

## Planning Statement

The Cock Tavern, 23 Phoenix Road, London NW1 1HB

**Firstplan Ref:** 22012/MS/TH

**Date:** February 2021

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# Section 1 Introduction

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- 1.1 This Planning Statement has been prepared by Firstplan in support of an application for a development at The Cock Tavern, 23 Phoenix Road, Somers Town, London.
- 1.2 The application site currently comprises a three-storey (plus basement and loft accommodation), Grade II-listed public house (Sui Generis use class) known as the Cock Tavern. Planning permission was granted in 2016 for the extension to and change of use of the site to retain a public house on the lower floors with 5 self-contained residential units on the upper floors (ref: 2015/1496/P & 2015/1864/L). The permission, as granted, sought to retain an area of event space at first floor level for ancillary use by the Public House.
- 1.3 Following the approval of applications 2015/1496/P & 2015/1864/L, further revisions to the internal layout of the building have been approved, the most recent of which was approved in 2019 under refs 2019/0611/P and 2019/1481/L. This latest application sought revisions to the site to accommodate a fire escape to ensure that the new function room space at first floor level would comply with fire safety regulations. The final design for this was put forward following discussions with the Council's Building Control and Planning teams. The approved solution involved the installation of a fire escape to the rear of the property, leading into the grounds of the Walker House Estate. However, despite ongoing and repeated attempts to contact the Camden's Housing Department and Tenant's and Residents Association to agree the required access across their land to facilitate this escape route no response has been given. As such the approved solution is undeliverable and the function space remains unusable. For this reason it is also unsuitable for any other commercial or community uses.
- 1.4 With this being the case, in order to bring the space into an active use, it is now proposed to carry out internal works to facilitate the conversion of this area into a single additional 2-bedroom residential property. In order to facilitate this, minor internal alterations are proposed to the existing flats at this level to provide access to the unit, the existing internal stairway will be removed and the kitchen facilities for the Public House will be relocated to basement level, with a new extract installed behind the louvres along the north-west elevation. The scheme as submitted therefore involves the following:

**Change of use of 86sqm Public House space (Use Class Sui Generis) to residential (Use Class C3) together with internal alterations to the existing flats at first floor level to facilitate the provision of an additional 2Br residential property. Re-provision of public**

**house kitchen facilities at basement level, including associated ventilation and extract.**

- 1.5 To further demonstrate the acceptability of the proposals the application is supported by a Heritage Statement and Noise Impact Assessment. These demonstrate that there would be no harmful impact in terms of heritage or amenity. The application is also supported by a full set of drawings and a Design and Access Statement prepared by Mark Fairhurst Architects. These documents should be read in conjunction with this Planning Statement.
- 1.6 In preparing the proposed works the applicant has been working closely with the existing leaseholder of the Public House. Originally this involved working collaboratively to seek the delivery of the scheme as originally approved, to include requesting assistance from local Councillors and the local MP, Sir Keir Starmer, with contacting the housing department; however, as it became apparent that every reasonable step had been taken and that the housing department appear to have no intention of agreeing the requisite escape route, this revised scheme has been prepared to include the proposed kitchen layout at basement level.
- 1.7 The proposed scheme will provide a much-needed new residential dwelling in a highway accessible location, and will ensure this currently unusable first floor area of this Grade II-listed building can be put to a long-term productive use. The acceptability of the proposed development in all policy respects is demonstrated in this statement, which is set out as follows:
- Section 2 discusses the relevant background information, comprising a site description and the relevant planning history
  - Section 3 provides details of the application proposals
  - Section 4 sets out the relevant planning policies
  - Section 5 provides an assessment of the proposals against planning policy; and
  - Section 6 draws conclusions.

## Section 2 Background Information

### a) Site location and description

- 2.1 The application site is located North East of Euston railway station and forms part of a 1930s LCC social housing development fronting Phoenix Road (called Walker House). Access to the building is restricted to the commercial entrance on the corner of Phoenix Road and Chalton Street, with an entrance to the floors above further along Chalton Street, adjacent to the vehicular access to the courtyard behind. The latter is being converted into a private access to the flats permitted on the upper floors.
- 1.2 The site, together with its surrounding context, is provided at figure 1 below.

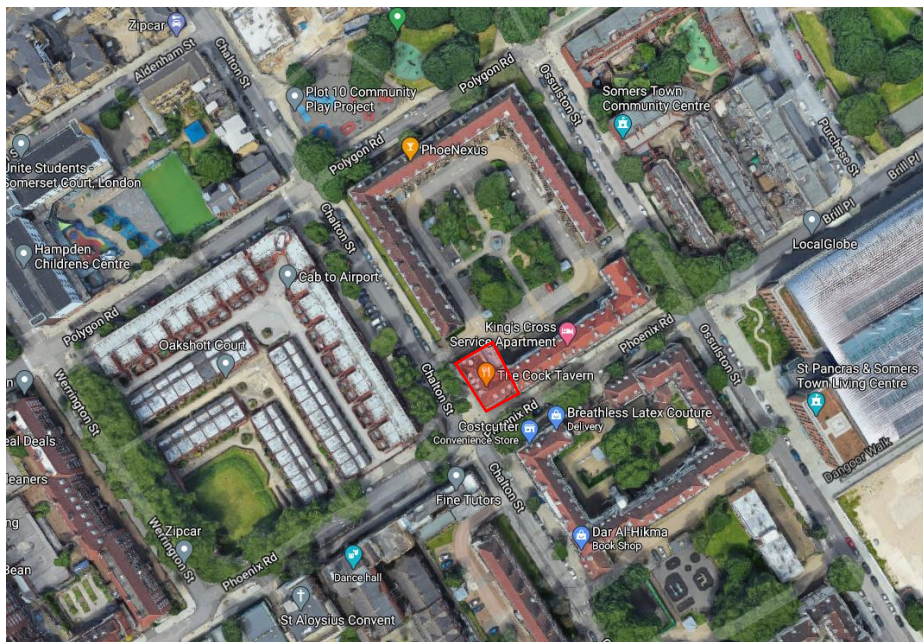


Figure 1. Aerial view of the site (Google Maps)

- 2.3 The building has historically comprised a Sui Generis 'Public House'. More recently works have been carried out to include an upward extension facilitating residential properties on the upper floors. As a result, the core trading area of the public house is now located at ground floor level, with the basement used for back-of-house services. At first floor, ancillary space is retained for use by the Public House with direct access from the ground floor level. The intention was for this space to be used as a function room together with kitchen facilities. Images of this space are provided within the Design and Access Statement.

2.4 The building is Grade II-listed in conjunction with the southern block of Walker House, but is not located within a conservation area. The significance of the building is defined within the wider listing designation as follows:

**‘Public House: 3 storeys and cellars. 4 windows and 6-window return to Chalton Street. Similar style. Public house frontage of transom and mullion windows with plate glass between pillars; main entrance on chamfered ground floor angle’.**

2.5 Notwithstanding this, having undertaken a detailed review of the site it is concluded in the heritage statement that, although the site is incorporated within the wider designation, the building itself contributes less than the other features, specifically:

**“As merely a small, component part of a much wider designation, and in turn a small component part of a much wider context of early twentieth century slum clearance and regeneration, the Cock Tavern can be seen to be of commensurately lower importance in terms of both its intrinsic design value, and in terms of its relationship with the larger southern block of Walker House. This lack of relative importance can be seen to extend to its relationship with the wider Ossulston Estate, particularly when considered in comparison to its most obvious counterpart, the similarly Grade II listed Somers Town Coffee House.”**

2.6 Internally, the first-floor level has been altered significantly to deliver the approved accommodation and ancillary function space. This has involved the installation of new partition walls and fittings. As a result, the floor provides two residential units together with 86sqm secondary accommodation for the Public House. At basement level historic features of the public house remain, to include the barrel drop and cellar.

2.7 The property backs directly onto the courtyard of Walker House, a social housing complex owned by Camden Council. Access to this area is via gated entrances off Ossulston Street and Chalton Street, the latter of which is located adjacent to the application site, as shown by figure 2 below.





Figure 2. Access to rear of site via Charlton Street

2.8 The site lies in a highly accessible location within walking distance of Euston and Kings Cross Train Stations. In this respect, Transport for London have allocated the site a public transport accessibility (PTAL) score of 6b, the highest possible.

**b) Planning History**

2.9 Planning and listed building consent granted in 2015 under refs 2015/1496/P & 2015/1864/L for:

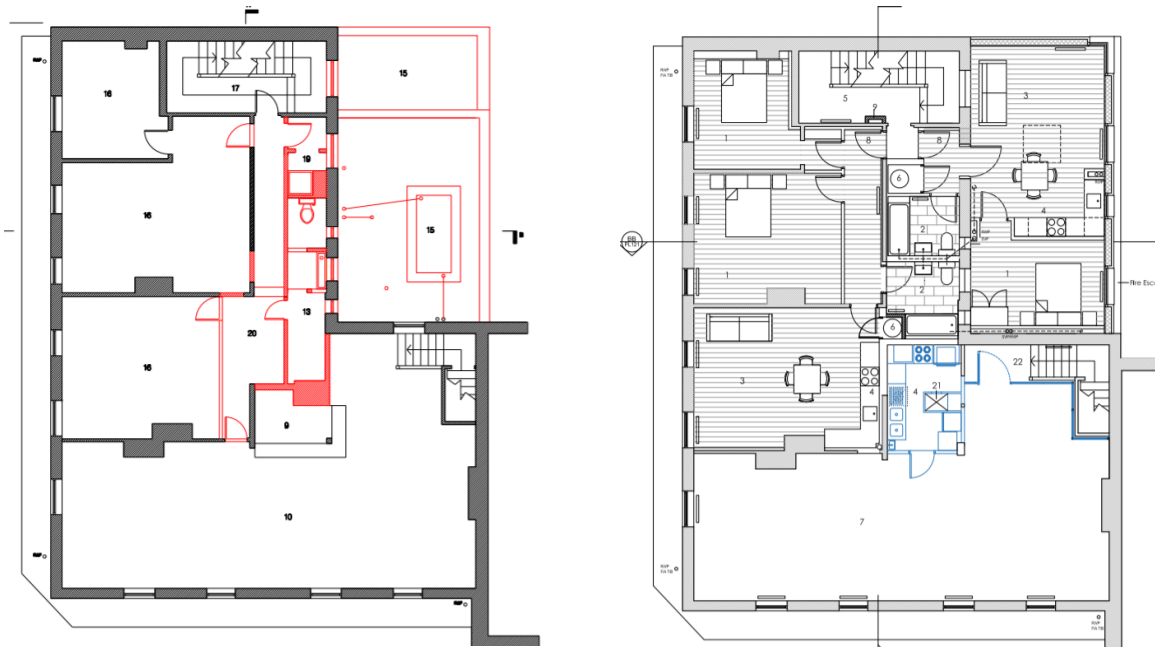
**Retention of basement and ground floor public house (A4) along with first floor function room; change of use to upper floors and a loft conversion to create 5 self-contained residential (C3) units (1x1 bed, 3x2 bed and 1x3 bed); two storey rear extension, construction of dormers, other external improvements to the building and associated internal works to accommodate the residential use.**

2.10 A series of applications have been approved to vary the layout of the development, including most recently to provide an escape staircase to the function room under refs 2019/0611/P and 2019/1481/L. Specifically these sought permission for:

**Internal and external changes to the building, including to the lobby enclosure on the ground and first floor for the escape staircase to the function room, rear door to extension for fire escape to the new lobby enclosure, condenser units for the pub in the plant room at the ground floor, amendments to the commercial kitchen at the first floor to the function room, new vents, flues and signage retention, engineered flooring to the pub on the ground floor.**



2.11 The original and most recently approved layouts at first floor are set out below at figures 3 and 4. Overall the permitted development has allowed for the subdivision of the floor to provide residential properties to the rear, with 86sqm ancillary public house space (supporting a function room and kitchen) retained to the front.



**Figures 3 & 4.** Extracts of original first floor (as shown under permission 2015/1496/P) and approved first floor (as shown under permission 2019/0611/P)

2.12 As part of the 2019 permissions it was proposed for new fire doors to be installed at ground floor level providing an additional fire escape access from the public house stairwell to a door leading out to the rear of the site. The applications were approved at planning committee following a recommendation for approval by the case officer. In recognition of the investigations carried out by the applicant to find an acceptable solution to the issue of providing a secondary fire escape to the first-floor function room the case officer, in their briefing note to members, referred to the proposed fire escape solution as follows:

**“This solution would allow the function room to come back into use. The changes have been agreed following detailed discussions with the Council’s Building Control team and Conservation Officers. It is considered that this is the least harmful approach to allowing the community asset to open again”**

2.14 The proposed emergency access approved by planning and listed building permissions 2019/0611/P and 2019/1481/L would require the use of an evacuation route partly consisting of land within the Walker House estate. However following the permission of these applications it has unfortunately not

been possible to agree the acceptability of this emergency access with members of Camden Council's Housing Department, the managing agents of the Walker House estate, and as a result it has been concluded that this solution is no longer possible.

- 2.15 Two further applications (refs 2020/4196/P & 2020/4192/L) have recently been approved for non-material amendments to planning permission ref 2019/0611/P. The changes proposed relate solely to the provision of a new boiler flue at higher ground floor level to support a new replacement boiler at basement level serving the pub. These works will not be affected by the proposed development.

## Section 3      Application Proposals

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3.1 The application proposals are detailed on the proposed drawings prepared by Mark Fairhurst Architects. The application seeks consent for:

**Change of use of 86sqm Public House space (Use Class Sui Generis) at first floor level to residential (Use Class C3) together with internal alterations to the existing flats at first floor level to facilitate the provision of an additional 2Br residential property. Reprovision of public house kitchen facilities at basement level, including associated ventilation.**

a)      Change of use

3.2 As detailed at Section 2 of this statement, planning and listed building consent has been approved to change the use of the site to support a Sui Generis 'Public House' at basement, ground and part first floor levels, together with 5 residential properties. These permissions have been implemented.

3.3 This application solely relates to the change of use of the remaining ancillary Public House floorspace at first floor level (totalling 86sqm) to provide a new 2-bedroom, 4-person dwelling together with the internal works necessary to provide a corridor servicing all the units at this level. The Public House accommodation at this level is unusable as ancillary space in the light of it not being possible to provide a deliverable fire escape. As such it has remained unused since the original permission for works to the site in 2016 despite the applicant's best efforts to find a solution and it is now considered that the only remaining option available to make efficient use of this space is to use it as an additional residential property.

3.4 As part of the works the existing internal stairway access connecting the ground and first floor areas of the Public House will be removed. This will facilitate the provision of additional living space at first floor level and additional Public House floorspace at ground floor level.

i)      Commercial accommodation

3.5 The development will not impact on the operation of the public house, which will retain 378sqm floorspace across ground and basement levels. The kitchen facilities will now be located at basement

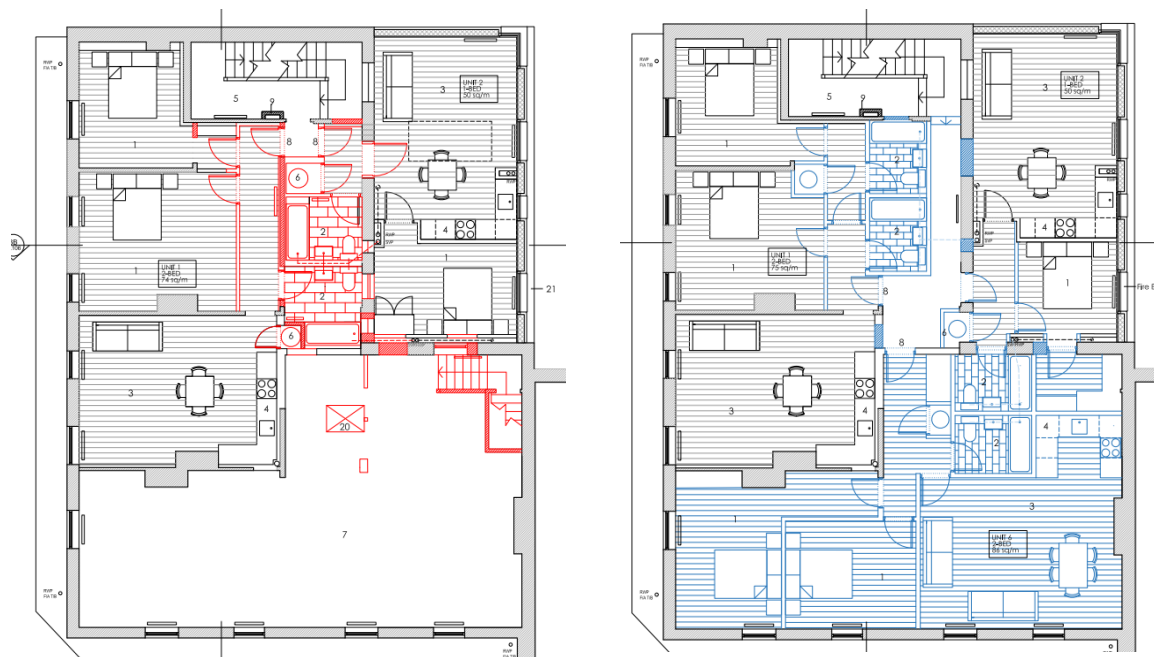
level together with the remaining back-of-house facilities, with the ground floor level used as the main retail area.

3.6 Access to the public house will remain as existing.

ii) Residential accommodation

3.7 The new residential unit will be generously sized and boast a high quality of accommodation. It will be dual aspect and have an internal floor area of 86sqm. This will exceed the nationally described space standards.

3.8 Access to the new unit will be via the existing residential entrance. To do this minor alterations will be made to the existing properties at first floor level to create a new internal corridor, as shown at figures 5 and 6 below.



Figures 5 & 6. Existing and proposed first floor

3.9 As a result of the internal works, which include the removal of the existing stairway access and reorientation of the flats, the floor areas of flats 1 and 2 will still accord with the nationally described space standards.

**b) Design**

- 3.10 The majority of the proposed works will be located internally within the existing building, with the access to the Public House remaining as existing and the access to the residential unit consisting of the entrance approved under refs 2019/0611/P and 2019/1481/L.
- 3.11 The sole external works proposed relate to the installation of a kitchen extract on the North West elevation to accommodate ventilation to the basement kitchen. This will be located behind existing louvers and therefore will not result in any perceptible aesthetic change.

**c) Other considerations**

- 3.12 Waste storage will be facilitated in the existing store located on-site. It is also intended that the new flat will be car-free reflecting the existing arrangements for the residential units on-site.

# Section 4      Planning Policy Summary

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4.1      The statutory policy framework relevant to the site comprises the following:

**National Planning Policy**

- National Planning Policy Framework (Adopted 2019)
- National Planning Practice Guidance (Online Planning Resource)

**London Planning Policy**

- London Plan Consolidated with Alterations since 2011 (adopted 2016)
- New London Plan ('Publication' version 2020) *\*due to replace the 2016 plan once adopted in 2021*

**Local Planning Policy and Guidance**

- Camden Local Plan (Adopted 2017)
- Local Plan Policies Map (2015)

4.2      Consideration has also been given to the following supplementary planning documents:

- Amenity CPG (Adopted 2018)
- Community uses, leisure facilities and pubs (Adopted 2018)
- Transport CPG (Adopted 2019)

4.3      The relevant policies and guidance from the above documents are summarised below.

a) **National Planning Policy Framework (NPPF)**

4.5 The National Planning Policy Framework (NPPF) provides overarching planning policy guidance for development across England.

4.6 **Paragraph 7** of the NPPF states that:

**“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without comprising the ability of future generations to meet their own needs.”**

4.7 The concept of sustainable development is expanded in **Paragraph 8** which sets out the overarching objectives of the planning system, which includes a *“social objective”*. **Paragraph 10** sets out that at the heart of the framework is a *“presumption in favour of sustainable development”*. **Paragraph 11** of the NPPF notes that for decision taking sustainable development means approving development proposals that accord with an up-to-date development plan without delay.

4.8 **Paragraph 38** sets out that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. It states that decision-makers at every level should seek to approve applications for sustainable development where possible. **Paragraph 47** requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

4.9 Chapter 8 of the NPPF covers *“Promoting healthy and safe communities”*. **Paragraph 92**, part a), advises that planning policies and decisions should:

**“plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”**

4.10 **Paragraph 124** highlights the importance of good design in creating better places to live and work, with **Paragraph 127** going on to ensure that development is ‘visually attractive as a result of good architecture, layout and appropriate landscaping that is sympathetic to the character and built environment’.



4.11 In determining applications affecting heritage assets, **Paragraph 189** sets out that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact on their significance. **Paragraph 192** also sets out that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

**b) London Planning Policy**

i) Adopted London Plan (2016)

4.12 Section 3 of the London Plan provides advice on social infrastructure.

4.13 **Policy 3.1** "*Ensuring equal life chance for all*" sets out that in order to meet the needs of all Londoners, planning decisions should protect and enhance facilities and services that meet the needs of particular groups and communities.

4.14 **Policy 3.3** Increasing housing supply states that the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.

4.15 **Part E** states that Boroughs should identify and seek to enable additional development capacity to be brought forward to supplement these targets having regard to the other policies of this Plan and in particular the potential to realise brownfield housing capacity

4.16 **Policy 3.4** Optimising housing potential seeks to optimise housing potential across London taking account of local context and character, design principles and public transport capacity.

4.17 In terms of design, **Policy 3.5** Quality and design of housing developments requires developments to be of the highest quality internally, externally and in relation to their context and to the wider environment. Minimum space standards for new dwellings were published on 14 March 2016 as part of the Housing Standards MALP, which bring the London Plan standards in line with national standards.

4.18 **Policy 3.8** Housing Choice requires new developments to offer a range of housing choices, in terms of the mix of housing sizes and types. The Policy, as amended by the recent Housing Standard MALP,

requires 90% of new housing to meet Building Regulation Requirement M4(2) 'accessible and adaptable dwellings'.

4.19 **Policy 3.16** Protection and Enhancement of Social Infrastructure sets out that development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted.

4.20 In terms of design, **Policy 7.2** An inclusive environment requires all new development in London to achieve the highest standards of accessible and inclusive design. **Policy 7.6** Architecture sets out that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. Part B of this policy sets out that developments should comprise details and materials that complement, not necessarily replicate, the local architectural character. In addition, proposals should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to overshadowing. Development should also optimise the potential of sites.

4.21 **Policy 7.8** confirms that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

ii) London Plan Publication Version (December 2020)

4.22 **Policy H1** indicates that "boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and decisions, especially on sites with existing or planned public transport access levels (PTALs) 3-6 which are located within 800m of a tube station, rail station or a town centre boundary."

4.23 **Policy H2** relates specifically to "small sites" and states that they should play a much greater role in housing delivery. It states that delivery and boroughs should pro-actively support well-designed new homes on small sites through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs. It specifically explains that "*boroughs should recognise in their development plans and decisions that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.*" The policy highlights that there should be a presumption in favour of small housing developments

(those below 0.25 hectares in size), including for infill development on vacant or underused sites, and the redevelopment or upward extension of flats and non-residential buildings to provide additional housing.

4.24 **Policy S1** “*Developing London’s social infrastructure*” outlines that social infrastructure plays an important role in developing communities. Development proposals that seek to make the best use of land should be encouraged and supported by Boroughs however where it involves the loss of social infrastructure, it should be considered whether redundant space can be used for full or partial use as other forms of infrastructure before an alternative use is considered.

4.25 **Policy HC7** defines the need to protect public houses and confirms that development proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted. Supporting paragraph 7.7.8 sets out that where such proposals would not compromise the operation or viability of the public house, measures must be put in place to ensure that there are no noise impacts for new and subsequent residents to ensure that the existing Public House can still operate.

c) **Local Planning Policy and Guidance**

i) **Camden Local Plan (Adopted 2017)**

4.26 The Local Plan provides the planning framework for Camden up until 2031. The document sets out the vision for the Borough and is designed to aid in supporting the objectives of boosting economic growth, reducing inequality and securing sustainable neighbourhoods.

4.27 **Policy G1** “*Delivery and location of growth*” underlines the Council’s commitment to delivering growth through securing high-quality development whilst ensuring the most efficient use of land and buildings. Development will be supported that makes the best use the site; proposals should exhibit high quality design and consider surroundings, sustainability, amenity, heritage and transport connectivity. Development proposals should accord with the area priorities and principles of growth areas, other highly accessible areas and Community Investment Programme areas.

4.28 **Policy H1** ‘Maximising housing supply’ sets out the need to secure a sufficient supply of new homes during the plan period and details one way to do this is through delivering the maximum reasonable provision of housing that is compatible with other uses needed on site. **Policy H6** “Housing choice and

mix” goes on to require development to create mixed, inclusive and sustainable communities by seeking high-quality accessible homes.

4.29 **Policy C2** “*Community Facilities*” establishes the principle of protecting and enhancing community uses; the Council confirms that it will cooperate with partners to guarantee that community facilities and services are developed and modernised to fulfil the changing needs of the community whilst accounting for new approaches to delivery of services.

4.30 The policy seeks to retain existing facilities, in recognition of their benefits to the community, unless one of the following tests is met:

- A replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users; or
- The existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area.

4.31 **Policy C4** “*Public Houses*” sets out that the council will seek to protect public houses which are of community, heritage or townscape value. With regard to the loss of pub floorspace, including facilities ancillary to the operation of the public house, it sets out that this will be resisted where it would adversely affect the operation of the business.

4.32 **Policy C5** “*Safety and Security*” requires development proposals to demonstrate incorporation of design principles intended to strengthen community safety and security. Appropriate security and community safety features will be required in buildings.

4.33 **Policy C6** “*Access for all*” establishes the expectation of proposals to adhere to the highest practicable standards of accessible and inclusive design, thereby allowing buildings to be used safely, easily and with dignity by all. Further, facilities should be located within the most accessible locations of the Borough.

4.34 **Policy A1** “*Managing the impact of development*” seeks to protect and uphold amenity; the amenity of communities, occupiers and neighbours will be protected. Proposals should balance the need of the development with the needs and characteristics of local areas and communities. Proposals must comprehensively assess transport implications. Further, the Council may require mitigation measures, when appropriate. Amenity considerations include:

- Visual privacy and outlook;

- Sunlight, daylight and overshadowing;
- Artificial lighting levels;
- Transport impacts;
- Implications of the construction phase;
- Noise and vibration levels;
- Odour, fumes and dust;
- Microclimate;
- Contaminated land; and,
- Implications on water and wastewater infrastructure.

4.35 **Policy D1** “Design” sets out that the Council will seek to secure high quality design in development. The Council will require that development (inter alia) respects local context and character, is inclusive and accessible for all and promotes health. It states that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

4.36 **Policy D2** “Heritage” confirms that the council will seek to preserve, and where appropriate, enhance Camden’s rich and diverse heritage assets and their settings. With regard to listed buildings development should be shown to avoid total or substantial demolition, a change of use or alterations and extensions that may cause harm to the special architectural and historic interest of the building and avoid harm to its setting.

4.37 Consideration has also been given to the following policies:

- Policy T1 *“Prioritising walking, cycling and public transport”*
- Policy T2 *“Parking and car-free development”*

iii) Amenity CPG (Adopted 2018)

4.38 This CPG provides guidance in respect of: overlooking, privacy and outlook, daylight and sunlight, noise and vibration, and other matters.

iv) Community uses, leisure facilities and pubs CPG (Adopted 2018)

4.39 Consideration has been given to the adopted SPG with Section 4 relating specifically to public houses. It emphasises the Council’s intention to apply a presumption in favour of retaining pubs and their

associated facilities where they meet the needs of the community or protected groups. Any loss of ancillary facilities will need to demonstrate that it would not be detrimental to the pub's commercial viability and should the development result in new residential floorspace a robust package of mitigation measures will be required to ensure that the pub can continue to trade successfully.

vi) Transport CPG (Adopted 2019)

4.40 Section 5 of this CPG identifies that the council will seek car-free development within the entire borough.

# Section 5 Planning Assessment

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5.1 The main issues to be considered in respect of this application are:

- The principle of the development;
- Commercial and residential provision;
- Impact on local amenity;
- Design considerations; and
- Other considerations.

**a) Principle of the development**

5.2 The existing site has been built pursuant to planning and listed building permissions 2015/1496/P & 2015/1864/L. This has allowed the development of an extension to the property to accommodate 5 residential properties on the upper levels together with a retained Public House at basement, ground and first floor levels. It had originally been the intention for the commercial area at first floor level to be used ancillary to the main Public House.

5.3 However, the function room has remained unused since this development was permitted, with it not being possible to identify a suitable solution to provide a fire escape to this area as required by the Building Control and Planning departments. Following extensive discussions it was believed that a solution had been identified that would protect the historic value of the property and this was approved under planning and listed building permissions 2019/0611/P and 2019/1481/L. This solution is, however, dependant on agreeing access to land managed by the Council's Housing Department, and despite multiple attempts it has not been possible to do this. As such there are no further options left available to the applicant to bring this space back into use as originally intended.

5.4 As a result of this, the only viable option left available to the applicant is to convert the function area into a further residential property, with the space also being unsuitable for other community uses, all of which would also require a fire escape. The benefit of the use of the space as a residential unit is that access can be obtained through the minor alteration to the existing properties at first floor level to provide access to the existing residential entrance on-site. It would also not require the provision of the emergency exit via the pub.



5.5 There is a clear local and regional planning policy position for the protection of Public House uses and associated floorspace. Policy HC7 of the London Plan defines the need to protect Public House facilities where it would have a detrimental impact on the viability or operation of the business. This stance is also taken by Local Policies C2 and C4 together with the adopted Community uses, leisure facilities and pubs CPG. Where such areas are lost for use within Class C3 (residential) it must be shown that no other community uses could be accommodated. With regard to the delivery of new residential properties there is a clear policy direction at national, regional and local level to maximise delivery in accessible locations in London.

i) Justification of loss of function space

5.6 The loss of the redundant function space will result in a decrease of 86sqm Sui Generis 'Public House' floorarea. However, as part of the application it is proposed for the basement to be reconfigured and improved, to include the installation of kitchen facilities in addition to the existing back of house uses. As such, the Public House will be able to still offer a high-quality service and the overwhelming majority of its floor space will be retained.

5.7 The provision of a secondary means of escape is a requirement for any community use. As detailed above it has not been possible to deliver this onsite and therefore the ancillary space at first floor level is not suitable for its intended use. Further, for the same reason that the function room cannot be retained on-site it is not a suitable space to accommodate other similar uses. With this being the case, the loss of this space will accord with second of the two tests defined by Policy C2, ie that the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. As such, the change of use to residential is considered to be acceptable.

ii) Principle of residential

5.8 The site is in a highly accessible location, benefiting from a PTAL rating of 6b, the highest possible. At present, the existing building consists of Public House space on the lower floors and residential above. Planning policy at national, London Plan and local levels seeks to optimise the development potential of sustainable sites such as this.

5.9 This application seeks to use the existing redundant function space at first floor level as an additional residential property, with minor internal works required to achieve this. Adopted London Plan and local

policy makes it very clear that the provision of new housing is a priority within London, and the new proposals are therefore considered to align with planning policy objectives in principle in this regard.

- 5.10 With regard to density, the proposals are consistent with the character of development within the surrounding area, being entirely appropriate given the very high PTAL rating of 6b and close proximity to Kings Cross and Euston. The development should therefore be acceptable in this regard.

iii) Summary

- 5.11 In the light of the above, the proposed development will not have a detrimental impact on the operation of the existing Public House and will help deliver an additional high-quality residential unit in a highly accessible location. As such, it will accord with the requirements of planning policy at National, regional and local levels.

**b) Quality of public house and residential accommodation**

- 5.12 There is a clear policy direction at local and regional levels to protect public houses and ensure that any loss of commercial space does not have a detrimental impact on the viability of the use. In this regard London Plan policy HC7 and Local Policy C4 define that proposals that adversely affect the operation of the business would be resisted, with the Community uses, leisure facilities and pubs CPG going on to require sufficient measures to be put in place to ensure that any new residential development would not conflict with the existing operation. Minimum requirements for new residential development are defined within the London Plan.

i) Commercial development

- 5.13 The loss of the function room will technically result in a decrease of 86sqm Sui Generis 'Public House' floor area. However, as identified above this space is redundant, with it not possible to use it for this purpose. Indeed, it has remained unused since the implementation of application refs 2015/1496/P & 2015/1864/L whilst the applicant has sought a solution to provide an alternative access route to this space. The Public House has been operating from the remaining accommodation during this time.
- 5.14 Irrespective of this, additional floorspace will be gained through the removal of the internal stairway and it is proposed for the basement to be reconfigured and improved. This will ensure that the public house remains efficient, with the kitchen and other back-of-house uses at basement level. Therefore, there will not be an impact on the existing operation of the public house as a result, which is already

only operating from basement and ground floor levels; indeed it will ensure that the kitchen remains close to the trading space to provide an added service to that currently on offer.

- 5.15 The Community uses, leisure facilities and pubs CPG defines that when the upper floors of a Public House are converted into a residential property sufficient noise attenuation is installed to protect future residents. It is proposed that the new unit will be developed to the same standards as those already existing at first floor level and therefore there will be no net impact on the existing public house use in this regard. This is confirmed within the Noise Impact Assessment, which concludes that:

**“A floor specification has been proposed which will provide internal noise levels for all residential environments of the development commensurate to the design range of BS8233.**

**No further mitigation measures should be required in order to protect the proposed habitable spaces from external noise intrusion.”**

- 5.16 With the above in mind, it is concluded that the resultant development will provide a high-quality Public House unit that is well laid out to provide a comprehensive food and drink service on-site. It will therefore remain viable with the loss of the ancillary space not adversely affecting the operation of the business. For this reason it is considered to be entirely appropriate in the context of local policy C4 and London Plan policy HC7 together with the requirements of the Community uses, leisure facilities and pubs CPG.

ii) Residential development

- 5.17 With regard to the size of the proposed unit, Camden local policy defines a need for housing units of all sizes. The proposed development will enable the provision of a large 2br unit in line with London Plan standards and therefore this will assist with meeting the council’s target.
- 5.18 To facilitate the development the layout of the existing flats will be altered. The resultant floor areas of the three residential properties at first floor level are set out at figure 7 below. This confirms that the existing flats will continue to meet the space requirements of the London Plan.

Flat No.	Existing arrangements	Proposed arrangements	London Plan requirements
1	74sqm 2b4p	75sqm 2b4p	70sqm
2	50sqm 1b2p	50sqm 1b2p	50sqm
6	N/a	86sqm 2b4p	70sqm

Figure 7. Existing and proposed residential accommodation

5.19 It has not been possible to provide private external amenity space for the proposed unit; however this is considered to be acceptable given the proposed spacious internal area of the unit and the close proximity of the site to open green space. This is in line with the properties already present onsite.

5.20 In light of the above it is evident that the proposed development will result in a well-proportioned and high-quality residential dwelling that meets London Plan and local standards. The layout at first floor lends well to this form of development, with only minor alterations to the layout of the existing properties at this floor required in order to provide access to the new unit. It should therefore be considered appropriate in this regard.

**c) Impact on local amenity**

5.21 The site as existing consists of a Public House with residential properties on the upper levels. As such, the proposed development will be compatible with the existing uses on-site and will therefore not have an adverse impact on the surrounding neighbouring properties.

5.22 The majority of the proposed works will be located internally and utilise the existing residential and Public House accesses. There will therefore be no change to the scale and massing of the site. Further, there will be no change in terms of overlooking or outlook.

5.23 The only element of the proposed development located externally will be the provision of a new extract behind the existing louvres along the north-western elevation servicing the kitchen. As such, the impact of the new extract has been considered within the Noise Impact Assessment, which concludes that:

**“noise emissions from the proposed plant units would not have an adverse impact on the nearest residential receivers provided that the noise control strategy presented in Section 6 is followed”**

5.24 With the above in mind it is considered that the proposed development will not result in any loss of amenity to surrounding uses, consistent with local plan requirements.

d) **Design**

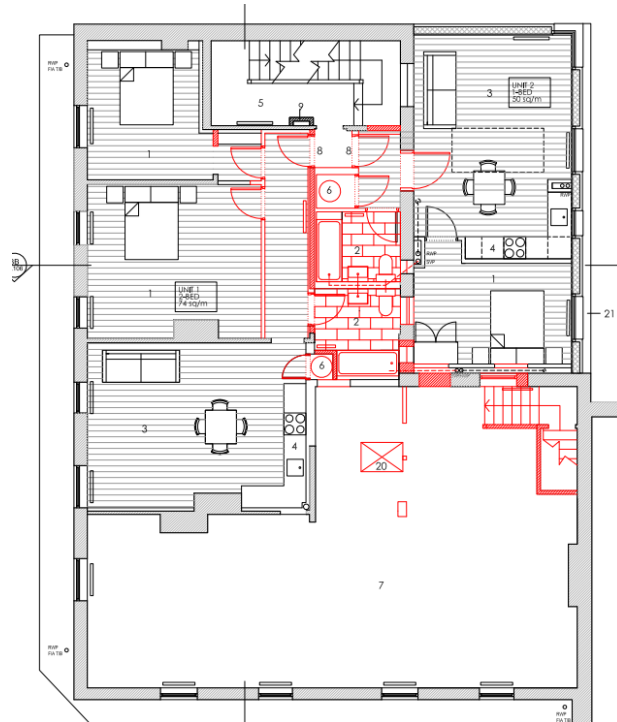
5.25 The host building is Grade II listed and is therefore a designated heritage asset. However as detailed at Section 2 the heritage assessment identifies that the building is a small component of a much wider context and is seen to be of commensurately lower importance in terms of both its intrinsic design value and its relationship with the larger southern block of Walker House.

5.26 When considering applications for designated heritage assets the NPPF requires applicants to provide a proportionate assessment of how the development would impact on the significance of the designated asset. Policy 7.8 of the London Plan requires development to identify, value, conserve, restore, re-use and incorporate heritage assets and Policy D2 of the Camden Local Plan requires the preservation, and where appropriate, enhancement of heritage assets in the borough.

5.27 Externally, the proposed works are limited to the installation of an extract duct behind the existing louvres along the north-west elevation. As such, there will be no visual impact resulting from these works. Indeed, this is recognised in the heritage assessment, with it concluding that:

**“Externally, proposals would not affect any visual change, further to that approved as part of application 2017/2948/P. A kitchen extract is proposed to be located behind existing louvers and would not therefore result in any perceptible aesthetic change.”**

5.28 To date the internal areas of the site have been altered to accommodate the revised layout approved under refs 2015/1496/P & 2015/1864/L. This included the demolition of walls and installation of new partition walls at first floor level to deliver the two new dwellings. The proposed works seek to revise the layout of the building at this level further, resulting in the alteration to the layout of an existing bathroom and hot water tanks, with the extent of the proposed excavation shown at figure 8 below.



**Figure 8.** Extract of existing floorplan showing proposed extent of demolition at first floor level

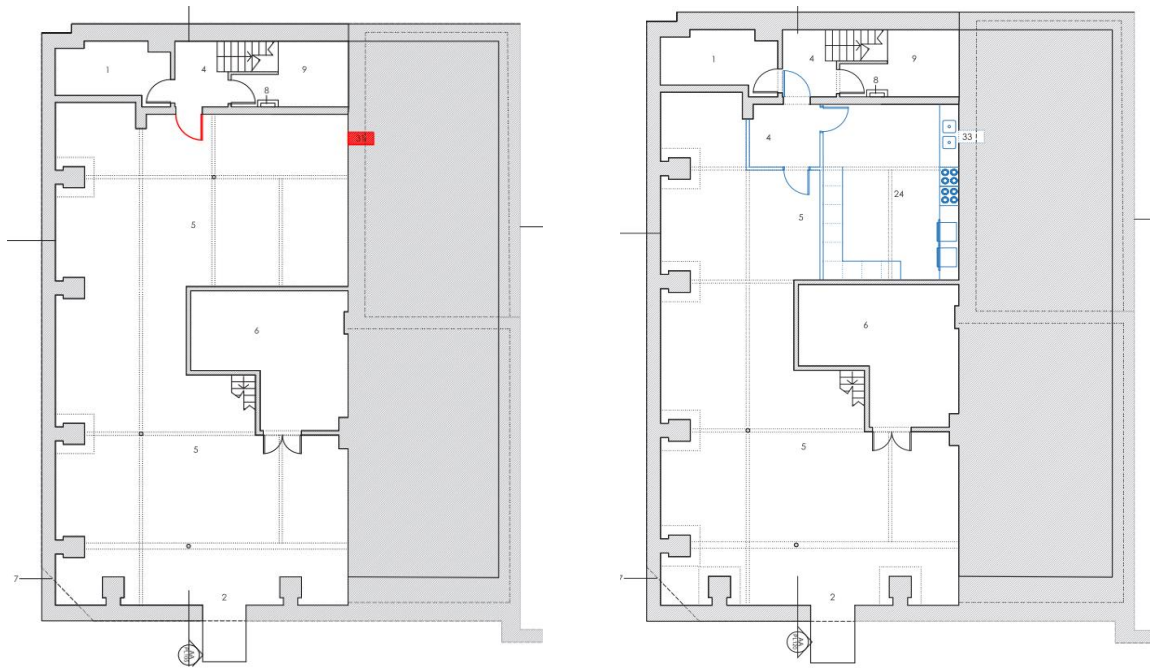
5.29 These alterations required to deliver the revised layout will not have a detrimental impact on the significance of the building, with the heritage statement concluding with regard to the works at first floor level that:

**“Whilst it is acknowledged that proposals result in the loss and/or reconfiguration of existing elements, this loss is considered minor. It is also deemed a wholly appropriate means by which to ensure the better practical functioning of space at this level.**

5.30 The change of use of the function room will mean that there is no longer need for the existing stairwell to this level. This will therefore be removed. This aspect of the proposals has been considered within the heritage statement which expresses that:

**“The removal of this staircase (at both ground and first floors) will not significantly alter any historic and / or architectural interest across the property or the ability to appreciate this.”**

5.31 At basement level the proposed kitchen will be located in an underused area that will ensure that there is no impact on the items of special interest at this level, identified as being the barrel drop and cellar. This is represented in the existing and proposed layouts, as shown at figures 9 and 10 below.



Figures 9 & 10. Existing and proposed basement level

5.32 Indeed, in relation to the basement level the heritage assessment considers that as a result of the works:

**“Individual aspects of special interest will therefore remain readily identifiable.”**

iv) Summary

5.33 In summary the proposed development has been demonstrated to be of a very high standard and responds successfully to the local significance of the site. The proposals are therefore entirely consistent with the design requirements set out in national, regional and local policy. Indeed it is concluded in the heritage statement that:

**“No element is understood to be in conflict with the listed building and/or unduly affect the special interest of this, as per the relevant tests of the relevant Act. Neither is it considered that any harm would arise via their implementation, as per the relevant tests of the NPPF.”**



e) **Other considerations**

i) Highways

5.34 The site is located in a highly accessible area and benefits from an excellent PTAL rating of 6b, the highest possible. The application site is served by a number of local bus routes in the near vicinity, and Kings Cross and Euston stations are within walking distance. This site is therefore considered to be highly sustainable and appropriate for this kind of development, as evident by the recent extension and conversion of the upper floors to deliver residential units.

5.35 Given the excellent accessibility of the site, it is proposed for the site to be completely car-free. This is encouraged by Policy T2 which confirms that the Council expects car-free developments throughout the borough.

ii) Servicing

5.36 An appropriate strategy for waste and recycling has been developed on-site by the applicant to serve the flats built out to date. This will be sufficient to also support the additional unit.

iii) Flood risk

5.37 The site is located within Flood Zone 1. The proposals relate solely to the change of use of existing floorspace on site. As a result there will be no increased hard landscaping at the site and therefore there will be no impact on flood risk.

## Section 6 Conclusions

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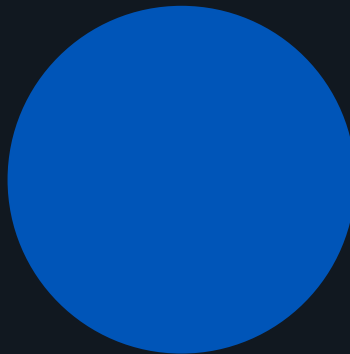
6.1 This Planning Statement has been prepared by Firstplan in support of an application for a development at The Cock Tavern, 23 Phoenix Road, Somers Town, London. The submission is for:

**Change of use of 86sqm Public House space (Use Class Sui Generis) to residential (Use Class C3) together with internal alterations to the existing flats at first floor level to facilitate the provision of an additional 2Br residential property. Re-provision of public house kitchen facilities at basement level, including associated ventilation.**

6.2 This application is considered to be entirely acceptable for the following reasons:

- The proposal will retain sufficient Sui Generis 'Public House' space that will ensure the long-term viability of the pub, whilst also providing new residential accommodation in the area;
- It will optimise the development potential for this unused facility, which is in accordance with national, London-wide and local planning policy objectives;
- The provision of an additional residential property on-site will further contribute to the Council's housing target, in accordance with London Plan and planning policy objectives;
- The new and existing residential properties at first floor level will be designed and laid out to provide a high standard of accommodation within the limitations of the site. They will all meet national space standards and provide a good access to light and outlook;
- The external works are very minor in scale and will have no impact on views of the site
- As set out in the Heritage Statement, the proposed development will not result in a negative impact on the significance of the host Listed Building, the designated heritage asset; and
- The proposed development will be designed to ensure that the existing operations of the Public House will not have a detrimental impact on the future tenants of the new unit, as identified within the submitted Noise Impact Assessment.

6.3 Accordingly, it is considered that the proposals are consistent with all of the relevant planning policies and guidance at national, London-wide and local levels, and is acceptable in all other respects. We therefore respectfully request that planning permission is granted without delay.



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