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The Directorate of Planning and Borough Development,  
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11<sup>th</sup> July 2011

Our Ref: 6289/SA

Dear Sir, **DESIGN AND ACCESS STATEMENT, PPS5 HERITAGE IMPACT AND PLANNING POLICY ASSESSMENT REPORT**

**Re: Phene Arms, 9 Phene Street, London SW3 5NY**

**Proposed Change of Use to Single Dwelling, Basement Extension and External Alterations.**

#### THE EXISTING USE:

The Phene Arms currently operates as a "gastro-pub".

Despite careful regulation by the Environmental Health Department and by the Licensing Authority, local residents have informed the owners of ongoing adverse impacts upon residential amenity, traffic movement and car parking.

#### THE PROPOSAL:

This application addresses those issues through the proposed change of use to a dwellinghouse.

The basement extension works will provide ancillary residential accommodation for plant equipment with a swimming pool extending beneath the existing pub garden area.

Narrow lightwells will be created along the side of the existing building. A lightwell to be created at the front of the building will reflect those which front the other Phene Street properties and will provide steps down to the basement in place of the existing cellar doors for the public house use.

The existing small first floor rear extension which encloses a W.C. will be retained and extended to second floor level, to accommodate a lift.

On-site parking for one vehicle will be retained.

The sycamore tree in the pub garden is defective and on safety grounds will be removed. Two replacement trees will be provided. The acacia tree adjacent to the rear of the site will not be affected by the proposals and it will be retained.

#### THE DESIGN AND ACCESS STATEMENT(D&AS):

Applying the normal D&AS criteria:

- 1) Amount: One dwelling is proposed, with the existing parking space retained on site.
- 2) Layout: The external layout is changed only to accommodate the front and side lightwells and to create a greater area for surface water drainage.
- 3) Scale: The maximum length of the proposed basement extension is 21.2 metres, the maximum width is 16.1 metres and the maximum depth is 8.0 metres. The first floor rear W.C. extension is extended upwards to the second floor level, and converted to a lift shaft.
- 4) Landscaping: Two replacement trees are proposed in the garden, with enhanced boundary landscaping.
- 5) Appearance: The appearance of the building is preserved and its setting enhanced by the introduction of the railings and lightwell at the front, reflecting those found throughout Phene Street.
- 6) Use: The use changes from a gastro-pub to a single dwelling.
- 7) Access: Pedestrian access is by a gate from Phene Street and another in the Margareta Terrace return elevation. The existing ground floor door is retained as the main access. Secondary access is down the new front lightwell stairs to the basement area. Vehicular access is as existing, in Margareta Terrace. Internal access is significantly enhanced by the introduction of a lift to all floors.

#### THE PPS5 HERITAGE IMPACT ASSESSMENT:

The external appearance of the main building is preserved. The raising of the small set-back first floor rear extension by one floor will not have an impact on the character and appearance of either the building or the wider conservation area, so small is it.

The introduction of lightwells in the garden area is wholly screened from the street by the existing retained boundary wall to the pub garden, which also screens this area from views from neighbouring properties. The new lightwell at the front will continue that at the adjacent property and found in front of all other Phene Street addresses. It will replace the existing concrete apron and cellar doors. As such it represents a significant enhancement of the character and appearance of the conservation area. It also significantly improves the setting of the building.

The **Cheyne Conservation Area Proposals Statement** on **page 10** describes the connection of the Phene Arms to Dr **Phene**, who developed Oakley Street and Phene Street in 1850-51. **Page 45** encourages the restoration of the boundary railings.

The latter comment provides the necessary information for assessing the implications of these proposals on the heritage asset, in accordance with **PPS5 Policy HE6**. The proposals take that advice on board with regard to the front elevation.

The introduction of that lightwell and its railings at the front of the building will complete the streetscape of Phene Street. It represents a significant enhancement of the conservation area.

The opportunity is also being taken to replace the existing mature tree whose condition warrants its removal, not least on safety grounds. A further new tree is also being planted, to enhance the amenity value of the site.

The main building is retained with barely any alteration to its appearance. **Policy HE7** is thereby fully satisfied.

## THE DEVELOPMENT PLAN POLICIES ASSESSMENT:

There are no **London Plan** policies of direct relevance to this "minor" application.

The **Core Strategy** has no area-specific policies relating to this particular site. It is within the Cheyne Conservation Area. It is outside the Archaeological Priority Zone associated with the River Thames embankment. It is adjacent to, but outside the Flood Risk Zones 2 and 3.

**Policy CK1** concerns protection of social and community uses. **Paragraph 30.3.6** makes clear that the Royal Borough is very well served by public houses, with all areas within 10 minutes walk of at least one. Policy CK1 therefore does not seek to protect the retention of public houses. In this particular case, there are alternative Class A4 venues within walking distance and the site location is less appropriate than for those situated along the main thoroughfares.

**Policy CH2** encourages refining the mix of housing across the borough, with need for 80% of market housing being for larger family units, as explained in paragraph **35.3.10**. This proposal contributes beneficially to satisfying that identified need. The existing public house use ensures that accessibility standards are already achieved. The proposed lift enhances that significantly. The outdoor amenity space is already well screened from the public realm and from neighbours.

**Policy CR6** resists the loss of trees in good condition. The report by Barrel Tree Consultancy confirms that the mature tree to be removed is appropriate, due to its poor condition. The adjacent acacia tree at the rear will not be affected. Two replacement trees are proposed, which will enhance the amenity of the streetscape and contribute to the long term enhancement of the character and appearance of the conservation area.

**Policy CL2** concerning extensions, requires them to be architecturally of highest quality. In this case the proposed front lightwell and railings fully complies with that objective. The modest raising of the existing small rear extension is discreet and in keeping with the building. The remainder of the external alterations will be screened from views.

With regard to the basement extension works, the building is not listed, the Elliot Wood report confirms that structural stability of all buildings will be safeguarded in relation to these proposals. The tree to be replaced will be a beneficial action. The depth of soil and materials allow for two replacement trees and improved surface water drainage provision.

Policy CL2 is thereby satisfied.

**Policy CL3** is satisfied, with the heritage asset of the conservation area both preserved generally and enhanced with regard to the replacement frontage railings and lightwell, as well as the two replacement trees.

**Policy CL5** is satisfied, with the existing enclosed pub garden providing appropriate amenity, with no greater impact on neighbouring privacy. Noise levels are likely to be significantly improved.

The associated saved UDP policies are likewise satisfied, as are the requirements of the Subterranean Development SPD. The KUT report confirms that the Ecohomes standard achieved is "Very Good", with each of the three specific criteria of energy, water and materials each achieving greater than the 40% target. The impact of the proposal on climate change will thereby be less in future than is the case with the existing premises.

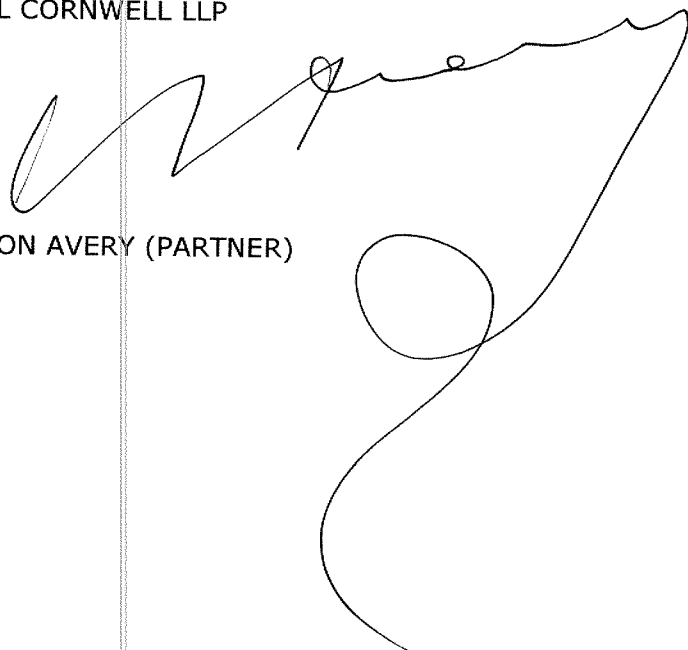
The proposals thereby comply with the development plan and benefit from the positive presumption of **Section 38(6)**.

The beneficial reduced impact on climate change attracts the sympathetic support of **PPS1 Supplement paragraph 40**.

There are no other material considerations which outweigh these positive planning considerations and planning permission should thereby be granted, in our respectful assessment.

Yours faithfully,

BELL CORNWELL LLP

A handwritten signature in black ink, appearing to read 'S. Avery', with a large, stylized flourish extending downwards and to the right.

SIMON AVERY (PARTNER)