

Delegated Report		Analysis sheet		Expiry Date:		02/06/2025	
		N/A / attached		Consultation Expiry Date:		11/05/2025	
Officer				Application Number(s)			
Sofie Fieldsend				2025/1523/P			
Application Address				Drawing Numbers			
267 Eversholt Street London NW1 1BA				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of basement and the rear part of the ground floor from commercial (Class E) into 5 units of short-term letting accommodation (Class C1)							
Recommendation:		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:				No. of responses	0	No. of objections	0
						No. of comments	00
Summary of consultation responses:		<p>Site notices were displayed on the 16/04/2025 and the consultation period expired on the 10/05/2025. A press notice was advertised on 17/04/2025 and expired on 11/05/2025.</p> <p>No objections were received during the consultation period.</p>					

<p>CAAC and other community groups</p>	
<p>Site Description</p>	
<p>The application site is a four storey building with basement on Eversholt Street.</p> <p>The site is subject to a recent enforcement notice which was upheld at appeal (See background section). The lawful use of the site is '3 flats (Class C3 residential use) and 1 commercial unit (Class E Commercial, Business and Service)'.</p> <p>The site is located within the Camden Town Conservation Area and it is not a listed building. The site is not located within a town centre but it is adjacent to the Camden Town, Town Centre.</p>	
<p>Relevant History</p>	
<p><u>Application site</u></p> <p>2024/4680/PRE -Change of use of basement and the rear part of the ground floor (Class E into 5 short-term let (STL) accommodation units (Class C1). Conversion of 1 flat at 3rd, 4th and 5th floor into 3 flats (Class C3). It would retain partial use of Class E Use at ground and storage at basement. – Pre-app advice issued (see appendix A and B)</p> <p>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.</p> <ul style="list-style-type: none"> - Related appeal: APP/X5210/C/24/3341183 – Dismissed 4/10/24 <p>EN23/0888 – short term letting</p> <p>EN23/0889 – Short term letting</p> <p>Certificate of lawfulness: 2023/2017/P - Use as 10 self-contained flats. -Withdrawn</p> <p>Certificate of lawfulness: 2022/5295/P - Use as 5 self-contained flats. -Withdrawn</p> <p>2016/2248/P - Retention of a first floor rear extension to existing flat. - Withdrawn</p> <p>2015/5206/P - Excavation to create basement level, ground floor rear extension and single storey outbuilding to the rear to enlarge the retail shop (retrospective). – Approved 02/02/2016</p> <p>PE9800389 - Change of use from existing basement storage space to a self-contained two bed garden flat – Refused 03/09/1998</p> <p>Reason for refusal:</p> <p>The proposed development would provide substandard residential accommodation by reason of room sizes and inadequate daylight and sunlight contrary to policies SHG7 and EN16 of the deposit draft unitary development plan 1993 (as modified) and supplementary planning guidance.</p> <p>28376 - Change of use, including works of conversion, to provide two self- contained flats and a self-contained maisonette. – Approved 18/06/1979</p>	

Relevant policies

National Planning Policy Framework (2024)

London Plan (2021)

Camden's Local Plan (2017)

- Policy G1 Delivery and location of growth
- Policy H1 Maximising housing supply
- Policy C5 Safety and security
- Policy C6 Access for all
- Policy A1 Managing the impact of development
- Policy A4 Noise and vibration
- Policy CC1 Climate change mitigation
- Policy CC2 Adapting to climate change
- Policy CC3 Water and flooding
- Policy CC4 Air quality
- Policy CC5 Waste
- Policy D1 Design
- Policy D2 Heritage
- Policy E1 Economic development
- Policy E2 Employment premises and sites
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car-free development
- Policy T3 Transport infrastructure
- Policy T4 Sustainable movement of goods and materials
- Policy TC1 Quantity and location of retail development
- Policy TC3 Shops outside of centres
- Policy DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2019:

- CPG Developer contributions
- CPG Access for all

Adopted Jan 2021:

- CPG Air Quality
- CPG Amenity
- CPG Design
- CPG Employment sites and business premises
- CPG Energy efficiency and adaption
- CPG Housing
- CPG Transport
- CPG Water and flooding

Camden Town conservation area appraisal and management strategy (2007)

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

Assessment

1.0 Proposal

1.1 Planning permission is sought for the change of use of basement and the rear part of the ground floor from commercial (Class E) into 5 units of short-term letting accommodation (Class C1)

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- Land Use
- Design and Heritage
- Impact on the amenity of neighbouring occupiers
- Transport

Background:

2.2 The site has been subject to a recent dismissed appeal (Ref. APP/X5210/C/24/3341183) with a public enquiry on an enforcement notice for:

“Material change of use of the Property from 3 flats (Class C3 residential use) and 1 commercial unit (Class E Commercial, Business and Service) to use as 15 units of temporary sleeping accommodation (Class C1 Hotels) on the ground, first, second, third, fourth and fifth floors and basement level, with ancillary concierge/office space on the ground floor.”

2.3 The appeal outlined that the appellant has 9 months from the 4th October 2024 to comply with the enforcement notice requirements of:

1. Cease the use of the Property as temporary sleeping accommodation with ancillary concierge/office use
2. From the basement, remove all sets of bathing facilities, toilets, basins, kitchens and cooking facilities.
3. From the ground floor, remove all but one set of toilets and basins, and all sets of bathing facilities, kitchens and cooking facilities.
4. From the first floor, remove all but one set of bathing facilities, toilets, basins, kitchens and cooking facilities.
5. From the second floor remove all but one set of bathing facilities, toilets, basins, kitchens and cooking facilities.
6. From the third, fourth and fifth floors, remove all but one set of bathing facilities, toilets, basins, kitchens and cooking facilities.
7. Restore the Property to its previous lawful condition, incorporating a Class E commercial premises on the basement and ground floor, and three residential flats for Class C3 use on each of the first, second, and third floors with the fourth and fifth floor being integrated into the flat on the third floor.
8. Remove from the Property all constituent materials resulting from the above-mentioned works.

2.4 For the purposes of this application and given the appeal decision/deadline outlined above, the Council has considered the change of use against its lawful use of Class E at basement and ground floor.

3.0 Land Use

Policy

- 3.1 Policy E3 sets out our detailed approach to supporting tourism and providing accommodation for those visiting the borough.

We will:

- a. expect new, large-scale tourism development and visitor accommodation to be located in Central London, particularly the growth areas of King's Cross, Euston, Tottenham Court Road and Holborn;
- b. allow smaller-scale visitor accommodation in the town centres of Camden Town, Kilburn, West Hampstead, Kentish Town and Finchley Road/Swiss Cottage;
- c. consider tourism development outside of the areas listed above where it would have a local or specialist focus and would attract limited numbers of visitors from outside the borough;
- d. encourage large-scale tourism development and visitor accommodation to provide training and employ Camden residents;
- e. protect existing visitor accommodation in appropriate locations.

All tourism development and visitor accommodation must:

- f. be easily reached by public transport;
- g. provide any necessary pickup and set down points for private hire cars and coaches and provide taxi ranks and coach parking where necessary;
- h. not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community, the environment or transport systems; and
- i. not lead to the loss of permanent residential accommodation

Loss of retail (Class E) floorspace

- 3.2 The lawful use of the ground and basement floor is Commercial, Business and Service (Class E) with the basement being used for storage.
- 3.3 The proposal would seek to retain 43.31 sqm of retail (Class E) floorspace at ground floor with some storage within the front lightwell at basement level. The remainder of these two floors would be converted into 5 STL accommodation units. It would be considered that this floorspace and location at the front of the ground floor would allow the unit to continue to operate. There would not be an objection to reducing the retail unit down to this size if all other issues were addressed.

Proposed Short term let (C1)

- 3.4 Policy E3 (parts b and c) supports smaller-scale visitor accommodation in the town centres of Camden Town, Kilburn, West Hampstead, Kentish Town and Finchley Road/Swiss Cottage. It will consider tourism development outside of the areas listed above where it would have a local or specialist focus and would attract limited numbers of visitors from outside the borough.
- 3.5 The site is located outside the Camden Town, Town Centre boundary, in a location marking the transition into a more residential area. In terms of scale, the proposal would only provide 5 additional short-term lets and would not have the same scale nor the same need for tourist accommodation in sites within the borough that have allowed hotel use (Class C1) just outside the town centre boundaries. The proposed accommodation does not have a local or specialist focus and would attract limited numbers of visitors from outside the borough.
- 3.6 Policy E3(b) clearly states that the Council will allow the "smaller-scale visitor accommodation" in the town centres of Camden Town, Kilburn, West Hampstead, Kentish Town and Finchley Road/Swiss Cottage. It is also likely to be appropriate in commercial/mixed-use areas of the CAZ. The Council would generally expect tourist accommodation to be contained and clustered within the town centres and central London areas to minimise the noise and disruption to neighbouring residential properties to certain areas. As outlined in the pre-app response the Council that does not consider the location outside of the town centre to be appropriate for short term lets. It is acknowledged that a large portion of the borough of

Camden is close to a range of tourist attractions, however that does not mean that all locations within the borough are appropriate for use as hotels or short term lets.

- 3.7 E3(c) has not been demonstrated in your proposed development. By “tourist development” the policy is referring to attractions like small museums, ie. not the major attractions able to draw people from the UK and beyond. Tourist development and visitor accommodation are dealt with separately in (a), (b), (d) and (e), in contrast to elsewhere where E3 refers to “tourism development and visitor accommodation”. It is understood that this was quite deliberate to emphasise where separate policy considerations apply to visitor accommodation (as a subset of tourist development) distinct from considerations applicable to all/any type of tourist development.
- 3.8 Part H of this policy sets out that all tourism development and visitor accommodation must not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community, the environment or transport systems.
- 3.9 The development is also considered contrary to part h, as outlined above the site is outside the town centre in an area that acts as a transition into residential and the proposed use in this primarily residential area would be considered to harm the balance and mix of uses in the area, local character and residential amenity (see amenity section).
- 3.10 In addition, the NPPF which states that all tourism development is considered to be a “main town centre” use (“including theatres, museums, galleries and concert halls, hotels and conference facilities”). It therefore appears reasonable to apply the sequential approach that the NPPF envisages in para. 91. This pre-app has not demonstrated there are no available sites for STL use within our main town centre boundaries or suitable locations in the CAZ.
- 3.11 In conclusion, the pre-app development fails to comply with Policy E3 and with the NPPF and this location would not be considered for short term lets (C1).
- 3.12 All units would only access natural light and outlook from small lightwells and the quality would be quite low. The access to natural light and outlook for the C1 short term let units proposed is quite poor but there are no amenity requirements for future occupiers of this use class. Permanent residential accommodation (Class C3) although not proposed would not be acceptable in this location for this reason.

4.0 Design and Heritage

- 4.1 Policy D1 of Camden’s Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building. In addition, development should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. Camden Planning Guidance (CPG) document ‘Design’ is also relevant.
- 4.2 No external alterations are proposed and therefore the development would not have an impact on the character and appearance of the host property or conservation area.

5.0 Impact on neighbouring amenity

- 5.1 Policy A1 seeks to protect the quality of life of occupiers by only granting permission for development that would not harm their amenity. The main factors which are considered to

impact the amenity of neighbouring residents are overlooking, loss of outlook and sense of enclosure, implications on daylight, sunlight, light pollution and noise. Policy A4 seeks to ensure that noise and vibration is controlled and managed.

5.2 No external alterations are proposed.

5.3 It is noted that there are permanent lawful residential units above. Short term lets (STLs) have the potential to increase the incidence of noise, sometimes at unsociable hours and cause harm to the amenity of existing residential occupiers which can be more disruptive than permanent units. The conversion to short term lets can generate a high turnover of occupiers that also harms community cohesion and increases the fear of crime. This would be contrary to policies A1 and A4 of the Camden Local Plan.

6.0 Transport

6.1 In line with Policy T1 of the Camden Local Plan, we expect cycle parking at developments to be provided in accordance with the London Plan standards. For hotels, the requirement is for 1 space per 20 bedrooms for long stay use and 1 space per 50 bedrooms for short stay. The proposed development falls below these threshold levels and so cycle parking is not formally required. If the units were being used for residential purposes (which are not proposed in this application), rather than as short term lets, then a Section 106 cycle parking contribution of £3,600 would be required for the provision of 5 spaces in a 6 space bike hangar to be provided in the vicinity of the site.

6.2 In accordance with Policy T2 of the Camden Local Plan, all 5 units should be secured as Residents parking permit (car) free by means of the S106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport.

6.3 Given that the proposal is for a change of use, with the alterations to the building being limited to the internal layout only, it is considered that the proposals can proceed without recourse to a CMP.

6.4 It is similarly considered that a highways contribution will not be necessary for this development.

7.0 Heads of terms

7.1 If the proposal was considered to be acceptable then permission would be subject to a Section 106 legal agreement. The obligations required have been discussed above and are included as reasons for refusal. Below is a summary of the heads of terms that would be sought if permission were to be granted:

- All units to be secured as car-free

8.0 Conclusion

8.1 Short term lets (C1) would not be an appropriate use in this location outside of the Town Centre and no local or special focus is proposed, therefore it would be contrary to Policy E3. The nature of short term lets may cause increased noise and disruption to the existing permanent residential units in close proximity contrary to policies A1 and A4. The failure to secure the development as car-free would increase pressures on the borough's transport network, and as such is not acceptable. The proposal is therefore not compliant with the policies of the Local Plan, and the application should be refused.

8.2 You are advised to comply with the appeal inspector's decision and revert the ground floor and basement of the property back to its lawful use of 1 commercial unit (Class E Commercial, Business and Service).

9.0 Recommendation

9.1 Refuse Planning permission:

- The change of use to short term let accommodation (Class C1) would not be an appropriate use in this location outside of the Camden Town Town Centre and with no special or local focus proposed, which would be detrimental to the balance and mix of uses in the area, local character and residential amenity. It would be contrary to Policy E3 of the London Borough of Camden Local Plan 2017.
- The high turnover of occupiers has potential to increase incidences of noise and disturbance to the detriment of the neighbouring occupiers, contrary to policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement to secure the short term let units as car-free, would be likely to contribute to parking stress and congestion in the surrounding area, contrary to Policy T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.