

St Quintin and Woodlands Neighbourhood Forum

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APPLICATION PP/24/08152 274 LATIMER ROAD Replacement of cellar cooling and kitchen extract systems

The St Quintin and Woodlands Neighbourhood Forum and St Helens Residents Association wish to object to this application, on the grounds set out below. These two bodies have a shared membership of 380 residents in the neighbourhood area designated by RBKC in 2013. The Forum was redesignated in 2023. The StQW Neighbourhood Plan was adopted by the Council in 2018 and forms part of the development plan for the Borough.

We would not be making an objection were this application a straightforward 'like for like' replacement of kitchen cooling plant and ductwork. But this is not the case in this instance.

This application relates to one small part of a series of works, much of which has already been undertaken, to reconfigure internally a 3 storey property purpose-built as a public house when Latimer Road was developed in the 19th century. These works are being undertaken, we are assured, in order to re-open the premises as The Volunteer.

This reconfiguration of the building has taken place without planning applications being submitted. There have been several site visits as a result of enforcement complaints (see further below).

The application has prompted a number of objections not least because there have been no other planning applications made to date, since the building was acquired by the applicants in 2023 (other than a retrospective application for consent to new pub signage on the exterior of the building ([CA/23/08399](#))).

We urge planning officers to take this opportunity to prepare a committee report which looks at the overall changes being made to a property the entirety of which has planning permission only as a pub and ancillary uses.

It may prove that changes made (including reconfiguration of the building to remove the former first floor dining area and kitchen and to convert the former storage cellar to a basement kitchen and customer toilets) are acceptable to RBKC as alterations not requiring planning consent. It may prove that fitting out the first and second floors as residential flats is also lawful without consent for change of use, provided that these spaces do not become 'self-contained' with their access separated from the rest of the building. **But if this is the case, local people need assurances on these questions.**

A full report which addresses these issues is seen as necessary. We accept that these matters extend beyond the scope of this application, but they have relevance as part of plans to re-open the property as a pub (an aim which the Forum and our membership supports).

Alternatively we suggest that the applicants are encouraged to resubmit application **PP/24/08152** along with a separate application for creation of a commercial basement in the building.

Such an application should also clarify the proposed use of the upper floors of the building and could helpfully address planning-related matters included in the set of conditions imposed by the Council's Licensing Sub-Committee on August 1st 2024 (such as Condition 6.1 that *The Premises shall not be used under the terms of this licence until an acoustic report from an independent suitably qualified Acoustician has been submitted to the Director of Transport and Regulatory Services to assess whether any further acoustic works are necessary to protect residents living in neighbouring dwellings from noise and vibration associated with the operation of the Premises*). The acoustic report submitted with application **PP/24/08152** deals only with noise from the plant and ducting involved.

A committee report which

- addresses these wider issues
- confirms the outcome of site visits and enforcement complaints
- and also sets out intended next steps by the building owners

would reassure members of the StQW Neighbourhood Forum (and particularly residents in Latimer Road) of the Council's commitment to **Local Plan Policy SI1** on Social Infrastructure and Facilities, and its sequential approach to the protection of pubs and 'valued uses'. The Forum applied successfully in 2019 for registration of the entire premises at 294 Latimer Road as an Asset of Community Value.

The Forum has followed closely the seven year history of the former Academy Pub in Princedale Road (Norland Ward). In relation to the Academy the Council has gone to great lengths to respond to attempts by a series of owners and developers to use and occupy the building in breach of planning controls. Restoration of the building to pub/restaurant use now seems to be in sight, following sustained effort by local residents groups in conjunction with RBKC. **We look to the Council achieve the same outcome in St Helens ward.**

In summarised form, our **grounds for objection to application PP/24/08152** are:

1. The description of the application is inadequate and potentially misleading and does not reflect the extent of works involved or the scope of reconfiguration of the building.
2. It is not clear that the newly created basement within which cellar cooling plant and a flue are proposed to be installed has the necessary planning and Building Regulation consents for use by customers of a pub.
3. The supporting documentation lacks clarity on the spatial arrangements for use of this and other parts of a property which is the subject of the application.
4. It is not clear that the requirements of RBKC Policy CL11 on Basements (e.g. SUDS), or fire safety requirements, have been met.

Context of the application

The three storey property at 274 Latimer Road is formerly the British Volunteer pub and more recently the Ariadne Nektar bar and restaurant. The building was acquired by the present owners Wentworth Andersen in 2023. In early 2024 works began to lower the floor of the original cellar of the pub. In the absence of a planning application for a basement project, residents of neighbouring properties sought advice from RBKC Enforcement staff. The StQW Neighbourhood Forum also questioned with the enforcement team the use of the flats on upper floors as residential accommodation.

The Forum has been involved with the use of the property as a pub for over a decade.

A fresh licence application for the property was considered and determined by the RBKC Licensing Sub-Committee on August 1st 2024. The StQW Forum had objected to aspects of the licence proposals and its chair Henry Peterson attended and participated in the hearing.

The Forum and then ward councillors opposed an application for change of use back in 2012, which the Council refused ([PP/12/04218](#)). Our advice from RBKC has always been that entire building, including the first and second floors, has planning consent only for trading purposes or ancillary accommodation for pub use. This is not disputed in the brief D&A Statement submitted with the latest planning application **PP/24/08152**.

The documents submitted for the licence application included a plan of the ground floor and basement area. A copy is included overleaf. It is not clear why application PP/24/08152 does not include this drawing (or any revised version). The drawings submitted with details of the proposed rear flue and cooling system do not explain how these relate to what is proposed as an entirely new kitchen in a different location within the building than that existing.

The Ariadne Nektar operated with a kitchen and dining room on the first floor, as part of the licensed part of the building. The current owners have chosen to install a basement kitchen, and their proposed use of the first floor remains unclear. RBKC enforcement staff have advised that the refurbished residential accommodation remains physically connected to the pub (at present) and is not 'self-contained'. As a consequence, occupation of this space by Wentworth Andersen workforce and/or potential landlord staff has to date been deemed not to be a breach of planning controls.

Does the basement have planning consent?

Following an enforcement complaint in April 2024, on potential unpermitted creation of a basement, RBKC enforcement staff made at least two visits. The StQW Forum was subsequently advised by RBKC that *'the works at existing basement level consisted of minor excavation of around 30cm to allow for a more reasonable head height'*. RBKC officers deemed *'that this did not go so far as to constitute development, and that no breach of planning controls had taken place'*.

Prior to application PP/24/08152 being determined, we consider it essential that a further onsite visit is undertaken in order to establish exactly what works have been done to the area which was the original pub cellar. As can be seen from the content of several objections to this application for a flue and cellar cooling plant, residents in the street believe that the amount of spoil removed from the property far exceeds that involved in a limited lowering of the original cellar floor by 30cm.

Has the newly created basement been created in a manner which is structurally sound and does RBKC accept that these works are permitted development? Have the requirements of Policy CD11 been complied with, including provisions of a SUDS? Have means of escape from fire been detailed in a FRA, given that clients of the pub will be using the toilets in the basement? Will these toilets be accessible for people with disabilities and meeting Equalities Act requirements?

Inadequate Design and Access Statement

The D&A Statement submitted with the application suggests that its scope is limited to *'replacement of existing kitchen extract and cellar cooling units'*. This disguises the fact that a wholly new kitchen is proposed at basement level, in place of the previously existing kitchen on the first floor. No drawings are provided with the application that show the disposition of all parts of premises for which the sole permitted use is as a pub. Had a planning application been submitted when works to the cellar began in early 2024, this objection from the StQW Forum would probably not have been necessary.

The applicants have given verbal assurances of their good intentions in re-opening 274 Latimer Road as a well-managed pub and asset to the local area. We do not understand why these owners have so far proved unwilling to submit a planning application which deals with all aspects of their proposed use of the building.

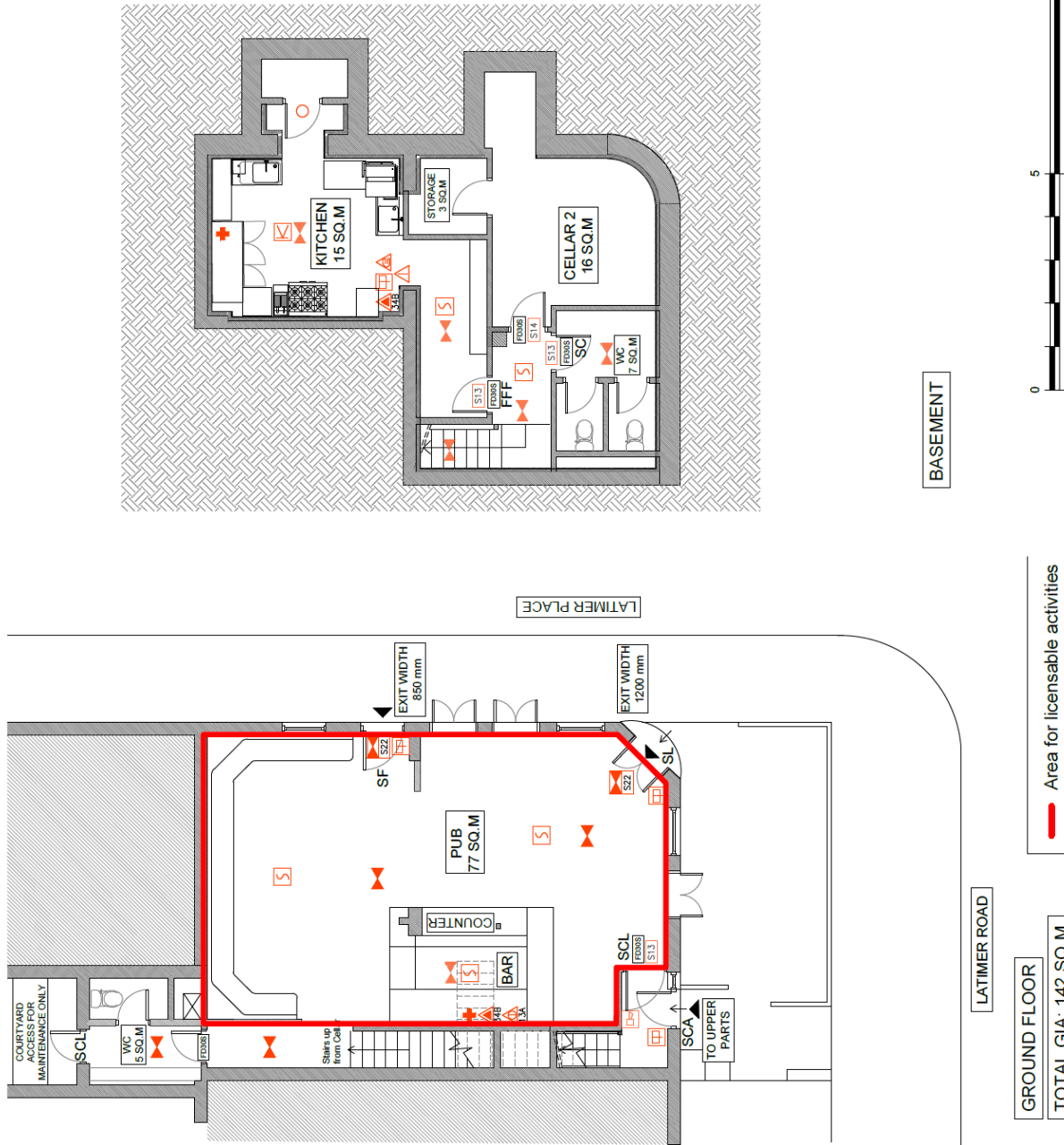
Conclusion

In the absence of supporting documents to application PP/24/08152, showing the proposed plan and layout of the basement area in which the cooling system and flue is to be installed, the **StQW Forum objects to this application and asks that it be refused.**

We have suggested above a way forward in which the proposals in this application can be assessed and determined by the Planning Applications Committee in a fully explained context. This would provide local residents with the information needed to assure the public of a reasoned and justified decision.

St Quintin and Woodlands Neighbourhood Forum January 2025

APPENDIX C



BASEMENT



PROJECT 274 LATIMER ROAD, W10 6QW
DESCRIPTION PROPOSED GROUND FLOOR AND BASEMENT PLAN
SCALE 1/100 - A3 **DWG NO.** 102 REV.B
DATE 22.05.2024 **DRAWN** WA

GROUND FLOOR
TOTAL GIA: 142 SQ.M

GROUND FLOOR

Area for licensable activities

SPECIFICATION	
	Area covered with a system of Escape Lighting that will illuminate the area upon failure of the normal lighting power supply, to a sufficient standard to enable persons to leave the area safely.
	Mains powered linked smoke detector
	Mains powered linked heat detector
	Control panel sounders
	The notice is internally illuminated
	Fire door keep shut
	Fire door keep locked
	Emergency exit signage above door.
	Water fire extinguisher
	Carbon dioxide fire extinguisher
	Fire blanket in container
	Fire Alarm Call Point with Fire Action Sign adjacent
	Gas knock off valve
	First Aid Kit
	Smoke outlet
	Security Code Lock
	Doors to be free from all fastenings (other than a ball or roller fastening or a lever handled latch)
	Self-closing door incorporating an automatic release
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	Doors which are to be provided with panic bolt. There should be a notice adjacent to the fastening indicating the method of opening (minimum 5mm lettering)
	Doors that have only a simple fastening which is easily and immediately operable by a person on his/her way out without use of a key, e.g., barrel bolts, night latch, lever handle.
	Fire alarm telephone point
	VP A panel of clear glass
	FD30S Fire door able to resist the passage of smoke

NOTES

Lighting design and installation to conform to BS 5266, and be installed by a competent person.

Fire alarm systems to conform to the current edition of BS 5839.

Fire-fighting equipment provided should normally conform to BS EN 3 or equivalent relevant standards.

All necessary fire related signs and notices should normally conform to the Health and Safety (Safety Signs & Signals) Regulations 1996 or BS 5499.

All firefighting equipment to be placed as to be readily available for use. They should be mounted on brackets or shelves so that carrying handles of the larger heavier extinguishers are approximately 1m from the floor, and the handles of the smaller fire extinguishers are approximately 1.5m from the floor.



WENTWORTH ANDERSEN