

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London, WC1H 9JE

20th September 2023

via E-mail

DESIGN AND ACCESS / PLANNING STATEMENT

**RE: PLANNING APPLICATION FOR ROOF EXTENSION TO PROVIDE 1 RESIDENTIAL DWELLING AND
FAÇADE CHANGE**

SITE: 62-64 CHURCHWAY, LONDON, NW1 1LT

On behalf of the applicant, please find enclosed a planning application for a roof extension to provide 1 additional residential dwelling at 62-64 Churchway, including alterations to the internal configuration and façade alterations to allow for the change of use at ground floor under Prior Approval LPA ref: 2023/2988/P.

Camden cannot demonstrate a five year housing land supply (HLS) and the result of the Housing Delivery Test for 2021 was 76%. Accordingly, paragraph 11 of the National Planning Policy Framework (NPPF) is engaged and planning permission should be granted unless the adverse impacts of doing so would so significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

This planning application presents the opportunity to deliver a further residential unit, making the most efficient use of the Site, delivering a good quality development in a sustainable, brownfield location.

This statement assesses the development proposals in detail and scrutinises the plan against the relevant Local Plan policies and the National Planning Policy Framework (2023) (NPPF), taking into account all other material considerations.

The Site

The site is located on the east side of Churchway, within Somers Town which is situated to the north of Central London, London Borough Camden.

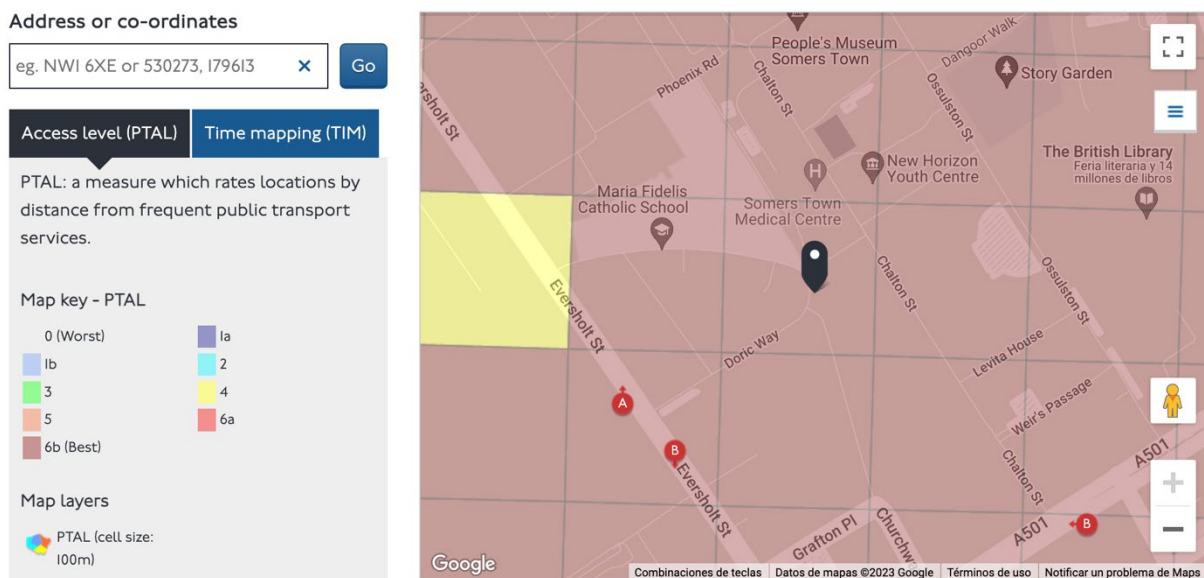
62-64 Churchway itself is a three-storey partly painted yellow brick building with a traditional aesthetic

and plain clay tile roof, constructed prior to 1870. The Applicant purchased the site in July 2022 with vacant possession of the commercial units.

The age of buildings within the locale ranges from older Victorian and inter-war units to later and often larger modern office buildings. Building heights range from 3 to 6 storeys within the immediate locale with appreciable height (up to 14 storeys) visible within the wider area and closer to Euston.

Public Transport

The Application site has a PTAL rating of 6b which is regarded as 'excellent'. The Site benefits from a high level of accessibility with bus, rail and underground services in close proximity. The Site is within a Controlled Parking Zone (CA-G), operational Monday to Friday from 8.30am to 6.30pm.



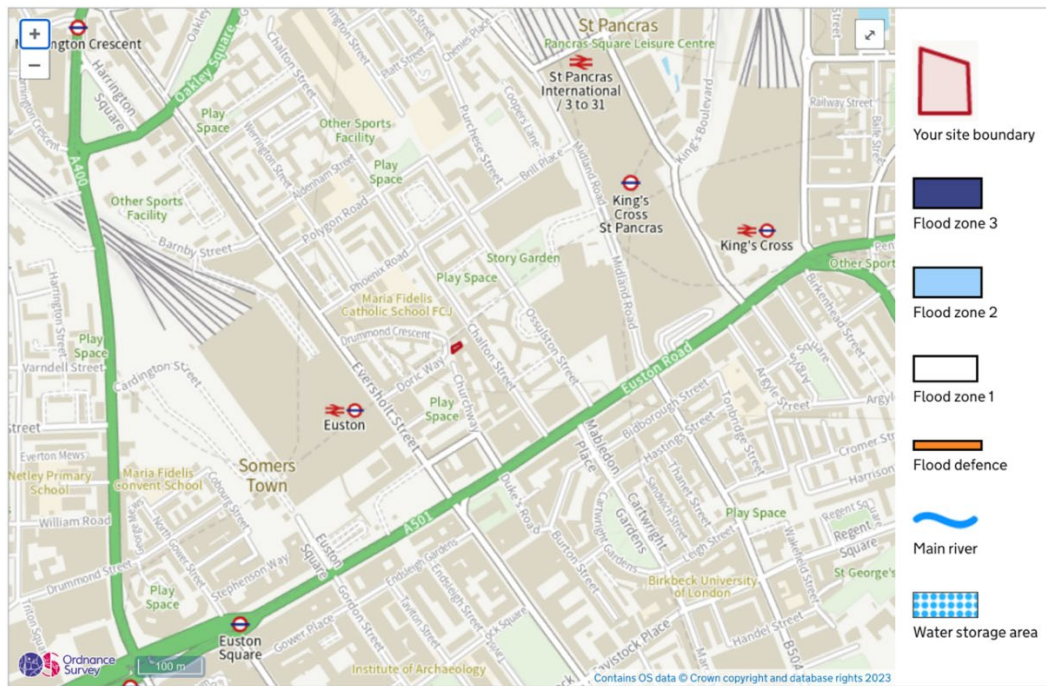
Within 0.5 miles radius of the site is London Kings Cross to the east, St Pancras Station to the north and Euston Station to the west.

Heritage Considerations

The building is not statutorily listed nor is it locally listed.

Flood Risk

A search of the Government's Flood Map for Planning, as well as the LPA's online mapping service confirms the site falls within Flood Zone 1.



Planning History

Relevant Planning History relating to this Site is included below.

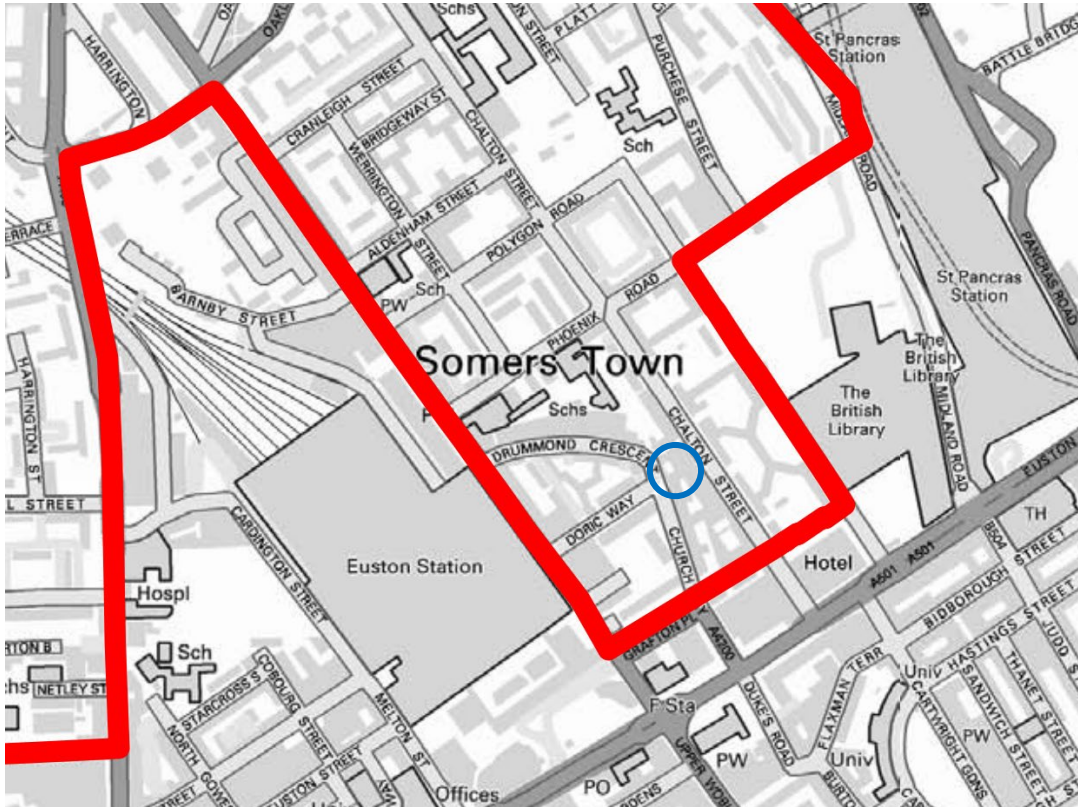
- **LPA Ref: 2023/2988/P** – Change of use from ground floor commercial, business and service (Class E) to residential (Class C3) to provide 2 x dwelling houses (ground floor flat and a masionette). – Granted 1st September 2023 (Decision Notice and Officers Report within **Appendix 1**)
- **LPA Ref: 2019/2165/P** – Retention of House in Multiple Occupation (HMO) comprising 3no. bedsits at ground/basement and upper floor levels. – Refused 26 July 2022
- **LPA Ref: 2006/2436/P** – Construction of a two-storey rear extension to create 2 x self-contained studio flats (Class C3).
- **LPA Ref: 9101066** - The retention of the rear extension at ground floor level for use in connection with the shop unit – Granted 07/01/1992
- **LPA Ref: 34373** - Change of use, including works of conversion, of the first and second floors to two self-contained flats. – Granted 27/07/1982

Planning permission for the conversion of the two commercial units to HMOs was sought under planning application LPA ref: 2019/2165/P. The application was refused, the first reason for refusal stated:

“The proposed development, by reason of the proposed residential use, would result in loss of employment space which supports the functioning of the Central Activity Zone (CAZ), contrary

to policies E1 (Economic development) and E2 (Employment premises and sites) of the London Borough of Camden Local Plan 2017.”

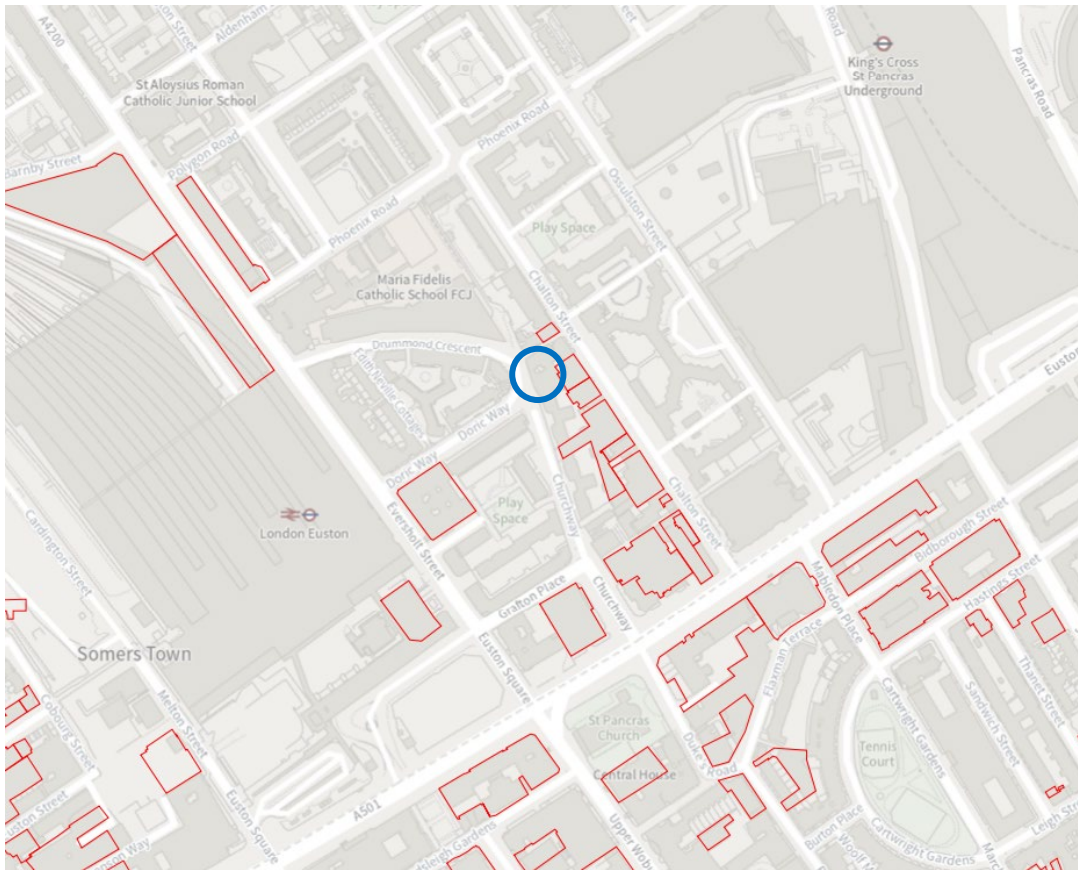
However, this is incorrect as the Application site does not sit within the CAZ and never did. The CAZ zone can be seen below, and the Application Site is highlighted blue.



Map of the CAZ highlighted in red (to the south) and the Site highlighted in blue.

On 26th July 2021 the London Borough of Camden made a direction under Article 4(1) of the General Permitted Development Order disapplying Class MA for the whole of the Camden Central Activities Zone and parts of the Camden Knowledge Quarter ("the Article 4 direction"). The Article 4 direction was confirmed on 29th June 2022 and came into force on 29th July 2022.

The application site falls outside of the CAZ and therefore, the Article 4 direction never applied. Further, the Secretary of State has since modified these Directions. The effect of the modified Directions is that from 23 February 2023, permitted development rights for this type of development are withdrawn in the modified areas and that planning permission will be required for change of use from Use Class E (Commercial, Business, and Service) to Use Class C3 (dwellinghouses).

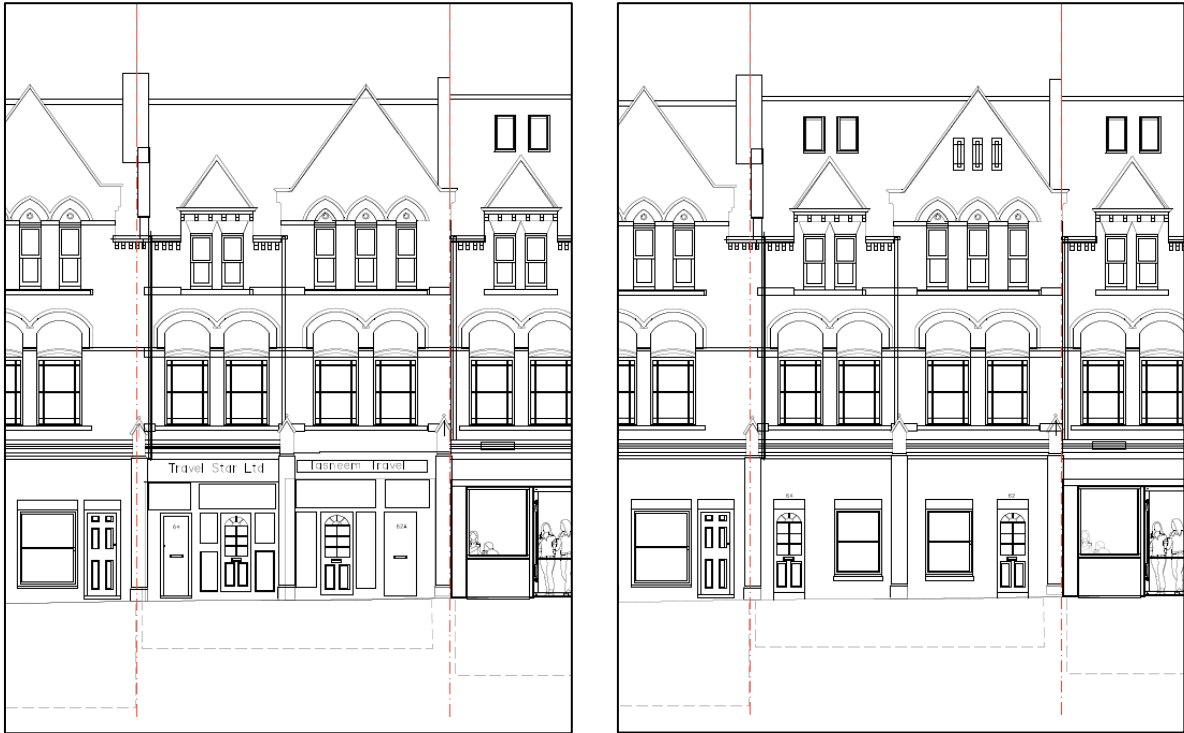


Map of the modified Direction from 23 February 2023 that removes Class MA within the areas highlighted in red. The Site is highlighted in blue.

The Proposed Development

The proposals seek to provide a roof extension within the middle portion of the existing building, without extending the existing ridge height. The extension is limited to the middle section and will allow for residential accommodation within the roofspace to provide one additional unit. The scheme also includes alterations to the front façade at ground level to improve the residential accommodation granted under Prior Approval LPA ref: 2023/2988/P and the insertion of rear windows. The front façade at ground floor level will be upgraded and designed to be in keeping with the area and the host building, as well provide a residential aesthetic.

The proposed front elevations are included below for ease of reference.



Existing and proposed front elevations showing the alterations to the ground floor and roof level.

Relevant Planning Policy

Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. As such the statutory development plan for the pre-application site consists of:

Adopted Development Plan:

- Camden Local Plan 2017

Material Considerations:

- London Plan (2021)
- National Planning Policy Framework (2023)
- National Planning Practice Guidance (2014 as amended)
- Camden Design SPD (2021)
- Camden Housing SPD (2021)
- Camden Transport SPD (2021)

The relevant policies from the Local Plan are:

- Policy G1 (Delivery and location of growth)
- Policy H1 (Maximising the housing supply)
- Policy H3 (Protecting existing homes)
- Policy H4 (Maximizing the supply of affordable housing)
- Policy H6 (Housing choice and mix)

- Policy H7 (Large and small homes)
- Policy D1 (Design)
- Policy T1 (Prioritizing walking, cycling and public transport)
- Policy CC1 (Climate change mitigation)
- Policy T2 (Parking and car-free development)

Policies from these documents have been reviewed for the purpose of this Statement and in order to demonstrate that the proposal complies with relevant policies and is therefore considered acceptable.

The following section addresses the planning policy context and the development proposals against relevant adopted planning policies.

Policy Context

Principle of Residential Development

The National Planning Policy Framework (the NPPF) was first published in 2012 and the latest version was published in 2023 setting out the Government's planning policies for England and how these are expected to be applied.

When determining planning applications, the NPPF directs LPAs to apply a presumption in favour of sustainable development for plan-making and decision-taking. Policy 11 of the Framework notes that the presumption in favour of development for decision taking means "approving development proposals that accord with an up to date development plan without delay". It goes on to say that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 11 of the NPPF relates to 'Making effective use of land'. This ethos of this chapter encourages plan makers and decision takers to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 120d states that decision makers should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure) (emphasis added).

Paragraph 122 states planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and

of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan; in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

The NPPF clearly promotes the efficient use of land and buildings and seeks to encourage the development of brownfield sites in sustainable locations.

Policy H1 of the Local Plan states that the Council will deliver a minimum target of 16,800 new dwellings in the period 2016/17 to 2030/31, an annual target of 1,200 homes by:

- a. regarding self-contained housing as the priority land-use of the Local Plan;
- b. working to return vacant homes to use and ensure that new homes are occupied;
- c. resisting alternative development of sites identified for housing or self-contained housing through a current planning permission or a development plan document unless it is shown that the site is no longer developable for housing; and
- d. where sites are underused or vacant, expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site.

Camden cannot demonstrate a five year housing land supply (HLS) and the result of the Housing Delivery Test for 2021 was 76%. Accordingly, paragraph 11 of the National Planning Policy Framework (NPPF) is engaged and planning permission should be granted unless the adverse impacts of doing so would so significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The significant potential benefits of a brownfield site with the capacity to deliver an additional unit will make a positive contribution to the LPA housing delivery.

Design

Policy D1 (Design) states that the Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;

f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;

g. is inclusive and accessible for all;

h. promotes health;

i. is secure and designed to minimise crime and antisocial behaviour;

l. incorporates outdoor amenity space;

n. for housing, provides a high standard of accommodation; and

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.

The existing building is of 3 storeys with a large roof consistent with the terrace row. The proposed roof extension sits behind the front elevation and cannot be seen from public vantage points. The extension will allow for accommodation within the roofspace and the only alteration to the front is the inclusion of rooflights and alterations to the ground floor which enhances the buildings residential presence. The development is modest in nature and of high quality materials.

60 Churchway was granted planning permission in October 2020 for the redevelopment of the site to provide a three storey building with accommodation within the roofspace (LPA ref: 2016/5266/P), that is in keeping with the existing terrace row and the roof proposals for the Application Site.

The proposed arrangement is no different than the existing arrangement and therefore, it is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of occupiers of neighbouring properties.

Policy H6 (Housing choice and mix) states that the council will seek to secure high quality accessible homes in all developments that include housing. We will:

a. encourage design of all housing to provide functional, adaptable and accessible spaces;

b. expect all self-contained homes to meet the nationally described space standard;

We will seek to secure a variety of housing suitable for existing and future households overall across development in the borough. When considering future site allocations and negotiating the types of housing included in each development, we will:

e. seek a diverse range of housing products in the market and affordable sectors to meet the needs across the spectrum of household incomes;

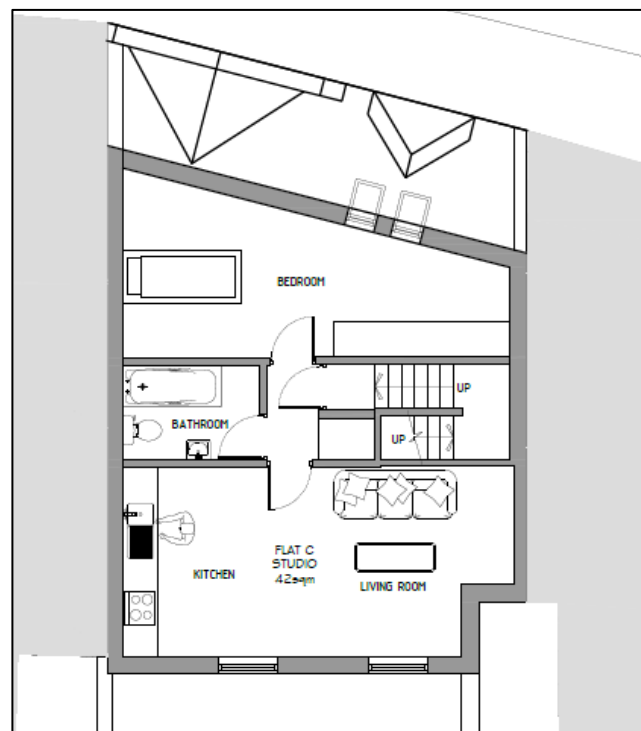
f. promote Starter Homes in accordance with government requirements;

g. support the development of private rented homes where this will assist the creation of mixed, inclusive and sustainable communities;

h. seek provision suitable for families with children, older people, people with disabilities, service families, people wishing to build their own homes and Camden's traveller community; and

i. require a range of dwelling sizes in accordance with Policy H7 Large and small homes.

The new flat at third floor level has been designed to exceed space standards for a studio flat and of high quality. Space Standards requires studios to be of 37-39sqm and the proposed scheme is of 42sqm. The proposed layout is referenced below.



Proposed third floor.

The proposed unit does not contain private amenity space, however, due to the constraints of the site, the unit exceeding space standards and that Regents Park is only 1 mile to the west of the site, the proposed scheme overall should be seen as acceptable. Furthermore, if Officers deem that the unit should be provided with private amenity space, an inset balcony or external balcony could be provided.

Transport

Policies direct proposals to promote sustainable growth in Camden and reduce the impact of traffic congestion.

The site has a PTAL rating of 6b and therefore has excellent links to public transport. The scheme does not propose on-site parking and would be deemed as car free.

The applicant proposed cycle storage for the proposed flat in accordance with policy, that can be conditioned.

Content of application Submission

In order for the Council to consider the development proposal, the following documents accompany this submission:

1. This Design and Access/Planning Statement
2. Site Location Plan
3. Existing Plans
4. Proposed Plans and Elevations
5. Completed Form
6. CIL Form 1
7. Fire Statement
8. The required fee of £462 (incl VAT).

We trust the above, together with the enclosures, is satisfactory for validation of the application.

Should you have any queries or require additional information in relation to the above, please do not hesitate to contact myself at this office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dean Slidel', written in a cursive style.

Dean Slidel

**APPENDIX 1 - Decision Notice and Officers Report (LPA Ref:
2023/2988/P)**

Application ref: 2023/2988/P
Contact: Brendan Versluys
Tel: 020 7974 1196
Email: Brendan.Versluys@camden.gov.uk
Date: 1 September 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk/planning

ABP Architectural Services Ltd
Unit 10
1 Dyson Drive
Uxbridge

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Certificate of Lawfulness (Proposed) Prior Approval granted

The Council, as local planning authority, hereby confirm that their **prior approval is granted** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:
62-64 Churchway
London
NW1 1LT

Description of the proposed development:
Change of use from ground floor commercial, business and service (Class E) to residential (Class C3) to provide 2 x dwelling houses (ground floor flat and a masionette)

Use Class E to two residential dwellings

Details approved by the local planning authority:
Drawing Nos: P-1 (14/07/2023); P-2 (14/07/2023); P-3 (29/08/2023); P-4 (29/08/2023); P-5 (29/08/2023); P-6 (29/08/2023); P-7 (29/08/2023); QA23182/NIA1, rev 0; Internal Daylight Assessment, rev 2; Cover letter prepared by ABP Architectural Services Ltd, dated 14/07/2023

Informative(s):

- 1 It is a requirement of the above condition that the development must be completed within a period of 3 years starting with the date prior approval is granted.
- 2 It is a requirement of the above condition that any new dwellinghouse hereby

approved shall remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice in regard to your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.