

Mr Rishi Patel  
SCP Architects  
Argyle House  
Joel Street  
Middlesex  
HA6 1NW

Application Ref: **2015/4296/P**  
Please ask for: **Jonathan McClue**  
Telephone: 020 7974 **4908**

2 February 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**34-38 Eversholt Street**  
**London**  
**NW1 1DA**

Proposal: Mansard roof extension to create a third floor to the building, the creation of a 2 bedroom self-contained residential unit and cycle parking at street level.

Drawing Nos: P101; P102 Rev B; P103 Rev A; P201; P202 Rev E; Daylight, Sunlight and Overshadowing Report (Ref: 15-1632) and Design and Access Statement April 2015.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans P101; P102 Rev B; P103 Rev A; P201; P202 Rev E; Daylight, Sunlight and Overshadowing Report (Ref: 15-1632) and Design and Access Statement April 2015.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 As per drawing no. P103 Rev A, 2 secure cycle storage facilities in the form of Sheffield Stands for the proposed residential units shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies and table 6.3 of the London Plan.

- 5 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water).

- 6 Prior to construction the development hereby approved shall submit a sustainability statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development to be approved by the Local Planning Authority. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

Informative(s):

1 Reasons for granting permission.

The site is located on the eastern side of Eversholt Street on the corner of Doric Way. It is not located within a conservation area nor is it subject to a statutory listing. The host building has a raised parapet and incongruous railing bars to the front at roof level and a staircore element at 3rd floor level which includes a raised parapet wall fronting Doric Way. Two storey extensions have been implemented under 2010/2940/P resulting in a staggered flat roof on the Doric Way elevation.

Given the above characteristics a traditionally designed mansard roof is considered acceptable in principle. The proposed mansard extension would have an internal height of 2.3m, a lower slope of 60° that would be setback from the parapet with a substantial gutter and would be constructed of grey slate roof tiles to match adjacent buildings. The dormers windows would have timber framed sash windows to match those on the host building and the height, width, proportions, composition and location of the windows would be in keeping with the existing façade. Overall the proposed extension is considered acceptable and would comply with CPG1 (Design).

The proposed residential unit would be located above existing self-contained flats and its addition would be acceptable in principle. It would have 2 bedrooms to conform to policy DP5 which states that this type of housing is a very high priority of the Council. 79sq.m of internal space would be provided which would comply with the minimum space standards of the London Plan (70sq.m) and CPG2 (Housing) which would require 75sq.m for a 4 person unit. The proposed unit would have an acceptable layout, ceiling height, room sizes and provision of sunlight, daylight, ventilation and outlook.

A 'Daylight, Sunlight & Overshadowing Report' has been submitted by Syntegra Consulting. The report demonstrates that the levels of daylight and sunlight at the surrounding buildings and the existing amenity areas would not be adversely affected by the proposed development. It is noted that the report was based on the original submission, which included a much larger rear extension along the Doric Way frontage. Therefore, the effect of the revised development (which only includes a mansard) will be less significant. On this basis, officers consider that there would not be a material loss of daylight or sunlight for the surrounding buildings.

In terms of overlooking and loss of privacy impacts, the bedroom and living room area windows of the new units all face the front of the building towards Eversholt Street. The rear facing windows serve a bathroom and the kitchen area. The surrounding buildings and amenity spaces are already mutually overlooked and it is not considered that the proposal would result in a material increase to existing levels of overlooking.

A sustainability statement has not been submitted which is a requirement for a new

build residential unit. Given the national changes the proposal would not have to adhere to Code for Sustainable Homes, however, the development would be required to achieve a maximum internal water use of 105 litres per day (5 litres for external water use) which would be secured via planning condition. As a sustainability statement has not been submitted, a condition would be attached to require a sustainability statement prior to the construction of the development. Evidence of the approved measures of both conditions would need to be submitted prior to the occupation of the development.

The application site falls within a controlled parking zone (CPZ) and has a public transport accessibility level (PTAL) of 6b (excellent). Policy DP18 states that developments are expected to be car free in the Central London Area, within the town centres and other areas within CPZ that are easily accessible by public transport. As the new unit would benefit from excellent public transport and lies within the Central London Area, the unit would have to be car free and exempt from applying for a parking permit. This would be secured via a Section 106 Legal Agreement.

The footway directly adjacent to the site could be damaged as a direct result of the proposed works. The Council would therefore need to secure a financial contribution for highway works as a Section 106 planning obligation. This would allow the proposal to comply with Development Policy DP21.

The proposed 2 bedroom unit would require 2 cycle spaces to conform to the requirements of the London Plan. These spaces would be provided at ground level access on Doric Way in the form of a Sheffield Stand that would be enclosed within a gated structure. The 2 required spaces would be secured via a planning condition. In addition, 6 spaces would be provided in accordance with the planning approval under 2010/2490/P. These spaces were never provided after the construction of the development and the applicant has addressed this matter in good faith.

The site's planning and appeal history has been taken into account when coming to this decision. One objection was received from a resident at 10 Edith Neville Cottages based on a loss of light to their home and garden and an increase in overlooking. These objections are addressed above and the impacts are not considered to be material. The resident has not been updated regarding the revised drawings which would reduce any effects of the development.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5, CS6, CS11, CS13, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP17, DP18, DP19, DP22, DP23, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.3, 3.5, 3.8, 4.7, 5.2, 5.3, 6.9, 6.13, 7.4, 7.6, 8.2 and 8.3

of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 14, 17, 29-41, 47-51 and 56-68 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay the CIL charge.

The proposed charge in CIL will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please follow the link provided: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from planning portal; <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of

Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

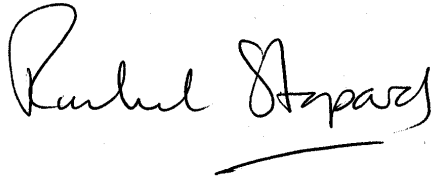
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard  
Director of Culture & Environment