Planning Pre-application Advice:**

#### **Bull & Gate Public House, 389 Kentish Town Road London NW5 2TJ**

Thank you for submitting a pre-planning application enquiry for the above properties. This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your proposal will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

### **Proposal**

Creation of new amenity terrace on 1st floor roof of front projecting wing of public house; installation of new plant equipment, new bin store and fire access staircase to the rear.

Revisions- amended balustrade design to black painted iron railings.

### **Site and Surroundings**

The site comprises a traditional 3 storey detached public house with ground floor flat-roofed wings at front and rear; the ground floor comprises the pub bar areas (with a function room within the rear wing); there are more function rooms and ancillary facilities at 1<sup>st</sup> floor and staff quarters at 2<sup>nd</sup> floor. There is small narrow rear alleyway and yard for storage and deliveries. The building is grade II listed and not within a Conservation Area. The front projection with flat roof and parapet is a prominent feature in the streetscene.

### **Planning History**

16/07/2014- ref 2013/4816/P- planning permission granted for Erection of single-storey extension at rear ground floor level, including formation of new windows at rear ground floor level; installation of extraction duct at rear roof level, including air conditioning units at ground level north elevation to existing public house building (Use Class A4).

16/07/2014- ref 2013/4878/L – LB consent granted for Demolition of existing derelict out-buildings plus extension and erection of single-storey extension at rear; internal and external alterations to existing building; including formation of new windows plus replacement windows and doors to front at ground floor level plus installation of extraction duct /plant to existing public house building (Use Class A4).

## **Relevant policies**

National Planning Policy Framework 2019  
London Plan 2016 and Draft London Plan 2019

Camden Local Plan 2017-

A1 Managing the impact of development  
A4 Noise and vibration  
D1 Design  
D2 Heritage

## **Other Planning Policies / Guidance**

Camden Planning Guidance-  
CPG Design  
CPG Amenity

## **Assessment**

The main issues of consideration are

- Design and impact on heritage assets
- Impact on amenity

## **Proposal**

The proposal can be divided into 2 parts-

- at front, the creation of a roof terrace plus associated internal and external alterations, including internal subdivision of front 1<sup>st</sup> floor landing for fire lobbies, replacement of window by access door, and provision of fixed tables, seating, decking, planting troughs and balustrade on flat roof;
- at rear, the installation of an external fire escape staircase with associated replacement of window by access door, a bin enclosure underneath and new/relocated condenser plant units.

## **Design & heritage**

The roof terrace proposal has been discussed at an internal design case conference. The consensus was that putting this outdoor amenity space at first floor on the façade of this listed building would be harmful. It would also harm the setting of the four grade-II-listed terraced townhouses to its north.

Firstly, it is putting an atypical use in a very prominent position. This is harmful both to the visual character of the primary elevation and also to the plan form of the building (how the onlooker understands it to have been used historically). It is not

historically correct for there to be people congregating on the front roof. To compound the visual harm caused by this incongruous activity, there would need to be a railing built around the perimeter of the roof. Furthermore, it would be very difficult to resist pressure for, and adequately maintain control over in the long term, paraphernalia associated with the roof terrace, such as parasols, awnings, patio heaters, potted shrubs etc, which would be desired with such outdoor seating. This would create unwelcome visual clutter in this high level exposed and prominent position.

Secondly, it would be physically harmful. The joists would have to be doubled with replacement of roof structure to support the new use; historic fabric would have to be lost, including brickwork and old glass, to create the access. Despite the applicant's best intentions, this door would eventually be propped open sideways in hot weather, if only because it would no longer be able to be left open as a window, thus it would not give the visual impression of an open top hung sliding sash window.

The proposal would also generate consequential harmful secondary works, namely subdividing the 1<sup>st</sup> floor landing to create a fire lobby and alteration of historic plan.

The precedents for roof terraces that have been referred to on neighbouring premises and elsewhere are much smaller, not commercial and not on listed buildings.

At some point in the past, this pub has lost the rear outdoor seating area that it was originally built with; it is not appropriate to attempt to make up for this unfortunate decision with harmful alterations to the façade.

Although a revised design of the parapet balustrade has been presented to make it more traditional, it is considered that the parapet rail will look even heavier than originally thought, on the basis of the new montage views.

Overall the proposed alterations to create the roof terrace are considered harmful to the special interest, appearance and fabric of the listed building and the setting of neighbouring listed houses to the north.

It is considered that, with reference to guidance in the NPPF, the harm to the listed building is considered to be 'less than substantial' and is not outweighed by any public benefit. No justification or marketing exercise has been submitted to clearly demonstrate that an outdoor seating area is important here to ensure the long term survival of the pub as a viable premises. Thus the proposal is unacceptable and would be resisted in design and heritage terms.

The rear yard has no architectural or historic merit. No objection is raised in design terms to the relocation of 4 condenser units and installation of a new large one, creation of a bin enclosure, and installation of a fire escape metal staircase and access bridge attached to the rear warehouse wall. The associated replacement of window by an access door on the rear elevation of the pub is considered on balance to be acceptable, as this is not a primary elevation and has a variety of fenestration types and utilitarian features.

## **Amenity**

The proposed roof terrace on the front wing will not create any loss of amenities to neighbouring residents by virtue of loss of light, outlook or privacy. Given the context of the pub facing a busy main road, it is unlikely that the terrace as an amenity area for drinking and eating will cause a nuisance to neighbours opposite or on either side in terms of noise and disturbance during the day and early evenings. However late night drinking on this high level exposed roof terrace may cause a nuisance to residential habitable room windows immediately adjoining to the north due to their proximity and it is suggested that a condition be imposed to prevent its use as such beyond an evening time to be agreed between both parties. It is noted that a 2014 appeal decision for a similar roof terrace at The Grafton PH in Prince of Wales Road, referred to in your Planning Statement, imposed a condition limiting use of the terrace until 9pm daily.

Any approval would be on the basis that an Operational Management Plan is submitted and adhered to (to be secured by condition) to ensure that customers do not use it beyond a specified time in late evenings and do not create anti-social behaviour or exceed a maximum capacity in numbers.

The bin enclosure and fire escape at the rear will not cause any loss of amenity to neighbours.

The condenser units are acceptable in principle and should comply with our local standards on noise levels, to be controlled by condition that states- 'Noise and vibration from plant Noise levels from external plant shall at a point 1 metre external to sensitive facades be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

## **Conclusion**

The scheme is considered to be unacceptable in terms of design and harm to heritage assets and would be refused.

## **Planning application information**

If you submit a planning and listed building application, I would advise you to submit the following for a valid application:

- Completed forms.
- The appropriate fee
- An ordnance survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans, sections and elevations of existing and proposed.
- Photomontages
- Heritage statement

- Acoustic report
- Operational management plan
- Please see [supporting information for planning applications](#) for more information.

You may also want to carry out pre-application consultation with local groups. Their details are as follows-

Paul Seviour  
 Kentish Town Neighbourhood Forum  
 24 Patshull Road  
 London  
 NW5 2JY  
[ktnfstatutoryconsultee@hotmail.com](mailto:ktnfstatutoryconsultee@hotmail.com)

Caroline Hill  
 Kentish Town Road Action Group  
 13 Leverton Street  
 London  
 NW5 2PH  
[chdesign@btinternet.com](mailto:chdesign@btinternet.com)

You should note that the previous application for alterations to the pub here in 2014 (see planning history section above- ref 2013/4816/P) generated a lot of opposition from local groups, societies and neighbours. A summary of these objections is in the committee report which can be viewed online under that ref no.

We are legally required to consult on applications with individuals who may be affected by the proposals. We no longer notify neighbours by post, but we still display a notice on or near the site and, for sites in conservation areas, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter please do not hesitate to contact me on 020 7974 5867.

Thank you for using Camden's pre-application advice service.

Yours faithfully,

Charles Thuairé

Senior Planning Officer  
 Planning Solutions Team

It is important to us to find out what our customers think about the service we provide. To help, we would be very grateful if you could take a few moments to complete our [pre application enquiry survey](#). We will use the information you give us to monitor and improve our services.