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DISMISSED

L12/18X/B

8400 369

Reg. 1503

27 DEC 1984

Messrs R Seifert & Partners
164 Shaftesbury Avenue
LONDON
WC2H 8HZ

CAMDEN LEGAL DIVISION		
27 DEC 1984		
DJN		

Your reference
RS/MWOur reference
T/APP/X5210/A/84/16935/P7Date
20 DEC 84

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY BRITISH RAILWAYS BOARD AND JOHN Mc LEAN & ASSOCIATES LTD
APPLICATION NO: PL/8400369

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal arising from the failure of the Camden London Borough to issue a decision within the prescribed period on an application for planning permission to erect an office block at the western edge of Euston Station fronting Cardington Street, NW1. I have considered the written representations made by you and by the council and also those made by the GLC and London Transport. I inspected the site on 27 November 1984.
2. The deemed reasons of refusal were:
 1. The proposed development involves an increase in accommodation contrary to the policy to restrain the growth of such space as expressed in the Greater London Development Plan, the draft alterations to the GLDP, the District Plan and the revised economic policy of the District Plan.
 2. The proposed scale of the development is considered excessive and inappropriate for the site since it does not relate to the scale of the predominantly residential development to the west of Cardington Street.
3. I note that a previous appeal regarding a somewhat similar development was dismissed (T/APP/5008/A/83/3795/PH3 dated 21 September 1983) because the Inspector concluded that there was no substantial ground for overriding the adopted local and emerging structural policies for the area; he did not, however, share the council's concern that any building erected pursuant to the appeal, if allowed, would be excessively high in relation to neighbouring development because the application was in outline form and the plans were taken to be illustrative only. I regard this decision as a material consideration in this case.
4. Since that decision was made the draft Alterations to the GLDP have been the subject of public consultation and a final version is being prepared for submission to the Secretary of State; thus I consider them to have the status of an emerging plan which should be taken into account in determining this appeal. In respect of office developments outside the Central Activities Zone the effect of the draft Alterations is to strengthen the restraint policy. The First Review of the Camden District Plan is also restrictive and in respect of the area on the north side of Euston Road, which includes the appeal site, states that office developments of less than 500 sq m (gross) "may be appropriate" which cannot apply to this appeal.

5. The essential difference between the application under appeal and the earlier one is that it proposes to provide for the needs of small office users by restricting floor space to approximately 5,000 sq ft per occupier. This would go some way towards overcoming the policy objections to the proposal and I am happy to adopt the wording of para 4 of your letter dated 17 August 1984 as the main consideration in this case, ie "whether the proposed development would constitute an essential supporting service for local needs and to what extent planning advantages would be achieved".

6. In the same letter from which I have quoted above you also state that "it is indisputable that there is an urgent need for small office space in the immediate locality" but you have submitted no evidence to support this statement or to demonstrate how the provision of 5,000 sq ft office units would meet the need. Other planning advantages, such as proximity to the Euston transport interchange, remain the same as in the previous case. I regret, therefore that I am not persuaded that the proposed development would provide an essential supporting service for local needs and can see no justification for making an exception to the restrictive office policies which apply to this location. In view of this conclusion I see no need to consider further the second deemed reason for refusal.

7. I have taken into account all the other matters raised but do not consider that they should influence my decision.

8. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal and refuse planning permission for the development proposed.

I am Gentlemen
Your obedient Servant



P G TYLER OBE
Inspector