

Philip Matthews
63 New End
London NW3 1JA

4th August 2022

Planning and development
London Borough of Camden
2nd Floor, 5 Pancras Square
Town Hall, Judd Street
London
WC1H 9JE

Dear Sir/Madam

The Old White Bear, 1 Well Road, London, NW3 1LJ
Change of use of the first and second floors to either; continued Class F1 (education) or,
Class E (office), or Class C3 (residential)

Planning Portal ref: PP-11351726

We write on behalf of the *Save the Old White Bear Group* ("The Group") who was responsible for nominating the Old White Bear as a community asset in January 2014, duly listed on 27/1/14 and renewed in 2019. A certificate of lawfulness was granted in 2015 (ref:2015/3764/P) for the use of the upper floors as a community use ancillary to the existing public house. The premises are also subject to a permanent Article 4 Direction declaring that permitted development rights do not apply to the property and thus any conversion from A1 to A3 requires planning consent. The Group has in excess of 1,700 supporters and represents the views of the community as regards this important, 300 year old heritage and much loved community asset.

We object to the above proposal for the following reasons.

1. It removes the ACV status of the first and second floor and thereby dilutes the protection afforded to the premises as a whole.

By seeking Class C3 residential within the range of permitted users, the proposal offends the very rationale for the award in 2014 of ACV status for the pub (A4) and consequential refusal (ref:2013/7438/P) for change of use to residential (C3). Coupled with the January 2017 approval (ref:2016/6345/P) of dual educational and ancillary pub use of the first and second floors, the proposed changes represent a policy of mission creep by consecutive applicants and the prospect of grant of residential user, literally and figuratively, through the back door.

2. It will result in the loss of the first floor community use and second floor ancillary accommodation for pub staff.

The application in 2014 was also refused because the loss of the pub's first-floor community use and 2nd floor ancillary accommodation, would be harmful to the provision and range of community facilities in the area. Prior to its enforced closure by property developers in 2014, an upstairs function room with bar was routinely used for formal and informal private parties, wedding breakfasts, theatre groups and meetings by community groups and charities, while the then manager (Aby Scott) occupied the top floor as live-in accommodation. The applicant's proposal, if granted, will put an end to this much valued and diverse use.

3. There is no further rationale for dual use of the first and second floors.

As acknowledged by the applicant's covering letter of 27 June, dual use was granted in 2017 for the temporary purpose of 'providing ancillary classroom space (overspill accommodation) while the (Heathside) school underwent building works' and furthermore, that 'the school no longer require the rooms and are vacating the site in August'. Accordingly, the use should revert exclusively to the pub without restriction.

While recognising that Camden by granting dual use was seeking to assist in reopening the OWB, the community was aghast at the prospect of young children's education being undertaken within the same premises as a pub and during its opening hours. It is not without interest that, at that time, the freehold of the premises was the sole asset of Valentina Ventures Ltd, whose director and sole shareholder was Joseph Jake Elliot, the spouse of Melissa Remus Elliot, the then owner of Heathside School; and who falsely represented in the application's planning statement that she had granted a pub lease to Dan Brod of Bramley Bars UK Ltd.

4. Curtailing the pub's ambit to the lower and ground floor will restrict the pub's scale of operation thereto and limit any future options it may have to sustain and improve its viability/profitability.

The applicant's letter refers to the pub as being a 'lock-up' and no longer needing the upper floors. This fails to recognise that this was the only commercial function available to the (any) pub operator given that the school were, and had for many months, occupied the first and second floors as classrooms under a lease granted by Valentina to Heathside. As we understand it the present applicant acquired the freehold with the School in occupation subject to a lease.

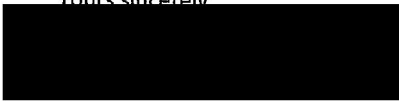
Since the pub only reopened in December 2021 and while the school operated classrooms on the first floor, it follows that there has been scant opportunity to restore the communal use of the first floor. No proper statement or justification has yet been advanced to establish lack of viability for the same. As was concluded in 2014, the pub was a viable concern using the entirety of the premises before it was closed down by property speculators, they having acquired the freehold for speculative redevelopment.

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5. The applicant has not presented any evidence of demand for educational use or office use in support of the proposal.

Indeed, it recognises that such educational use was to be temporary and personal to the School which is now vacating. In reality, the proposal purports to acquire a 'pick and mix' approach to redeveloping the upstairs floors without any clarity of purpose or evidence in support of need following the school's notice to vacate.

In light of the above, we would respectfully request that the planning application be refused.

Yours sincerely



Philip Matthews
Chair of the Save the Old White Bear Group

Martin Hicks QC
Vice Chair of Save the Old White Bear Group