

Location	76-78 Salusbury Road, London, NW6 6PA
Description	Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 8 self-contained flats (3 x 1bed, 3 x 2bed and 2 x 3bed) together with associated alterations to include removal of rear dormer window, new 2nd floor rear extension, stairwell extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening, cycle parking spaces and bin stores

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Members visited the site on 08/02/2016. There were several issues raised in relation to:

- noise complaints
- entrance to the pub
- community use

1. Noise Complaints

Residents restated concerns of noise in early hours of the morning from some users of the function rooms, for instance bands. Officers have made enquiries with Environmental Health colleagues and whilst there has not been time for a detailed response to be provided, your officers have received confirmation that there is an extensive history of noise complaints associated with the site with meetings held between Environmental Health officers and local residents and with the operator. Your officers note this history however this has already been considered in the main report and this does not alter your officer's recommendation.

2. Entrance to the pub

Residents of Hopefield Avenue reiterated their objection to the use of the entrance on the corner of Hopefield Avenue and Salusbury Road as the entrance to the pub. Your officers note this concern however the corner of the property is in an area with a commercial character which covers this part of Salusbury Road and extends along part of Hopefield Avenue and your officers do not conclude that the use of this entrance would necessarily lead to unacceptable harm to the living conditions of residents of Hopefield Avenue.

Should Members be minded to grant consent a condition could be imposed to limit the hours during which outside drinking could take place and to not permit it along Hopefield Avenue at any time in recognition of that road's transition from commercial to residential character.

Community use

Members questioned where the community groups who previously used the premises had relocated to and whether it was likely that they would return. As far as your Officers have been able to establish the Community groups have found accommodation elsewhere however there is strong evidence both through the ACV representation and planning application representations to suggest that this is outside of the Borough. The nearby School/Salusbury Rooms have been popular in the relocation of some activities, such as the Choir. With regards to the likelihood of returning groups, this is of course unknown, however the point stands that if Community space wasn't re-provided within the scheme, it would result in a permanent loss of such stock to the Borough.

Members have asked officers to respond to a query from a resident as to whether a commuted sum could be taken partly in lieu of direct re-provision of community facilities along with some community access to the retained pub of a similar nature to that proposed by the applicant. Whilst it is feasible in planning policy terms it is not preferred, since it would erode the stock of community space in the Borough; however officers have investigated the likely amount that would be required based on a capitalised rent for a reasonably sized similar community space in the local area and this yields a figure in the low six-figures. It has not been possible, given the time allowed, to open discussions on this matter with the Applicant.

4. Further Representations

Your Officers have also received further representations from members of the public in support of the application on the grounds of:

- Support for residential units proposed;
- Support for the renovation of the interior and exterior of the property;
- Support the use of the ground floor as a retail/commercial focus.

5. Revised submission from Applicant

Information was received from the applicant after the Committee deadline. A summary of the revisions are:

- Within the revised ground floor the applicant now proposes the entire southern part of the ground floor be a “Dedicated Community Room”, 188sqm in size and with access from the main entrance of the Public House. The Public bar and associated space makes up 247sqm of the ground floor. The area sectioned off for the public bar is approximately 80sqm whilst the kitchens, toilets, bar areas and storage make up the rest;
- Amended Heads of Terms.

Officers have re-assessed the proposal in light of the above and regrettably, do not consider that these further submissions by the applicant adequately address the concerns that have arisen from having a dedicated community space on the ground floor.

Whilst the proposal does, in your officers’ judgment, provide an appropriate size of community room (approx. 188sqm) to offset the loss of the space currently provided on the first floor, the revised proposals do not give officers sufficient confidence: (1) that the public house and community room could interact in a successful way; and (2) that it would re-provide an appropriate space for the types of activities that operated in the past from the first floor function rooms for the following reasons:

Access: The “Dedicated Community Room” is still not distinct from the pub by means of physical separation – a bar and serving counter opens onto it- which raises the question of what type of groups it would remain attractive to. Access to the public bar, whilst the “Dedicated Community Room” is in use, would be hindered as they appear to be served from the same entrances.

Viability: Whilst the applicant has indicated that the space would operate as a Public House (for the majority of the time when not in use by a community function) it is difficult to envisage how the two uses would interact in a successful way whilst keeping the operation of the Public House viable. Officers would need a great deal of extra information as to the viability of the Public House and the operation of the “Dedicated Community Space” to ensure that they can support each other whilst providing an attractive, useable and functional space for community groups to use.

Heads of Terms: revised Heads of Terms give some clarity on when the “Dedicated Community Room” would not be available (not to be available for use within the time period of 20:00 to 24:00) and that the space would be available for a maximum of 17 hours a week and only when the pub is open. The Heads still do not reflect the nature of the existing S106, which is proactive in giving priority of the existing Function Room 1 to the Community.

Officers feel that unless the re-provided space and the way it is used reflects in a similar way, the historic uses of the first floor Function Rooms, then the type of groups and activities would be severely reduced and the ‘community’ element of the public house would be lost.

6. Summary

Your Officers feel that a great deal of weight should be given to the community value of the existing pub and ancillary function rooms. Unfortunately, whilst Officers feel that some progress has been made with the Applicant towards offering a provision of a ‘community space’, the revised proposals still do not give confidence that the ground floor ‘Dedicated Community Room’ would successfully replicate this nor that it could run in parallel with the Public House. As such the recommendation remains refusal.

Recommendation: Remains Refusal