

Planning applications: 2023/2017/P & 2022/5295/P
Enforcement notice: EN23/0394
Officer: Ramesh Depala
Date: 09 July 2024



Development Management
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Camden.gov.uk/planning

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
NOTIFICATION OF AN APPEAL – AMENDED

**Public Inquiry to open at 10am on Tuesday 10th September 2024 (4 days) at the
Crowndale Centre, 218-220 Eversholt Street
London Borough of Camden, NW1 1BD**

Appeal site address: 267 Eversholt Street, London NW1 1BA

Appeal by: Yardspin Limited

Full appeal reference numbers (case numbers in bold):

APP/X5210/X/23/**3325618** (against non-determination -planning application 2022/5295/P)

APP/X5210/X/23/**3325801** (against non-determination - planning application 2023/2017/P)

APP/X5210/C/24/**3341183** (against enforcement – enforcement notice EN23/0394)

Application 2022/5295/P: Certificate of Lawfulness (Existing) relates to flats 1, 12, 13, 14 & 15 which are 5 self-contained units located at both Basement level and Ground floor level.

Application: 2023/2017/P: Certificate of Lawfulness (Existing) relates to flats 2-11 which are 10 self-contained units at first to fifth floor level.

Enforcement notice EN23/0394: Without planning permission: Material change of use of the Property from mixed use consisting of 3 flats (Use Class C3 residential use) and 1 commercial unit (Class E) unit to 15 units of temporary sleeping accommodation (Use Class C1 Hotels) on the ground, first, second, third, fourth and fifth floors, with ancillary concierge/office space on the ground floor.

As we previously wrote on 16/04/2024, this enforcement appeal proceeds on grounds (a), (b), (c), (d), (f), (g) as set out at Section 174(2) of the 1990 Act:

(a) That planning permission should be granted for what is alleged in the notice.

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

(c) That there has not been a breach of planning control.

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

(g) The time given to comply with the notice is too short.

The reasons for issuing the enforcement notice are:

1. The change of use has occurred within the last 10 years.
2. The unauthorised use of the building results in the unacceptable loss of permanent residential accommodation contrary to policies A1 (Managing the impact of development), H1 (Maximising housing supply) and H3 (Protecting existing homes), of the Camden Local Plan (2017).
3. The high turnover of occupiers results in increased incidences of noise and disturbance to the detriment of the neighbouring occupiers contrary to policies A1 (Managing the impact of development), H3 (Protecting existing homes) of the Camden Local Plan (2017) and Camden's Planning Guidance (Amenity) 2021.
4. The change of use of the ground floor shop, in the absence of sufficient justification demonstrating that the premises are no longer suitable for continued business use, would fail to support economic activity and result in the loss of employment opportunities within the Borough contrary to Policies E1 (economic development) and E2 (employment premises and sites) of the London Borough of Camden Local Plan 2017.
5. In the absence of cycle parking, the unauthorised use of the building fails to encourage sustainable modes of transport, contrary to Policies T1 (Prioritising walking, cycling and public transport) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.
6. In the absence of a legal agreement securing car-free housing, the unauthorised use of the building has the potential to contribute to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.

To view the policies: <https://www.camden.gov.uk/planning-policy>

To view information about the Conservation Area this appeal site address is in: <https://www.camden.gov.uk/camden-town-conservation-area>

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| The three appeals are now linked and the details can be viewed here, as well as the appeal decision upon issuance: https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3325618 |
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As notified previously, the appeal will be determined on the basis of a public inquiry. Members of the public may attend the inquiry and, at the Inspector's discretion, express their views. Whilst the public inquiry is to be held in person, there are restrictions on the capacity of the room. Therefore:

- if you are part of an interested group, it may be helpful to nominate a representative;
- if you are unable to attend for any reason, and/or the points you want to make are not covered in the evidence of others, consider whether someone else could raise them on your behalf;
- if you, or anyone you know, have a disability and is concerned about facilities at the Inquiry venue, you should contact the Council to confirm that suitable provisions are in place.

For any group or organisation who wish to take an active part in the Inquiry, the opportunity is available to apply for what is known as Rule 6 status. Although unusual, there is also scope for interested individuals to take part on the same basis. Rule 6 status means that you would be able to present your evidence on a formal basis and cross examine the evidence of others. If you have any questions, please email Corrina Clements at teamE1@planninginspectorate.gov.uk

You can find guidance at the following link <https://www.gov.uk/government/publications/apply-for-rule-6-status-on-a-planning-appeal-or-called-in-application>

You can view the application documents and the appeal submission online at

[Camden.gov.uk/ViewPlans](https://www.camden.gov.uk/ViewPlans) using the respective application numbers.

Direct link to view everything related to 2022/5295/P:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:2022/5295/P>

Direct link to view everything related to 2023/2017/P:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:2023/2017/P>

You can view the enforcement documents and the appeal submission online at

<https://www.camden.gov.uk/planning-enforcement> using the enforcement notice ref. number.

Direct link to view everything related to EN23/0394:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN23/0394>

Kind regards, Supporting Communities Directorate