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**LAND COMPENSATION ACT 1961**  
**Section 17 (As Amended)**  
**Certificate of Appropriate Alternative Development**

To: Canfield Freehold Limited

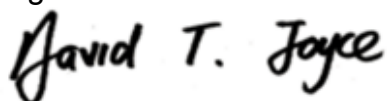
**WHEREAS** on 22<sup>nd</sup> May 2018, you applied to the London Borough of Camden (hereinafter called the 'Council') for a Certificate of Appropriate Alternative Development under the above Section in relation to land at **93 - 103 Drummond Street and 63 Cobourg Street, London, NW1 2HJ** being more particularly defined in the said application ("the Application").

**NOW THEREFORE** the Council hereby **CERTIFY** in relation to the said land shown in heavy edging on the plan attached hereto that in the opinion of the Council if the land had not been the subject of compulsory purchase powers under the High Speed Rail (London - West Midlands) Act 2017 ("the HS2 Act") as part of the proposal for a new station at Euston, that planning permission would have been **granted** for development as previously **CERTIFIED** by the Council and identified in Schedule 1 and that in the Council's opinion the development identified in that Schedule is appropriate alternative development in relation to the acquisition.

The Council's reasons for issuing a certificate otherwise than for development described in the Application are set out in the statement contained in Schedule 2.

DATED this 25<sup>th</sup> day of September 2018

Signed:

David Joyce  
Director of Regeneration and Planning

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**IMPORTANT – READ NOTES ON THE BACK OF THIS FORM**

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## NOTES

Section 18 of the Land Compensation Act 1961 provides as follows:-

- (1) Where the Local Planning Authority have issued a certificate under Section 17 of this Act in respect of an interest in land:-
  - (a) the person for the time being entitled to that interest, or
  - (b) any Authority possessing compulsory purchase powers by whom that interest is proposed to be acquired,may appeal to the Upper Tribunal against that certificate.
- (2) On any appeal under this Section against a certificate the Upper Tribunal –
  - (a) must consider the matters to which the certificate relates as if the application for a certificate under section 17 had been made to the Upper Tribunal in the first place, and
  - (b) must—
    - (i) confirm the certificate, or
    - (ii) vary it, or
    - (iii) cancel it and issue a different certificate in its place as the Upper Tribunal may consider appropriate.
- (3) Where an application is made for a certificate under section 17, and at the expiry of the time prescribed by a development order for the issue of the certificate (or, if an extended period is at any time agreed upon in writing by the parties and the local planning authority, at the end of that period) no certificate has been issued by the local planning authority in accordance with that section, the preceding provisions of this section apply as if the local planning authority has issued such a certificate containing a statement under section 17(1)(b).

# 93 - 103 Drummond Street and 63 Cobourg Street, London, NW1 2HJ



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## Schedule 1 - Appropriate Alternative Development

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In accordance with **section 17(5) of the Land Compensation Act 1961**, the Council should identify every description of development (whether specified in the application or not) that in the local planning authority's opinion is, for the purposes of **section 14**, appropriate alternative development in relation to the acquisition concerned.

The local planning authority considers that appropriate alternative development would include a mixed-use scheme consisting of residential (C3 use), hotel (C1 use) or office (B1a) at upper floor levels with appropriate ground floor commercial uses (A1, A2, A3 and/or B1a uses) up to the maximum scale and floorspace described in previous certificates issued by the local planning authority in respect of this site (see below). Appropriate alternative development would need to comply with the **Camden Local Plan 2017**, **The London Plan 2016** and **National Planning Policy Framework 20182**, including the provision of 50% affordable housing and adherence with the required standard of accommodation, design and amenity.

The development described in the previously granted Certificates of Alternative Appropriate Development is also appropriate alternative development in relation to the acquisition concerned (subject to the conditions and obligations indicated in the respective certificates). Those certificates and their references numbers are as follows:

- **2017/0527/P** - Redevelopment to provide 99 student apartments (46 studio units, 8 twin units, 35 cluster units and 10 wheelchair studio units) comprising 107 bed spaces with a floor area of 2771.9sqm GIA) within a 5-storey building with basement and a commercial unit (241.7sqm GIA) at basement and ground floor levels. Certificate of Appropriate Alternative Development Granted - 13/04/2017
- **2017/3246/P** - Redevelopment to provide 112 student apartments (60 studio units, 9 twin units, 30 cluster units, 3 wheelchair cluster unit, and 10 wheelchair studio units) comprising 123 bed spaces with a floor area of 2388sqm (GIA) within a 5-storey building with basement and a commercial unit of 192sqm (GIA) at basement and ground floor levels, Certificate of Appropriate Alternative Development Granted - 30/08/2017
- **2017/6619/P** - Redevelopment to create 112 student apartments (60 studio units, 9 twin units, 30 cluster units, 3 wheelchair cluster units, and 10 wheelchair studio units) comprising 123 bed spaces with a floor area of 2388sqm (GIA) within a 5-storey building with basement and a commercial unit of 192sqm (GIA) at basement and ground floor levels. Certificate of Appropriate Alternative Development Granted - 09/02/2018
- **2018/1809/P** - Redevelopment to provide 122 student apartments (58 studio apartments, 13 twin units, 53 cluster units, 5 wheelchair cluster units, 11

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wheelchair studio units) comprising 135 bed spaces with a floor area of 2,488sqm (GIA) within a 6 storey building with basement and a commercial unit of 102sqm at ground floor. Certificate of Appropriate Alternative Development – Granted - 20/06/2018.

## Schedule 2

### **'The Application' (Camden reference 2018/2400/P) :**

Redevelopment to provide 137 student apartments (67 studio apartments, 19 twin units, 53 cluster units, 5 wheelchair cluster units, 11 wheelchair studio units) comprising 156 bed spaces with a floor area of 2,811sqm (GIA) within a 9 storey building with basement and a commercial unit of 102sqm at ground floor.

### **Reason for issuing a certificate otherwise than for development described in the application**

The proposed development described in the application, by reason of its height, bulk, massing and design, would be an incongruous addition to the local townscape, causing harm to the character and appearance of the townscape and surrounding streets and the setting of local heritage assets and local heritage context, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

### **Furthermore:**

Had the application been considered an acceptable alternative development (*which it is not*), in accordance with policy DM1 of the Camden Local Plan 2017 and Camden's Planning Guidance on Planning Obligations a range of matters would have been required to be secured by section 106 legal Agreement as mitigation for the impact of the development. These matters are discussed in the assessment report. The absence of such mitigation measures would form the basis of further reasons for refusal.