



34-38 Eversholt Street, London, NW1 1DA

Transeur Properties Ltd

Appeal Statement of Case (Camden Ref:
2017/4304/P)

July 2018

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1. Introduction Summary

- 1.1 Wildstone Planning has been instructed by Transeur Properties Ltd to submit an appeal against the refusal by the London Borough of Camden of application reference 2017/4304/P on the 19th January 2018 which proposed the following development:

"Third floor extensions to existing building, including a mansard addition and flat roofed rear extension, to create 2 x 2 bed residential flats (C3) together with the reconfiguration of access steps and new cycle storage enclosures at ground floor level."

- 1.2 The grounds of appeal have been prepared to set out the appellant's case against the Council's reasons for refusal:

"01 - The proposed development, by reason of its height, mass, scale and the detailed design of the extensions, would result in incongruous and unsympathetic additions that would be detrimental to the character and appearance of the host and surrounding buildings, which are locally listed, as well as the streetscene and surrounding area generally on this prominent corner site. Thus, the proposal is contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan (2017), Camden Planning Guidance 1 (Design), The London Plan (2016) and National Planning Policy Framework (2012).

02 - The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, would fail to encourage car free lifestyles, promote sustainable ways of travelling or help to reduce the impact of traffic, contrary to policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car-free development) of the London Borough of Camden Local Plan (2017), Camden Planning Guidance 7 (Transport), The London Plan (2016) and the National Planning Policy Framework (2012).

03 - The proposed development in the absence of a legal agreement securing the necessary affordable housing contribution would fail to make its required contribution towards the provision of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the London Borough of Camden Local Plan (2017), Camden Planning Guidance 2 (Housing) and Camden Planning Guidance 8 (Planning Obligations), The London Plan (2016) and the National Planning Policy Framework (2012).

04 - The proposed development, in the absence of a legal agreement securing the necessary contribution towards highway works, would fail to make provision to restore the adjacent highway to an acceptable condition after the construction works, contrary to policies A1 (Managing the impact of development) and T3 (Transport infrastructure) of the London Borough of Camden Local Plan (2017), Camden Planning Guidance 7 (Transport), The London Plan (2016) and the National Planning Policy Framework (2012).

05 - The proposed development, in the absence of a legal agreement to secure the submission of a Construction Management Plan and associated implementation support contribution, would contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users and would be detrimental to the amenities of the area generally, all contrary to policies A1 and T4 of the Camden Local Plan (2017), The London Plan (2016) and the National Planning Policy Framework (2012)."

- 1.3 The scheme will bring forward an available and suitable brownfield windfall site for residential development which will meet local housing need and provide much desired town centre dwellings in an accessible location in line with the objectives of the Draft London Plan. The scheme will provide high quality residential accommodation which will meet the National Transitional Housing Standards, Lifetime Homes Standards and the London Housing Design Guide requirements.
- 1.4 The proposals have been the subject of pre-application discussions with the London Borough of Camden to evolve the scale and massing and the detailed design so as to ensure that an exemplar extension is developed, which is appropriate to its site and the surrounding area. The scheme seeks to take design references from the surrounding built development so that the extension fits in with the character of the area, complementing the redeveloped elements on the lower floors.
- 1.5 It is the view of the appellant that Camden Council has taken issue with the design of the proposed extension which in this case is considered to be a highly subjective matter. No objections were received from technical consultees in this, or any other regard. The appellant is of the belief that the decision represents an in principle objection to the development of third floor extensions at the appeal site which is clearly not in line with emerging policy or the material planning history relating to the property.
- 1.6 The appellant has taken note of Informative 1 of the Decision Notice which states that reasons for refusal 2-5 could be overcome by entering into a Section 106 Agreement. The Council have outlined the proposed fees in the Officer's Report and the appellant has instructed a planning solicitor to finalise the agreement. As the appeal will be determined via written representations, the final Section 106 Agreement will be

submitted no later than 7 weeks following the appeal start date. As such, the statement of case will deal with the remaining, design based, subjective reason for refusal, demonstrating that the scheme complies with policy in every regard.

1.7 The grounds of appeal comprise the following:

- Section 2 describes the site and surroundings;
- Section 3 sets out the background to the scheme;
- Section 4 outlines the application proposals and associated benefits;
- Section 5 provides details on the determination process;
- Section 6 sets out the planning policy framework pursuant to the site; and
- Section 7 assesses the reasons for refusal and the appellants case as to why planning permission should be granted.

1.8 The grounds of appeal conclude by setting out the reasons why the application can and should be granted planning permission.

2. Site and Surrounding Area

- 2.1 The appeal site is located within the St Pancras and Somers Town Ward of the London Borough of Camden with an approximate plot size of 371sqm. The site is located on the eastern side of Eversholt Street adjacent to the corner of Doric Way, close to Euston Station. The site is currently occupied by a nightclub at ground and basement levels with six residential units on the first and second floors. The main entrance to the nightclub is located on Eversholt Street whilst the residential properties are accessed via a separate entrance on Doric Way. Existing waste and cycle storage is in situ for the residential units.
- 2.2 The wider surrounding area is mixed in nature with a range of commercial and residential uses being apparent. The site is positioned such that it forms the end of a parade of shops, which are traditional in their form and scale. Adjacent to the site on the opposite side of Eversholt Road is the Euston mainline station. Across the road to the east are offices of a larger mass and scale. The properties on Eversholt Street and the adjacent streets have a wide variety of form and materiality with both modern and traditional detailing and construction methods apparent in the vicinity.
- 2.3 The appeal site is not located within a conservation area and is not subject to a statutory listing. However, the proposed development building and adjacent terrace at 34-70 Eversholt Street are designated as locally listed buildings, defined in the Council's Local List as a terrace of early 19th Century terraced houses with shops at ground floor. Each of these buildings are 3 storey in height with basements. It is considered in the Local List that the size, proportions, materials and repetition of this section of terrace are an important part of the townscape with a collective identity.
- 2.4 The appeal building has recently undergone remodelling works for the creation of additional residential units, together with the refurbishment of the building as a whole. These works were in line with previously approved applications, Camden Ref: 2010/2940/P & 2011/1283/P.
- 2.5 The appeal site is located within a Neighbourhood Centre as identified in the Camden Policies Map (2017). As such, the appeal site is located within an urban area. The appeal site is not subject to any further planning designations.
- 2.6 The appeal site is located within Flood Risk Zone 1 and is therefore not susceptible to flooding from rivers or the sea.

Planning History

- 2.7 The following planning history is considered to be relevant to the proposals:
- Planning permission was granted on 28/07/1971 for the conversion of 34, 36 and 38 Eversholt Street to a basement and ground floor restaurant with two floors of residential accommodation above (LPA Ref: CTP/L13/8/C/11084);

- A planning application was withdrawn on 10/02/2010 for “The erection of a three storey side extension at first, second and third floor levels, erection of a roof extension on main building to create new third floor, installation of new roof terrace on eastern side at third floor” (LPA Ref: 2009/5174/P);
- Planning permission was granted subject to a Section 106 Legal Agreement on 21/12/2010 for the “Conversion of the upper floors and erection of two storey extension above existing nightclub to create 4 x 2 bed units and 2 x 1bed units (class C3) and change of use of the existing ancillary office space to 1 x 4 bed unit (class C3) and associated external alterations.” This permission has subsequently been implemented (LPA Ref: 2010/2940/P);
- Planning permission was granted on 09/05/2011 for “Alterations to entail retained mansard roof with creation of 2 x rear dormer windows at first floor level (as an amendment to planning permission ref: 2010/2940/P granted on 21/12/2010 for the conversion of the upper floors and erection of two storey extension to create 4 x 2 bed units and 2 x 1bed units and change of use of the existing ancillary office space to 1 x 4 bed unit (class C3)” (LPA Ref: 2011/1283/P);
- Planning permission was granted subject to a S106 Agreement on 02/02/2016 for “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” (LPA Ref: 2015/4296/P); and
- Planning permission was refused on 28/09/2016 for “Third floor extensions to existing building, including a mansard addition and flat roofed rear extension, to create 2 x 2 bed residential flats (C3) together with the reconfiguration of access steps and new cycle storage enclosures at ground floor level” (LPA Ref: 2016/4038/P).

3. Background to the Scheme

- 3.1 Planning permission was granted in 2010 at the appeal site for the conversion of the upper floors and the addition of a two storey extension above the nightclub fronting Doric Way in order to provide 7no. residential units consisting of 2no. studios, 4no. 2 bedroom flats and 1no. 1 bedroom flat.
- 3.2 In 2011 an application was approved for an amendment to the 2010 application which allowed the retention of a mansard roof to the rear of the building on Doric Way. The 2010 and 2011 permissions have subsequently been implemented.

Pre-Application Advice

- 3.3 The appellant sought pre-application advice from Camden Council in 2014 for the erection of a third floor extension consisting of a mansard extension to the building fronting Eversholt Street and an additional floor to the building fronting Doric Way, which would provide 4no. studio flat units. Positive feedback was given with reference to the principle of overall proposal, and its feasibility on the site, however there were certain external and internal alterations required to reach a satisfactory proposal.
- 3.4 It was established that there was no objection to adding an additional floor; however, the scale and mass would have to be such that it sat comfortably within the site and context.
- 3.5 The scheme submitted at pre-application stage was for four self-contained units within a more contemporary mansard extension. As such, it was considered that the overall design of the extension was not in keeping with the context and presented an alien addition to the building. It was suggested that a more traditional mansard form be proposed to the front of the extension with detailing that matched the existing building.
- 3.6 The pre-application advice process helped refine the final scheme into a proposal was sympathetic to the immediate neighbours as well as the surrounding area. Various aspects of the design such as the façade treatment, bulk and scale of the proposal were revised as part of the submission to address the comments raised during the pre-application process.

Previous Application

- 3.7 Following the pre-application advice, a planning application was submitted in June 2015 (Reference: 2015/4296/P). The planning application submitted was for:

'Proposed third floor extension to the existing building to accommodate further 3 self-contained residential units.'

- 3.8 During the determination process, the appellant was in constant dialogue with the case officer, Mr. Jonathon McClue. The appellant took on board the comments raised and made amendments to the proposal to address these:
- Extensions along Doric Way were reduced in height and stepped back to ensure that they were subordinate to the main roof;
 - The proposed Mansard Roof was changed to meet the planning guidelines and as such the pitch was amended to 60 degrees and the internal height was brought down to be no more than 2.3m. This allowed for the mansard roof to be behind the parapet;
 - Mansard windows were reduced in size to ensure that they were subordinate to the windows below;
 - Internal layout was altered to ensure that 2 residential units were proposed instead of 3; and
 - Cycle parking arrangement was altered and detailed to ensure it complied with the relevant planning guidance.
- 3.9 All the amendments above were accepted by the case officer and deemed acceptable apart from the extensions along Doric Way. Therefore, it was agreed that as part of the application, the appellant would remove the extensions proposed along Doric Way. Following this, the application was approved in February 2016.
- 3.10 The appellant is seeking to reintroduce the proposed extension along Doric Way in addition to what has already been approved as part of application 2015/4296/P (see approved drawings and decision letter at **Appendix A** and **Appendix B** for 3-D visuals of the approved scheme). Please refer to the Design and Access Statement and the Grounds of Appeal section below for further detail regarding the appeal scheme and compliance with policy.
- 3.11 It is considered that Camden Council need to take a flexible approach to the interpretation of its policies rather than a rigid stance if opportunities for the redevelopment and intensification of complex town centre sites such as this are to be delivered in order to maximise their potential for housing.

4. Application Determination Process

Determination Process

- 4.1 The planning application was validated on 5th September 2017, the decision being issued outside of the 8 week determination period on 19th January 2018.

The Council's Decision

- 4.2 The officer's report assesses the scheme against National, Strategic and Local planning policy in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The report assessment concludes that:

- Principle of Development – The Council encourages residential development that improves the existing housing stock and provides new housing to accommodate London's increasing population and changing demographics. The principle of a mansard addition has been accepted and established as per the previous approval.
- Amenity Impact - The Officer's Report notes that the proposed extension along the side rear return fronting Doric Way would result in a minor increase in the level of enclosure/loss of outlook to side facing windows on the western side/rear elevation of Ian Hamilton House, and to a lesser extent the rear elevations of 10 & 12 Edith Neville Cottages. However, it is stated that the rear part of the extension would only extend 1 m above parapet level which is not considered to result in a material amenity impact on these neighbouring properties.
- Standard of Accommodation – Overall, the Officer's Report considers that the development would provide reasonable living conditions for future occupiers. Had the development been otherwise acceptable, it was considered that minor issues could have been resolved by obtaining details of internal storage and floor/ceiling insulation by planning condition. A section drawing referred to in the Officers Report through the eastern part of the building fronting Doric Way to ensure that the headroom meets the minimum requirement of 2.3m has been provided as **Appendix C**.
- Transport – The Officer's Report notes that the supporting information and plans show that 4 cycle parking spaces will be provided in an external cycle store, in addition to the 6 spaces secured through application 2010/2940/P. This meets the minimum requirements of the London Plan. It is stated that the proposed cycle store is not fully compliant with the guidance in CPG7, however due to the limited space available on site and the fact that the applicant has met the minimum standards of the London Plan, the cycle parking is acceptable in this instance. It is

stated that the outstanding issues regarding financial contributions can be resolved through the submission of a S106 Agreement.

- Affordable Housing – The Officer's Report notes that the proposed housing mix would be acceptable subject to the provision of a S106 Agreement to secure the appropriate level of affordable housing contributions (stated to be £8,639).

4.3 The sole remaining, and subjective matter, in the reasons for refusal is design which is dealt with in the following sections.

5. Appeal Scheme

- 5.1 The appeal scheme is seeking planning permission to add an additional floor to the building, which will provide two new 2 bedroom residential units and increase the overall floor area by 150sqm. The extension will follow the same footprint as the floor below, and will make use of the existing staircore, which currently leads to the flat roofs.
- 5.2 The overarching design approach to the proposal has been to work within the constraints of the site and propose an extension that sits comfortably within its context. The footprint and layout of the floors below have been used as a starting point to determine the rough extents of the proposed extension and the internal arrangement of the flats. However, this footprint has been scaled back slightly to the front façade to form the mansard roof.

Daylight, Sunlight and Overshadowing

- 5.3 The flats themselves are designed such that light is maximised within the living spaces. There is one unit to the front of the building, which is southwest facing. Whilst the unit to the rear is north-east and south-east facing and is dual aspect with the primary living space being east facing. As such, there will be a good quality of daylight within both the units.
- 5.4 The impact of the proposal upon the units adjacent to the site and the floors below have been considered and as such the internal arrangement and thus layout of the windows is as per the floors below.
- 5.5 Whilst there is a degree of overlooking into the amenity spaces below, the overlooking into the units themselves has been eliminated by the orientation of the windows, which direct views away from the adjacent units. It is also considered that as the existing units already has some minor degree of the overlooking, that the proposed extension will not create any overlooking issues, which are materially different or inappropriate than the existing situation.
- 5.6 An additional externally commissioned Daylight and Sunlight Report was prepared by Syntegra Consulting to supplement the application and demonstrates that the scheme complies with all statutory requirements.

Transport and Parking

- 5.7 The existing property is currently a car free development and it is envisaged that this will continue as the site is rated 6b under the PTAL rating, and so will provide the residents with an excellent level of accessibility.
- 5.8 The appellant included cycle storage as part of the proposal, with provision for 4 additional spaces for the 2 x 2 bedroom units proposed as per the councils guidelines.

The proposed cycle storage will be 'Sheffield' Type Stands in a secured area along Doric Way.

- 5.9 There is also a cycle hire stand on Doric Way immediately adjacent to the site, which again offer residents a high level of accessibility. The above has demonstrated compliance with GLA standards.

Access

- 5.10 The access to the site and building remains unchanged as part of the proposal. The existing staircore will be utilised as it currently serves the roof level and the new proposed extension.

Refuse

- 5.11 The refuse store is located externally adjacent to the main entrance and cycle storage area. This storage area is currently above capacity and as such can accommodate the additional refuse demands by the 2 new flats.

Lifetime Homes

- 5.12 The internal layout of the proposed extension has been designed to provide ample circulation space and room sizes to meet the Lifetime Homes Standard. The following checklist presents the compliance or justification against the 16 criteria requirements:
- Parking – The proposed development is car free.
 - Approach to dwelling from parking – The proposed development is car free.
 - Approach to all entrances – The existing main entrance to the building is via a short flight of external stairs due to the level constraints of the building.
 - Entrances - The main entrance is illuminated with undercroft lighting. There is a level landing and threshold with a single entrance door, achieving a minimum clear opening of 800mm. There is weather protection with the entrance being under a small canopy.
 - Communal stairs and lifts - Common stairs have a max rise of 170mm and min going of 250mm. Handrails are 900mm above the pitch line and extend 300mm beyond the top and bottom step. The step nosings are from a contrasting material and risers are not open. A lift is not provided within the building.
 - Internal doorways and hallways - All new internal doorways and hallways comply with the minimum width requirements. Internal doors have a minimum clear width of 750mm increasing to 900mm where the approach is not head on. Communal

doors have a clear width of 800mm increasing to 825mm where an approach is not straight-on. Communal doorways also have minimum nibs of 300mm.

- Circulation space – The units are not wheelchair accessible.
- Entrance level living space - All the units are designed as single level accommodation, although are only accessible by stairs.
- Potential for entrance level bed-space - All the units are designed as single level accommodation, although are only accessible by stairs.
- Entrance level WC and shower drainage - All the units are designed as single level accommodation, although are only accessible by stairs, with the WC meeting the required specifications. The centreline of the WC is at least 400mm away from the adjacent wall with a clear space of 1100mm in front of the WC.
- WC and bathroom walls - All the walls within the units will be capable of installing and supporting grab rails.
- Stairs and potential through-floor lift in dwellings - There is no common lift within the building and so through lifts will not be possible.
- Potential for fitting hoists and bedroom/bathroom relationship - The structure above the main bedroom and other areas within the flat are capable of supporting hoists, however the units themselves are only accessible by stairs.
- Bathrooms - All bathrooms meet the required specifications of clear zones. The centreline of the WC is at least 400mm away from the adjacent wall with a clear space of 1100mm in front of the WC. The basin has a clear approach 700mm wide extending 1100mm from the bowl. The bath has a clear zone 1100mm long and 700mm wide alongside the bath.
- Glazing and window handle heights - All living spaces have adequate fenestration to allow residents to have a line of sight out when in a seated position. Opening lights are all approachable and usable by a wide range of people.
- Location of service controls - All service controls including power points and other sockets will be located between 450mm and 1200mm from the finished floor level.

Planning Conditions

- 5.13 The appellant has prepared draft planning conditions which have been forwarded to the local planning authority in order to reach agreement to assist the Inspector. These are attached at **Appendix D**.

6. Planning Policy

Introduction

- 6.1 The purpose of this Section is to identify national, regional and local planning policy and guidance which is directly relevant to the determination of the appeal. An analysis of the relevant policies relating to the principle of the Development is included in the relevant section of the Statement.

Legislation and National Planning Policy and Guidance

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that regard is to be had to the Development Plan determining planning applications. The determination of applications should be in accordance with that plan unless material considerations indicate otherwise.
- 6.3 The National Planning Policy Framework (NPPF) was published in March 2012. This must be taken in to account in the preparation of development plans and is a material consideration in planning decisions. The NPPF states that *"the purpose of planning is to help achieve sustainable development"* (Ministerial Foreword). With respect to housing, it states that local planning authorities should seek to significantly increase the supply of housing in order to *"deliver a wide choice of housing quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities"* (Paragraph 50).
- 6.4 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread. For decision making this means:
- Approving development proposals that accord with the development plan without delay.
- 6.5 The emerging NPPF is currently at draft stage, the initial document highlighting:
- A target to deliver 300,000 houses per year;
 - Consideration regarding permitted development rights for upward extensions;
 - Focus on identifying smaller sites (at least 20% less than 0.5 ha);
 - Focus on making more intensive use of land and buildings;
 - Positive approval to using retail and employment land for housing in areas of high housing demand;
 - Flexibility on policies which might limit higher density schemes e.g. sunlight and daylight; and

- Pre-application discussions given greater weight. Applications based on early engagement will be looked on more favourably than those that aren't.

The Development Plan

6.6 For the purposes of the proposed development, the Development Plan for Camden comprises the following:

- The London Plan (with consolidated alterations since 2011) – March 2016;
- The Camden Local Plan (2017); and
- The Camden Planning Guidance:
 - CPG1 - Design (2015)
 - CPG2 – Housing (2015)
 - CPG3 – Sustainability (2015)
 - CPG6 – Amenity (2011)
 - CGP7 – Transport (2011)
 - CPG8 – Planning Obligations (2011)

6.7 In March 2016 the Mayor published the Housing Supplementary Guidance (SPG) which has been updated to reflect the Further Alterations to the London Plan and the Minor Alterations to the London Plan. The SPG replaces the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement.

6.8 The Sustainable Design and Construction SPG was published by the Mayor in April 2014 by the Mayor whilst the Character and Context SPG was published in June 2014.

Draft London Plan

6.9 A new Draft London Plan was published in December 2017 and sets out the spatial development strategy for London over the coming years. The draft outlines proposals to make better use of land including creating places of higher density, and minimum space standards for different sized dwellings.

6.10 The plan sets out how the GLA wants homebuilders to maximise the use of “valuable” land in the city, such as developing sites so they have more homes on them than existing developments nearby, which worked to guidelines in a previous plan. The GLA wants increased numbers of homes to be built on sites near town centres or good public transport, “reducing the need for car parking spaces within new developments”.

- 6.11 The draft makes specific mention of the intensification of development in suitable locations. Policy H1 (Increasing housing supply) is particularly relevant in this regard stating:

"boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially..... sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary".

- 6.12 Regarding Camden, the Draft refers to a 10 year housing target of 10,860 homes with an annualised average of 1,086. The appeal proposals offer a viable scheme in a suitable brownfield location which will contribute to these targets.

- 6.13 The brownfield location of the appeal site is also referenced within the draft, Policy GG2 recognising a need to:

"prioritise the development of Opportunity Areas, brownfield land...sites which are well connected by existing or planned tube and rail stations, sites within or on the edge of town centres and small sites policy".

- 6.14 The draft London Plan states:

"Proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused."

- 6.15 Councils should take a case-by-case approach to determine the capacity of the site based on surrounding infrastructure.

- 6.16 The GLA has also emphasised the importance of small sites in the plan, which it is stated should play a "much greater" role in delivering housing. Boroughs are encouraged to support well-designed homes on small sites through both planning decisions and plan-making. The GLA wants small and medium-sized builders to be supported, while boroughs should apply presumption in favour of certain types of small housing developments, between one and 25 homes in size. When considering small sites, a 10 year target of 3,760 is quoted for Camden with an annualised average of 376.

- 6.17 Whilst the new London Plan is somewhat off adoption, it outlines the direction in which development in London is likely to take in the years ahead. As such, due consideration should be given to its policies and guidance.

- 6.18 The Mayoral CIL charging schedule was adopted in April 2012. Camden falls within zone 1 where the rate is £50 per square metre. Camden Council adopted a CIL Charging Schedule in April 2015. The St Pancras and Somers Town Ward falls within the higher rate band of £500 per square metre for residential development below 10 dwellings.
- 6.19 The most recent available Authority Monitoring Report for Enfield (2016/17 - published in 2018) states that the Borough is set to exceed its requirement for a five-year housing supply.

Site Designations and Policy Context

- 6.20 As mentioned above, the proposal site does not have any site specific designations or allocations. However, the site is situated within a Neighbourhood Centre and is classified as 'urban' according to the criteria laid out in the notes to Table 3.2 of the London Plan. The St Pancras and Somers Town ward is noted within the Local Plan as being one of the most deprived in the country, paragraph 2.65 referring to overcrowding and a need for new housing. Further to this, the Euston Supplementary Planning Document refers to Eversholt Street as being an area where the Council wishes to increase footfall and vitality.
- 6.21 Whilst not statutorily designated, the appeal site is locally listed. Given that the Council have noted that reasons for refusal 2-5 can be dealt with via the provision of a Section 106 Agreement, it is only the subjective, design-based reason for refusal which remains an issue. There are, therefore, a number of specific policies that apply:

Design

- 6.22 Camden Local Plan (2017):
- Policy D1 – Design. The policy seeks to secure high quality design in development. The Council requires that development, *"respects local character and context"* and *"preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage"*. It is also stated that the Council will, *"resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*.
- 6.23 Design Guidance (CPG1):
- CPG1 - The Council's Design Guidance (CPG1) provides detailed policy guidance on roof extensions and additional storeys, stating that they are likely to be acceptable where there is an established form of roof addition on the terrace, the extension is architecturally sympathetic or there is variety in the existing roof form and the extension would not result in harm. The guidance also advises that roof extensions will not be accepted where they would have *"an adverse effect on the street scene, the existing terrace has an unimpaired roof, and the building already has additional storeys and where the scale and proportions of the building"*

would be overwhelmed". The impact of the proposed roof extension is discussed in detail in the Grounds of Appeal section below.

Locally Listed Buildings

6.24 Camden Local Plan (2017):

- Policy D2 - Heritage. The policy states that the Council, *"preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets"*. When specifically addressing other heritage assets and non-designated heritage assets such as the buildings at the appeal site, it is stated that the significance of the asset, *"will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset"*.

7. Grounds of Appeal

Introduction

- 7.1 The application was refused on a number of grounds. The primary reason for refusal relates to the design of the extension and a perceived negative impact upon the character of the site and surrounding area and the remaining reasons for refusal have been added to bolster a decision which is clearly at odds with emerging policy regarding the provision of development at small sites in accessible locations. As such, given that the decision notice advised that reasons for refusal 2-5 could be resolved through the submission of a Section 106 Agreement, the Grounds of Appeal will solely examine the subjective design matters outlined in reason for refusal 1.

Subjective Design Issues

Extension Design (Reason for Refusal 1)

- 7.2 The appellant is of the view that Camden Council's primary objection relates to the design of the proposed extension and the perceived impact upon the immediate surrounding area, Reason for Refusal 1 stating:

"The proposed development, by reason of its height, mass, scale and the detailed design of the extensions, would result in incongruous and unsympathetic additions that would be detrimental to the character and appearance of the host and surrounding buildings, which are locally listed, as well as the street scene and surrounding area generally on this prominent corner site. Thus, the proposal is contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan (2017), Camden Planning Guidance 1 (Design), The London Plan (2016) and National Planning Policy Framework (2012)".

Heritage

- 7.3 The appellant wishes to highlight that the appeal building and adjacent terrace at 34-70 Eversholt Street are locally listed assets and that there are no statutorily listed assets in the surrounding area. Neither is the appeal site situated within or adjacent to a Conservation Area.
- 7.4 Policy D2 of the Camden Local Plan states that the effect of a proposal on the significance of a non-designated heritage asset *"will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset"*. It should be considered that no objections were received from Historic England or Camden's Conservation Officer in this regard.

- 7.5 It is considered that the proposed re-development would change the setting of this row of locally listed buildings at this location but not erode their significance or detrimentally impact their setting. The listed buildings are best appreciated and experienced from directly in front. The proposed mansard would also provide an opportunity to improve the upper part of the building, identified within the pre-application advice as containing, *"unattractive features such as the railing to the front, the protruding staircore and side parapet fronting Doric Way"*. It must also be considered that the historic consent (Camden Ref: 2015/4296/P) has established the principle of a mansard extension at the part of the building fronting Eversholt Street.
- 7.6 The appellant is of the view that many of the properties making up the terrace are currently in a run-down state, detracting from the amenity value of the locally listed asset. It is also considered that the setting of the non-designated heritage assets has been significantly altered by the surrounding modern built development. In particular, Euston Station is located directly opposite the listed terrace, severely impacting upon amenity at the appeal site and featuring in all views from the north or south. Indeed, the terrace is only visible without encroachment from the buildings of Euston Station in head on views from close range on Eversholt Road, as per the images below (further visual representation of the impact upon the locally listed terrace is available at **Appendix B**):



Figure 1 – View of appeal site from the south-east on Eversholt Street (Source – Google Street)



Figure 2 – View of appeal site from the north-west on Eversholt Street (Source – Google Street)

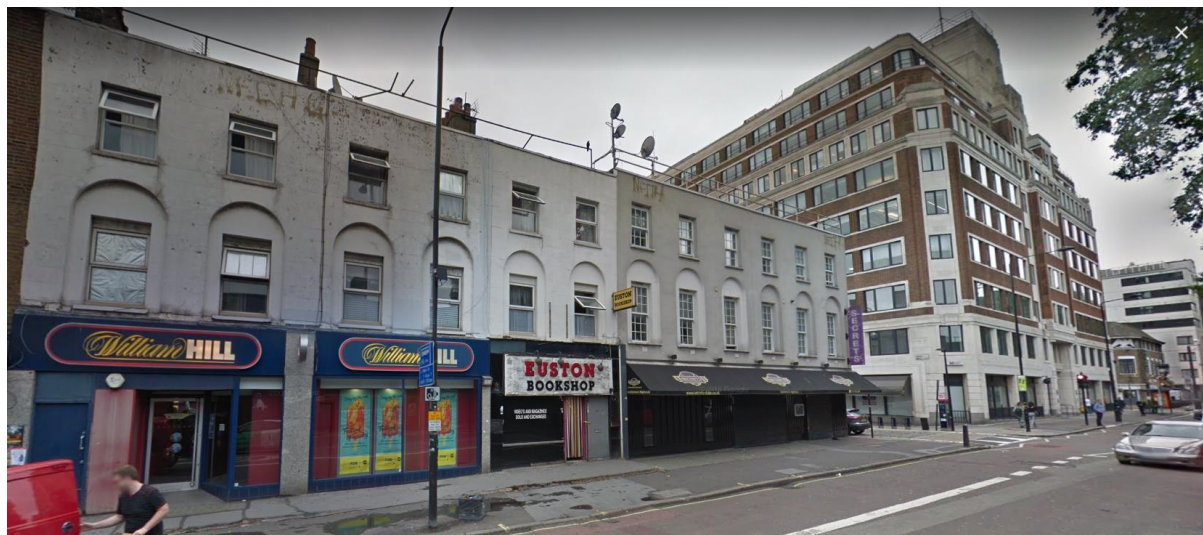


Figure 3 – View of appeal site from directly opposite on Eversholt Street (Source – Google Street)

- 7.7 When considering the impact upon heritage assets it is also vital to assess the design of the proposals:

Massing

- 7.8 The proposed building will be 4 storeys high, and so proposes an additional floor to the mass of the existing building throughout the length of the building. This additional floor was considered acceptable during the pre-app stage and so has been retained within the appeal design.
- 7.9 Compared to the existing building line, the proposal is set back from the front in order to reduce the bulk of the new addition. However, towards the rear the footprint of the floor below has been continued up to form the extents of the new flats.
- 7.10 The building currently has a full height staircore that projects above the main parapet line and allows access to the plant room and flat roofs, this parapet height has been retained and carried through for the proposed extension.
- 7.11 Towards the rear of the site, the existing parapet level drops from the staircore level down by approximately 2.6M, and then a further 165mm. This staggering has been retained within the new proposal, and sees the rear portion of the extension drop down by approximately 1.5M from the height of the current staircore. As such, whilst additional mass has been created towards the rear elevation fronting Doric Avenue, it has been kept to a minimum and only looks to continue the existing parapet height of the staircore and provide the minimum internal head height required.

Materiality

- 7.12 The materiality of the existing building is partly traditional and characteristic of the area with masonry used for the main structure; however, it has a painted render finish, which is in contrast to the facing brick elevations seen within the vicinity. As such, the proposed scheme will use this as a precedent and proposes an extension that will be predominantly a painted render finish.
- 7.13 The mansard roof however will be traditional in style and detailing with natural slate tiles used together with lead flashings where required.

Fenestration

- 7.14 The form and proportion of the proposed fenestration is such that it follows the existing arrangement and order within the elevations. The windows to the front elevation are traditional timber sash opening within a hierarchical order, whilst the side elevation fronting Doric Way features windows that are more contemporary. These other windows are grey powder coated aluminum framed and also include double doors with Juliet balconies.

Mansard Design (Reason for Refusal 1)

- 7.15 Paragraph 4.5 of the Officer's Report discusses the part of the building fronting Eversholt Street, acknowledging that the proposed mansard, *"would have a traditional design with a steep front pitch and traditional materials/window design to match the existing building and terrace"*. However, concerns are raised that the mansard would project forward over the angled side parapet which it is stated would be contrary to the previously approved mansard extension (Camden Ref: 2015/4296/P) wherein the mansard was set back behind the side parapet which served to conceal its appearance. It is claimed that this forward projection would render the mansard addition highly visible within the street scene.
- 7.16 In this regard it should be noted that the pre-application advice states, *"An application to extend the building would be an opportunity to improve the building, which currently contains unattractive features such as the railing to the front, the protruding staircore and side parapet fronting Doric Way"*.
- 7.17 The appellant is of the opinion that the main existing features at roof level which are visible from the street are the staircore and the railing, both of which would be obscured by the proposed mansard extension. It should also be considered that elements of both the approved and proposed mansards project forward over the side parapet. As such, the appellant is of the belief that the approved mansard pursuant to the part of the building fronting Eversholt Street is not materially different from that which is proposed.

- 7.18 The height and scale of the mansard have been governed by the storey heights of the existing building and more so the existing staircore. As such, the new fourth floor matches the parapet height on the existing building. With the front portion of the extension being set from the front wall within the mansard, the extents of this top floor will not be seen from the street immediately in front of the building.
- 7.19 The front mansard form is such that it is set back considerably from the front building line and is set at an angle of 70 degrees, which helps to reduce the bulk of the extension when viewed from the street. It is also partly masked by the existing angled parapet that stretches from the front parapet wall to the staircore. As such, the scale of the building will appear reduced and less dominant within its setting. Please refer to **Appendix B** for a visual representation of the proposed mansard design which demonstrates that the proposed extension is a minor addition when considering both the previously approved scheme and the scale of the surrounding development.

Doric Way Elevation (Reason for Refusal 1)

- 7.20 Paragraph 4.6 of the Officer's Report makes specific mention of the impact that the proposed extension would have upon the Doric Way elevation. The concerns regard a perceived "incremental increase in scale".
- 7.21 It should be considered that the proposed design solution has ensured that the extension along Doric Way is stepped back significantly from the main façade (a minimum of 2metres). In addition, the proposed extension is significantly lower in height than the main roof, with the ridge height being 700mm lower than the main roof, and further stepping down to follow the step of the main building.
- 7.22 The step down allows for the extensions along this elevation to be subordinate to the main elevation, whilst providing a much more gradual stepped effect to the neighbouring property.
- 7.23 The significant set back from the main elevation would ensure that the extension cannot be viewed from the street, causing minimal impact to the street scene. Both the step down and step back would continue to allow the main building to be read independently. Furthermore, the gradual step down to the neighbouring elements would be more suitable than the significant step down currently approved. It should also be considered that the existing properties along the Doric Way elevation are of a modern design. Please refer to **Appendix B** for a visual representation of the proposed softer step down approach. The 3-D visuals also demonstrate the minor nature of the proposed extension fronting Doric Way, especially when considering both the previously approved mansard design and the scale of the surrounding development, in particular the 10 storey building located on the opposite side of Doric Way.

Building Line (Reason for Refusal 1)

- 7.24 Paragraph 4.7 of the Officer's Report refers to concerns that the proposed extension would not complement the existing building line, stating, "*The proposed development would disrupt this pattern of development and would harm the visual appearance of the building on the streetscene*".
- 7.25 The appellant strongly refutes the claims of the Council in this regard. It should be considered that the neighbouring properties along Doric Way and Eversholt Street are of varying heights and ridgelines. In particular, the building at 26-32 Eversholt Street (Euston House), which is the neighbouring building on the opposite side of Doric Way is 10 stories high, significantly higher than the appeal site, the proposed extension, or any of the neighbouring buildings. In addition, the appeal site itself steps down along Doric Way, and therefore no consistent ridgeline is maintained. As mentioned above, the proposed extension would provide a more gradual step down from the front elevation. In addition, the Saint Mary's Flats along Doric Way are significantly higher than the existing building at the appeal site and would also be taller than the proposed extensions. Please refer to **Appendix B** for a 3-D visual representation in this regard.
- 7.26 The appeal scheme provides a unique opportunity to redevelop this site, which requires a certain quantum of development to ensure that a viable scheme can be created. The appellant considers that the number of units proposed is the minimum to present a viable development solution. As such, the appeal proposals provide an opportunity to provide much needed 2 bedroom units, identified as a priority in Policy DP5 of the Camden Local Plan. The above has also demonstrated full compliance with both national and local policy, in particular Policies D1 & D2 of the Camden Local Plan and the Camden Supplementary Design Guidance (CPG1).

8. Conclusion

- 8.1 The appeal scheme will bring forward an available and suitable brownfield windfall site for residential development which will meet local housing need and provide much desired town centre dwellings in an accessible location in line with the objectives of the Draft London Plan. The scheme will provide high quality residential accommodation which will meet the National Transitional Housing Standards, Lifetime Homes Standards and the London Housing Design Guide requirements.
- 8.2 It is important to note that the proposed extension would create one additional 2 bedroom self-contained residential unit, in addition to the one already approved as per the previous application. This would provide a total of 2 x 2 bedroom units which have been outlined as very high priority units in accordance with Policy DP5 of the Camden Local Plan.
- 8.3 It is the view of the appellant that this is a single issue appeal given that a Section 106 Agreement will be submitted to address Reasons for Refusal 2-5 in accordance with Informative 1 of the decision notice.
- 8.4 The proposals have been the subject of pre-application discussions with the London Borough of Camden to evolve the scale and massing and the detailed design so as to ensure that an exemplar extension is developed, which is appropriate to its site and the surrounding area. The scheme seeks to take design references from the surrounding built development so that the extension fits in with the character of the area, complementing the redeveloped elements on the lower floors. The statement of case has demonstrated that the proposed extensions represent a minor development, especially when considering the previously approved mansard and the scale of the existing surrounding development.
- 8.5 It is the view of the appellant that Camden Council has taken issue with the design of the proposed extension which is a subjective matter. No objections were received from technical consultees in this, or any other regard. The appellant is of the belief that the decision represents an in principle objection to the development of third floor extensions at the appeal site which is clearly not in line with emerging policy.
- 8.6 The appellant considers that the appeal proposals will provide the following benefits:
- Redevelops a site within A Neighborhood Centre in accordance with Policy TC2 of the Camden Local Plan;
 - Provides additional housing in a targeted and deprived area as per the Euston Supplementary Planning Document;
 - Redevelopment and improvement of brownfield land in accordance with Policy H1 of the Camden Local Plan;

- Sought after town centre residential units in accordance with Policy H6 of the Camden Local Plan;
- High quality, design led development in accordance with Policy D1 of the Camden Local Plan and the Council's Design Guidance (CPG1);
- Complements the surrounding built development in accordance with Policy D1 & D2 of the Camden Local Plan and the Council's Design Guidance (CPG1);;
- Removes negative aspects of the site identified by Camden Council (railing to the front, the protruding staircore and side parapet fronting Doric Way);

8.7 It is considered that the appeal scheme proposes an opportunity to regenerate a site which has been thwarted by a rigid application of policies and guidance, contrary to emerging local and national policy. The appeal scheme proposes a sustainable form of development that accords with the Development Plan, which will provide significant benefits, which outweigh any impacts and as such we would respectfully request that planning permission is granted subject to appropriate conditions.

Appendix A

NORTH



Rev	Date	Description	Init.

Client

TRANSEUR PROPERTIES LTD.

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERSOLT STREET, LONDON, NW1 1DA
Drawing Title

LOCATION PLAN

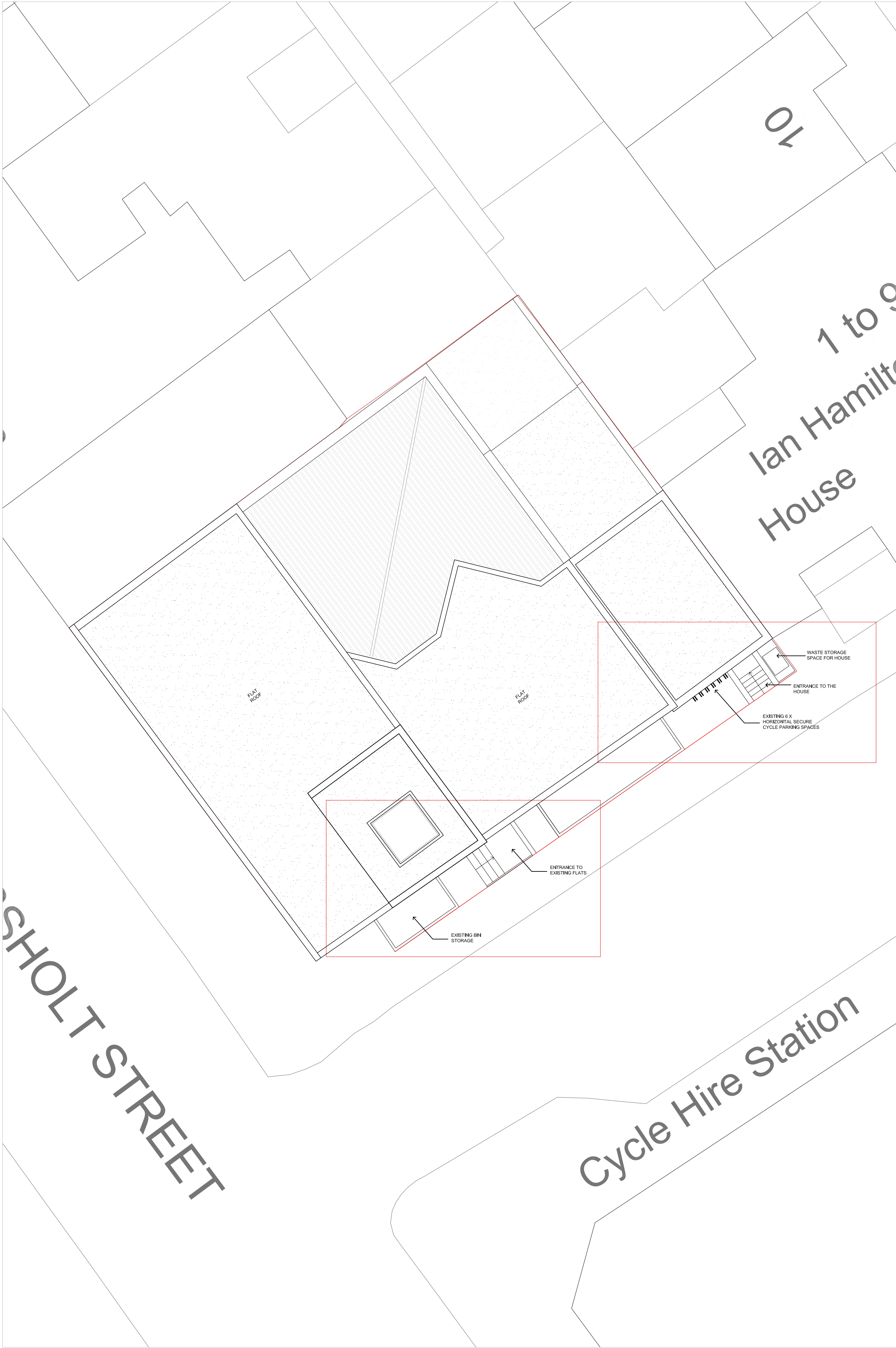
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Drawn by	Drawing Date	Approved by
RP	JUL 2015	NJ
Project No.	Drawing No.	Revision
1528	P101	-



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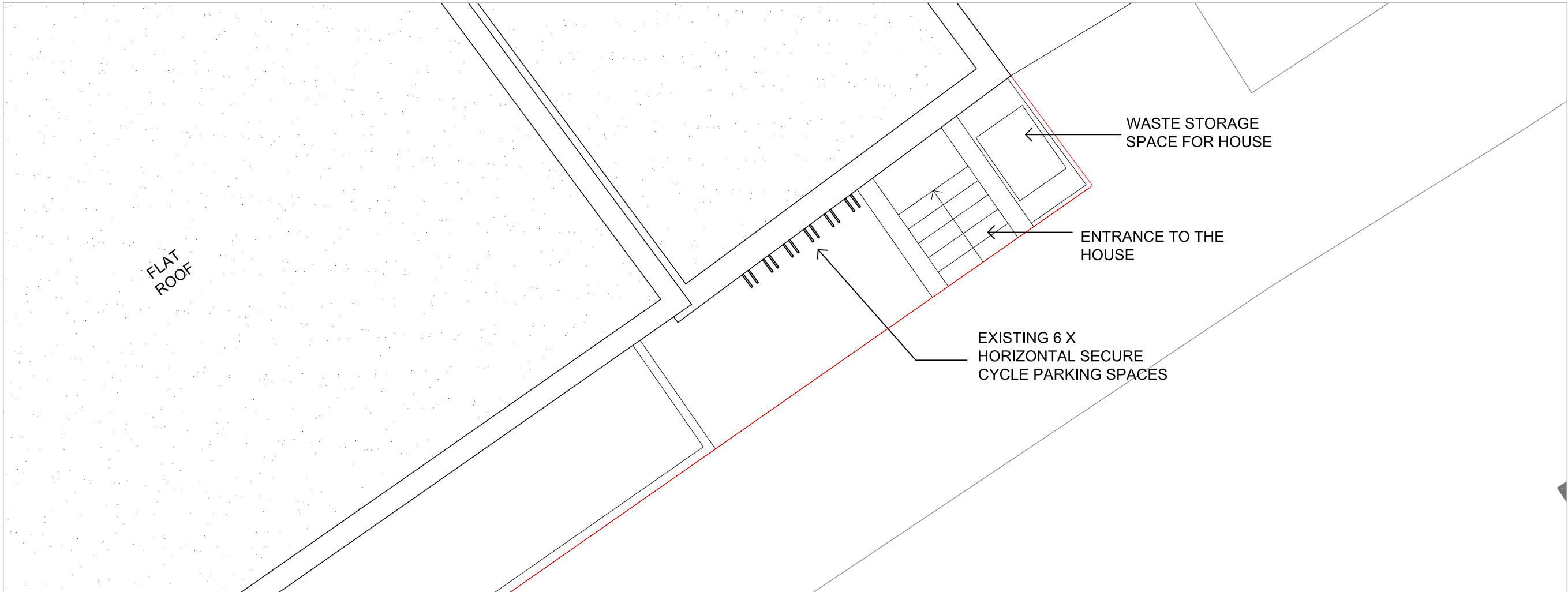
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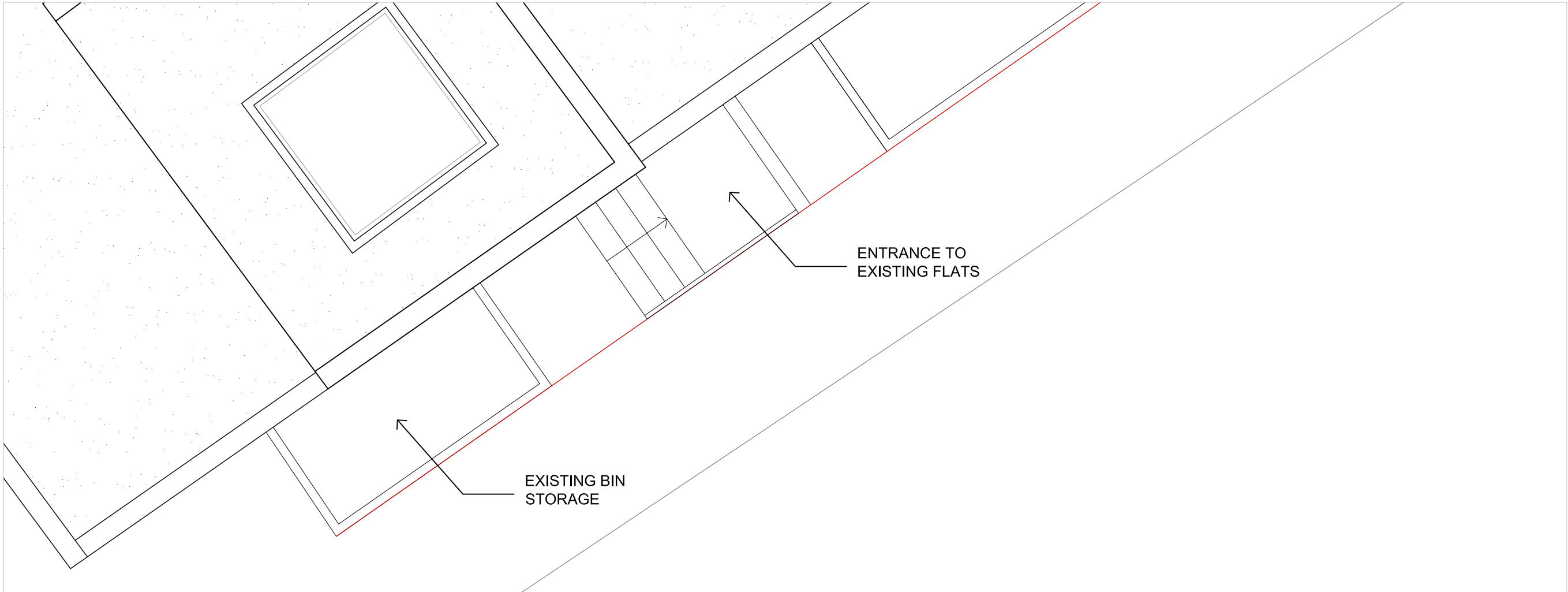
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SCALE 1:100



EXISTING ELEVATION - CYCLE PARKING
SCALE 1:50



EXISTING PLAN - CYCLE PARKING
SCALE 1:50



EXISTING PLAN - CYCLE PARKING
SCALE 1:50

B	25.09.15	TO SUIT CASE OFFICERS COMMENTS	BR
A	22.09.15	TO SUIT CASE OFFICERS COMMENTS	BR
Rev.	Date	Description	Init.

Client
TRANSEUR PROPERTIES LTD.

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERSOLT STREET, LONDON, NW1 1DA

Drawing Title
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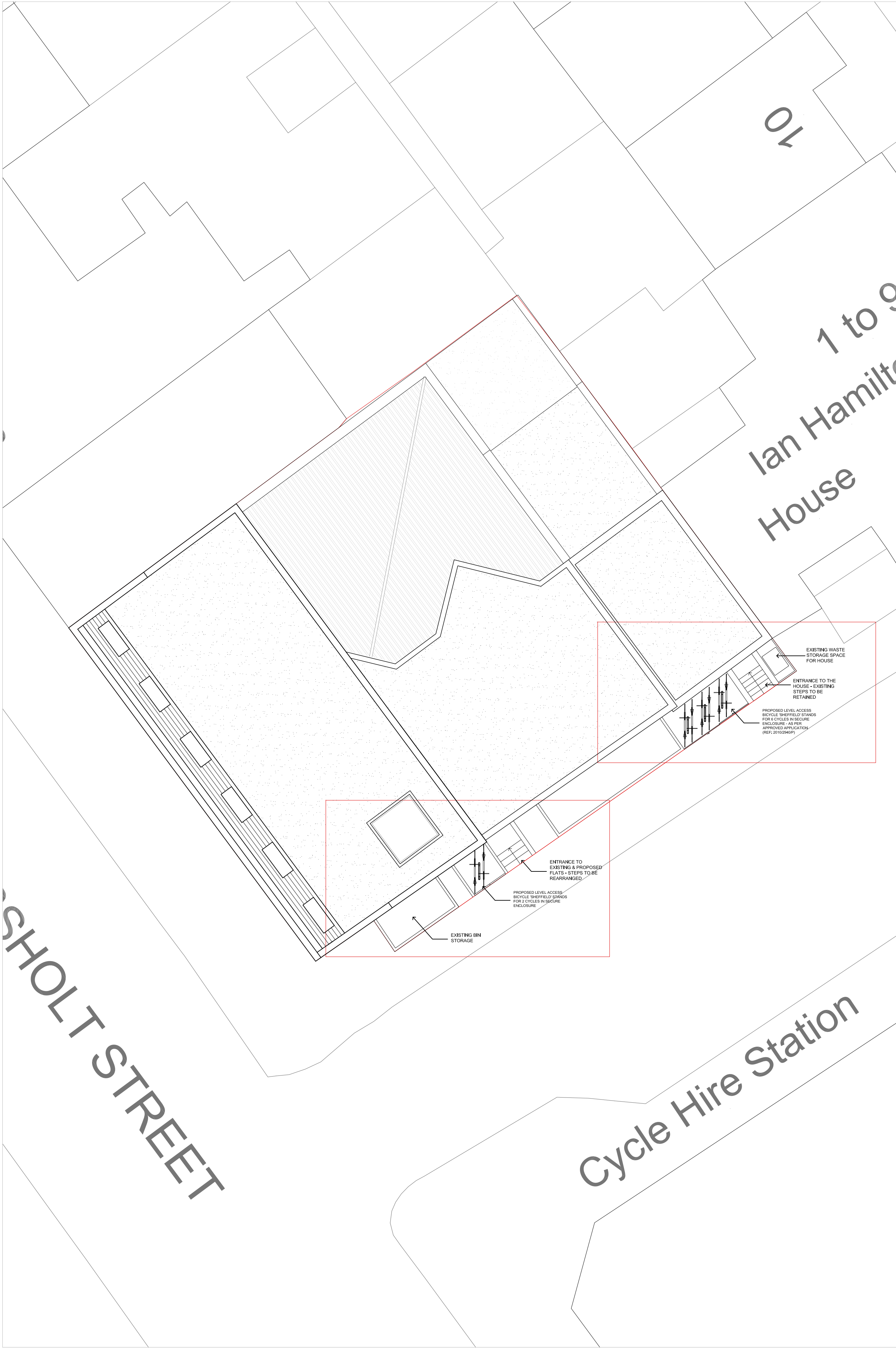
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Project No.	Drawing No.	Revision
1528	P102	B

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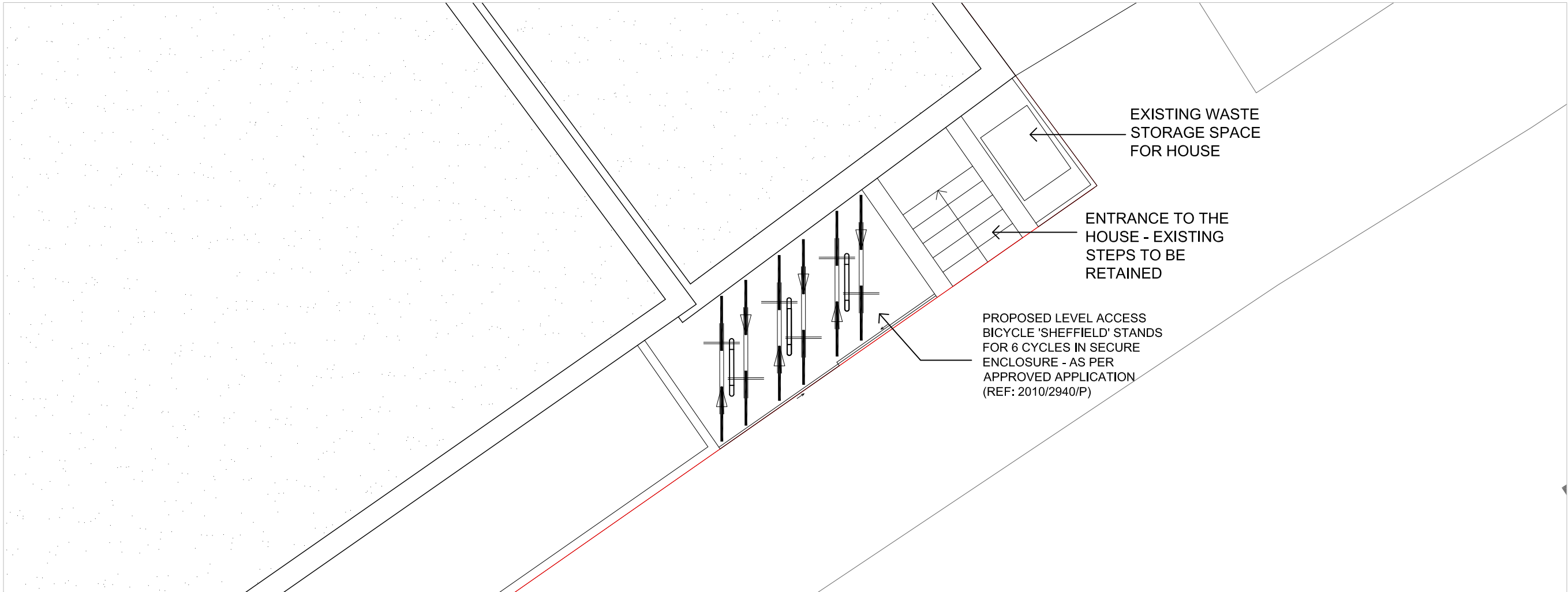
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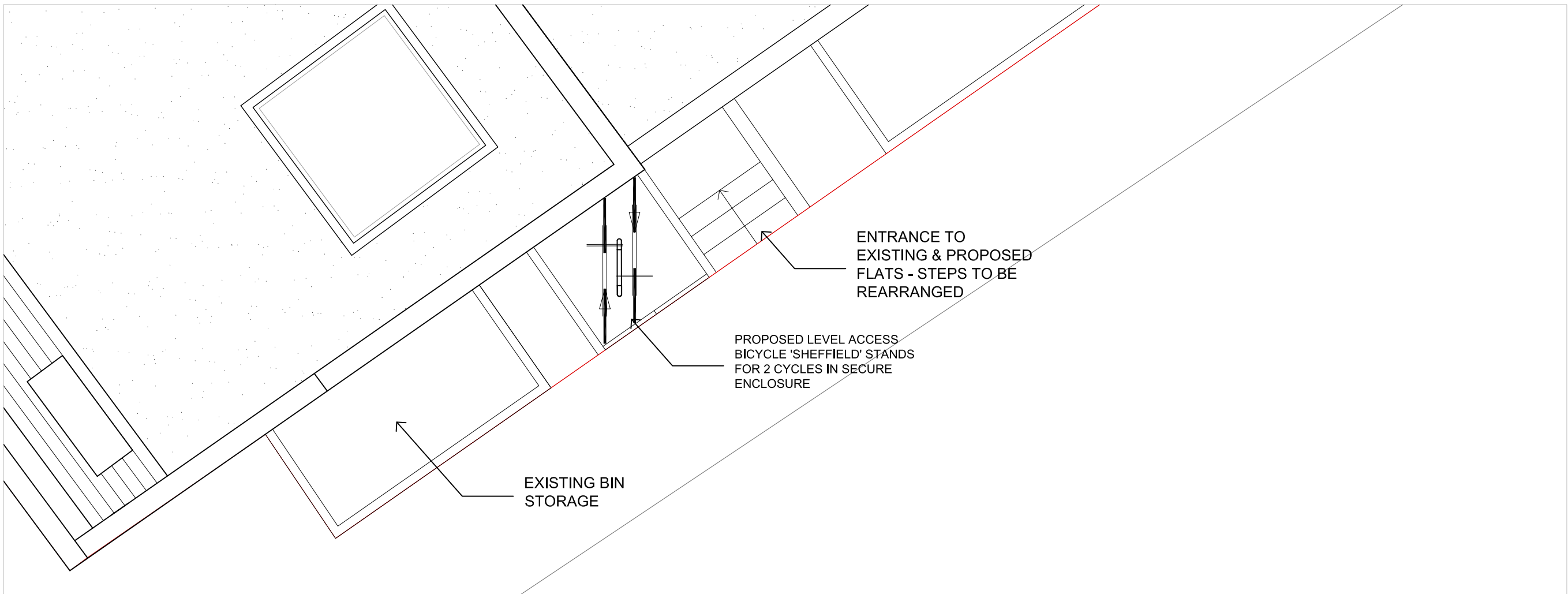
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PROPOSED ELEVATION - CYCLE PARKING
SCALE 1:50



PROPOSED PLAN - CYCLE PARKING
SCALE 1:50



PROPOSED PLAN - CYCLE PARKING
SCALE 1:50

Rev.	Date	Description	Init.
A	25.09.15	TO SUIT CASE OFFICER COMMENTS	BR

Client

TRANSEUR PROPERTIES LTD.

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERSOLT STREET, LONDON, NW1 1DA
Drawing Title

PROPOSED BLOCK PLAN - CYCLE STORAGE

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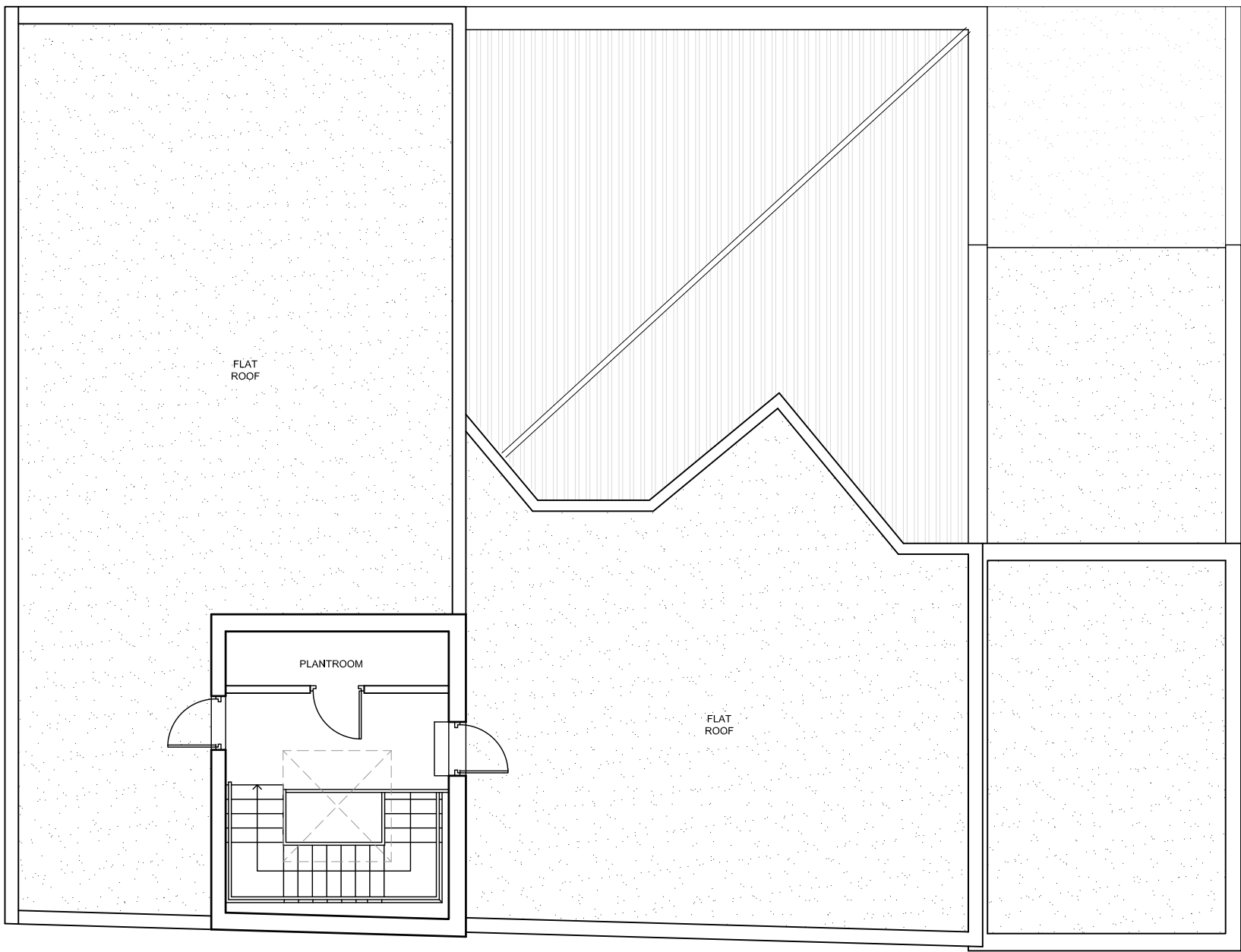
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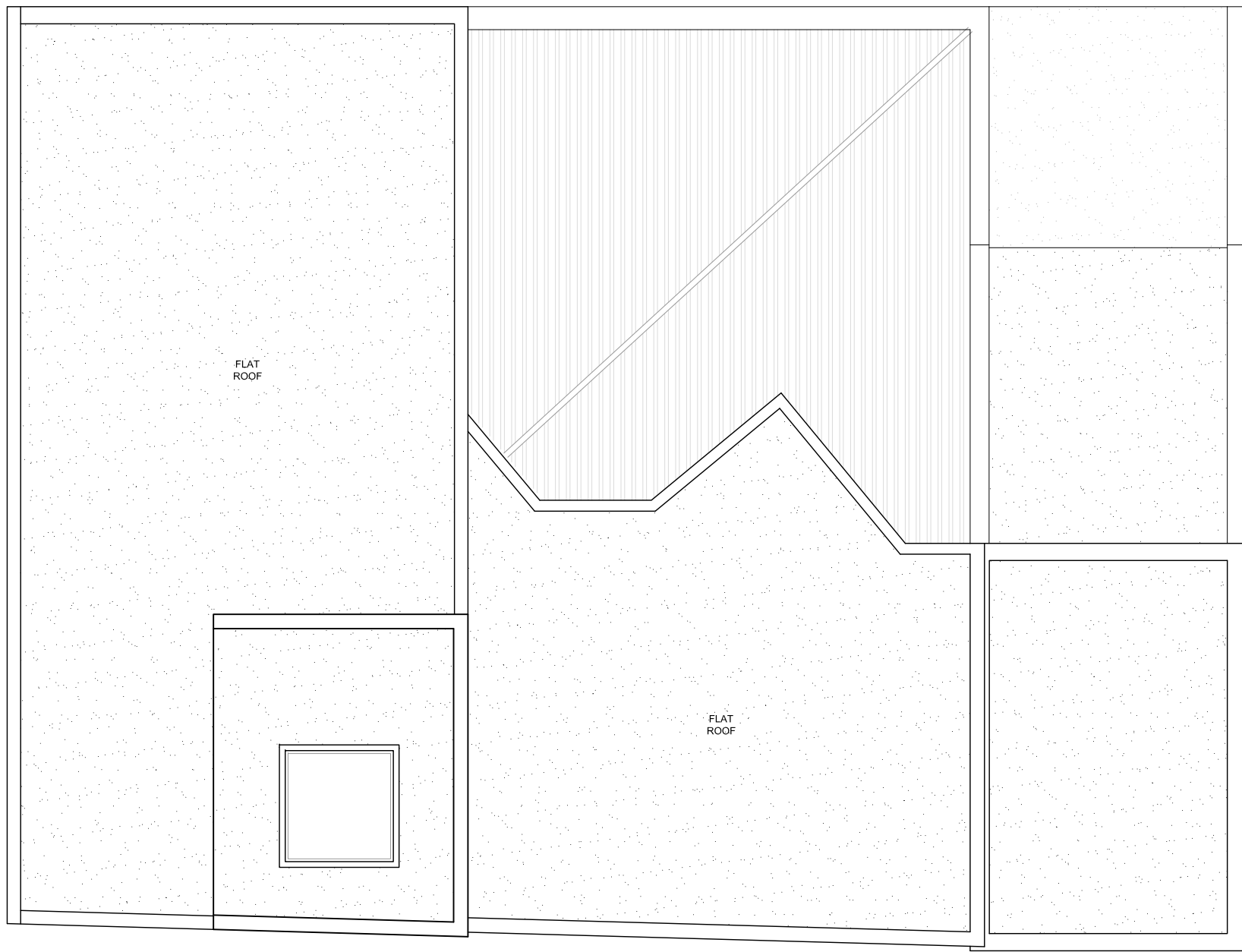
PLANNING ISSUE



EXISTING SECOND FLOOR PLAN



EXISTING THIRD FLOOR PLAN



EXISTING ROOF PLAN



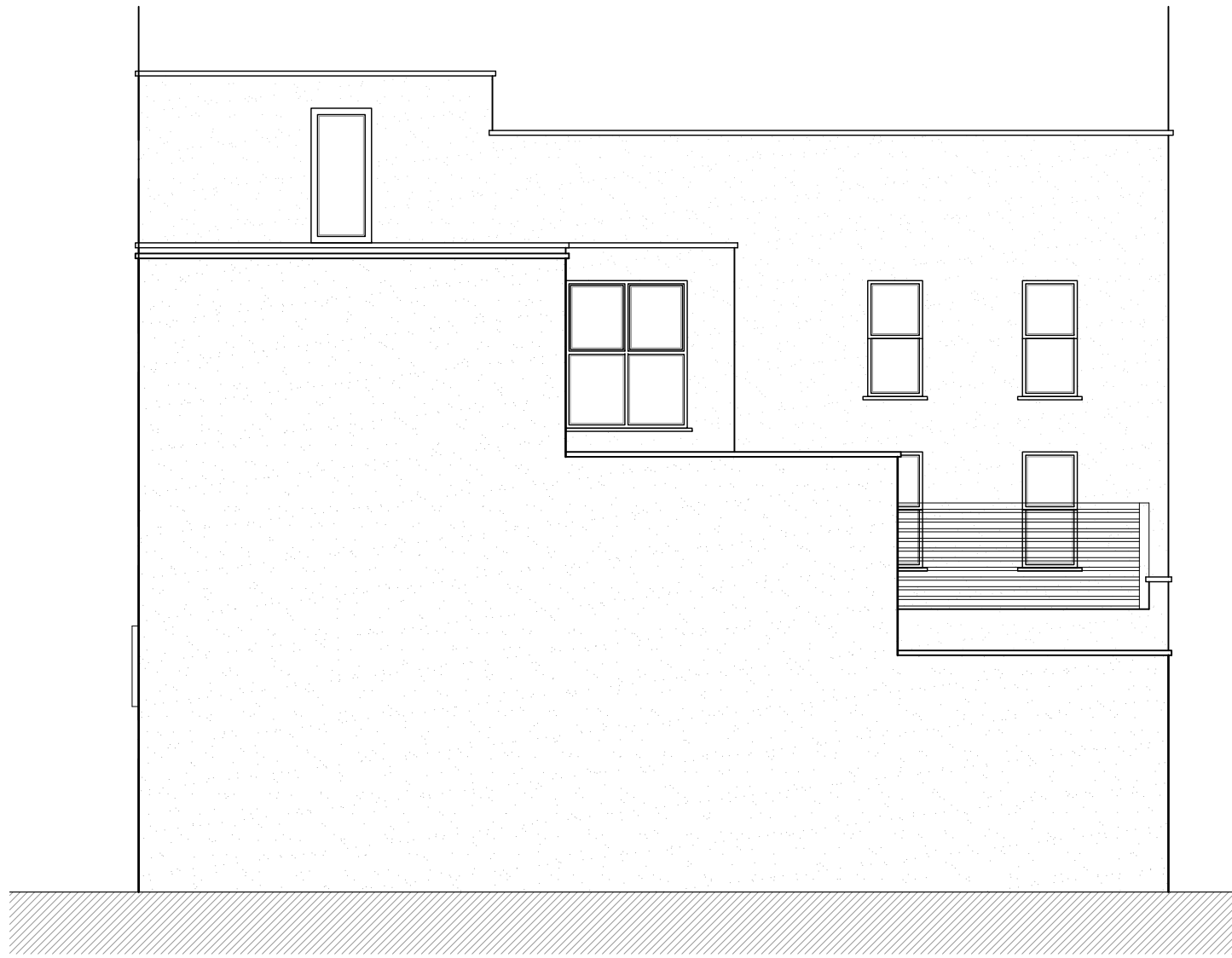
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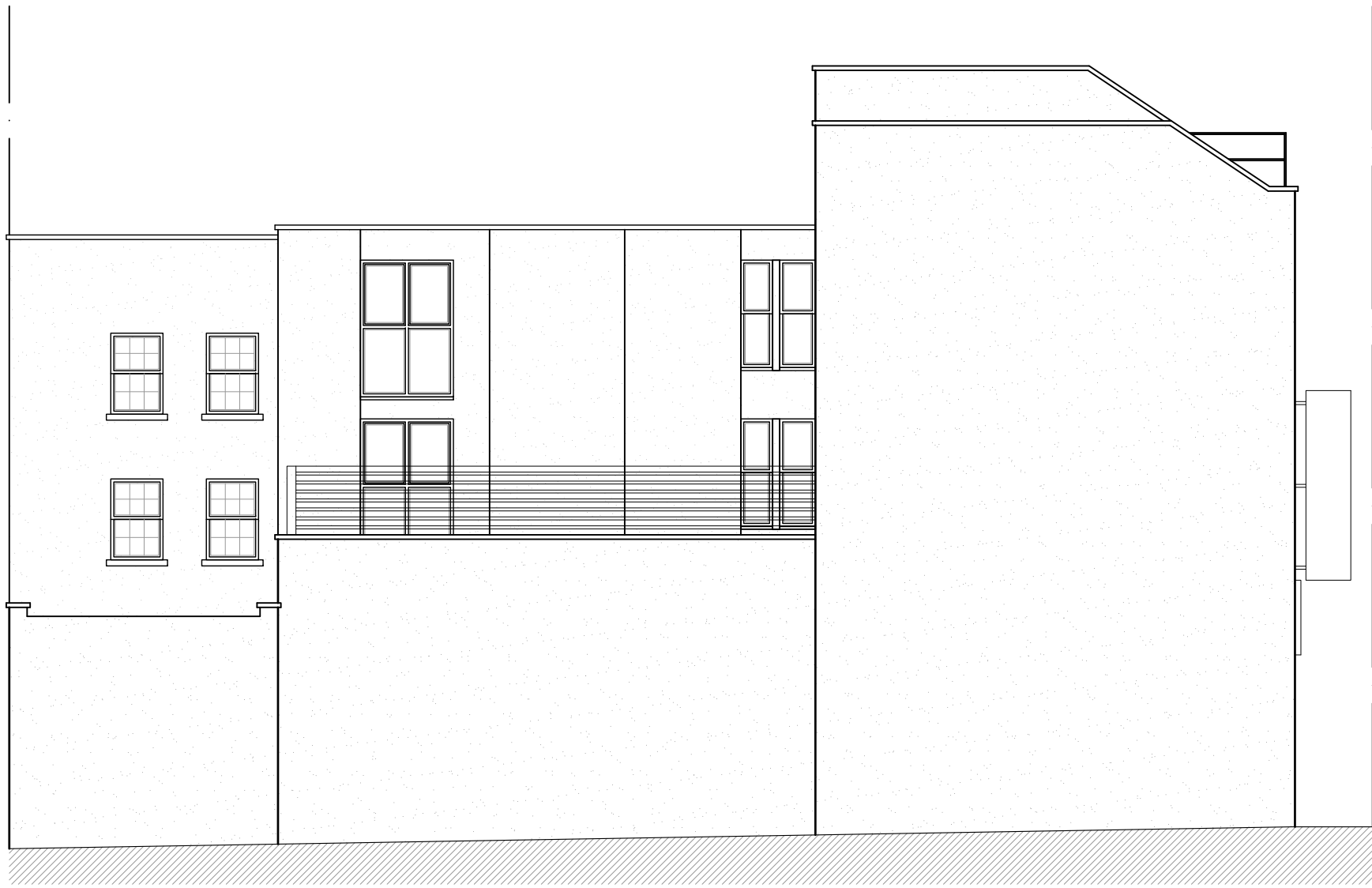
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EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION

Rev.	Date	Description	Init.
-	-	-	-

Client

TRANSEUR PROPERTIES LTD.

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERSCHOLT STREET, LONDON, NW1 1DA
Drawing Title

EXISTING PLANS & ELEVATIONS

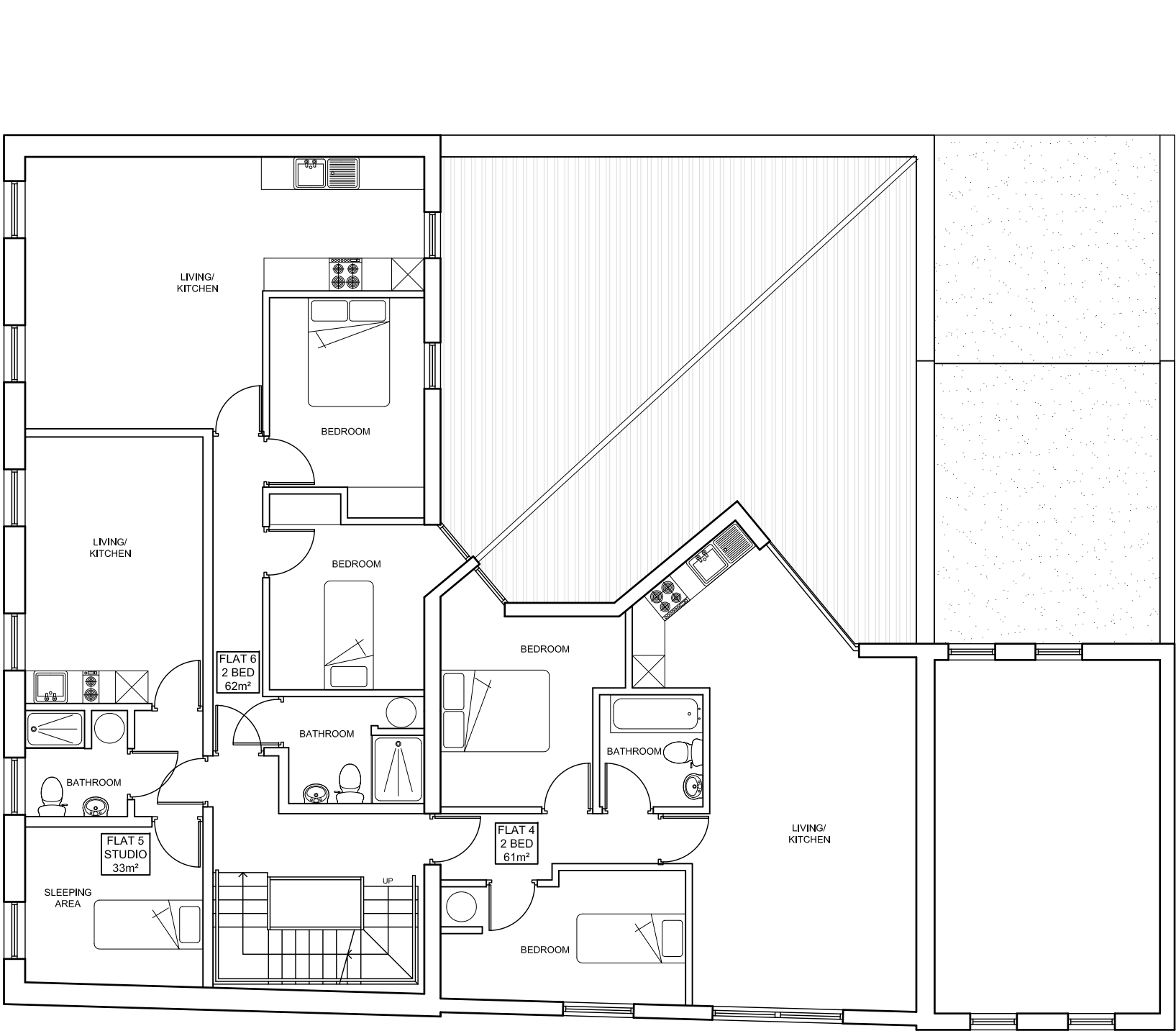
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1528	P201	-

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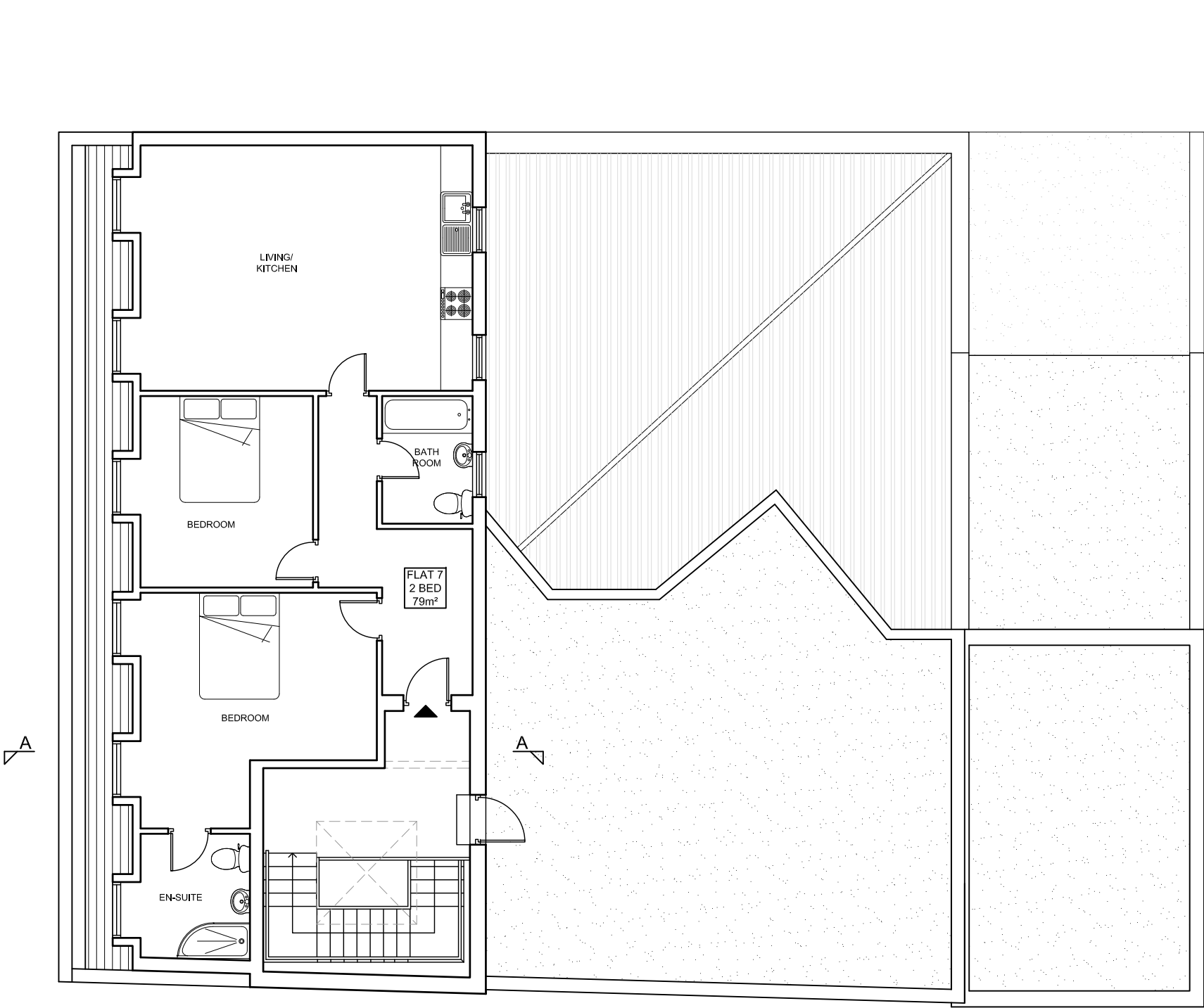
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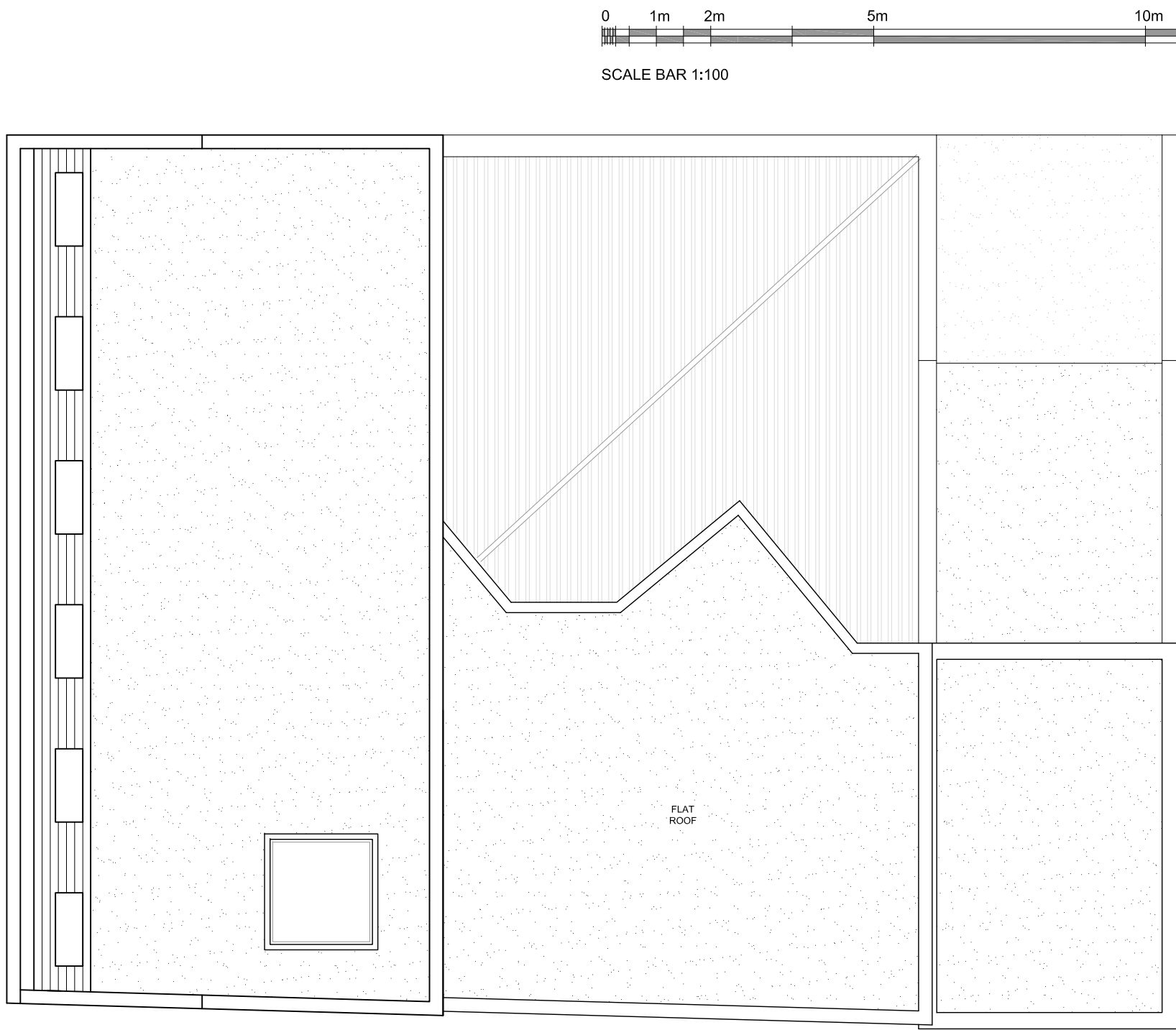
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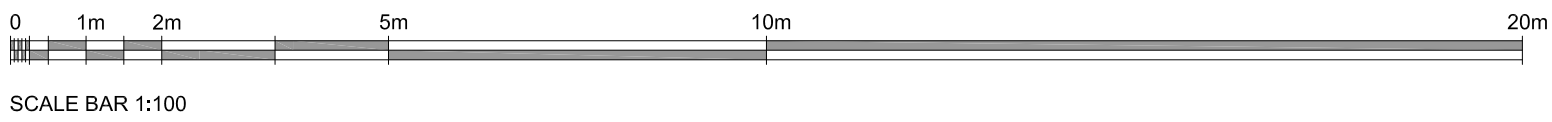
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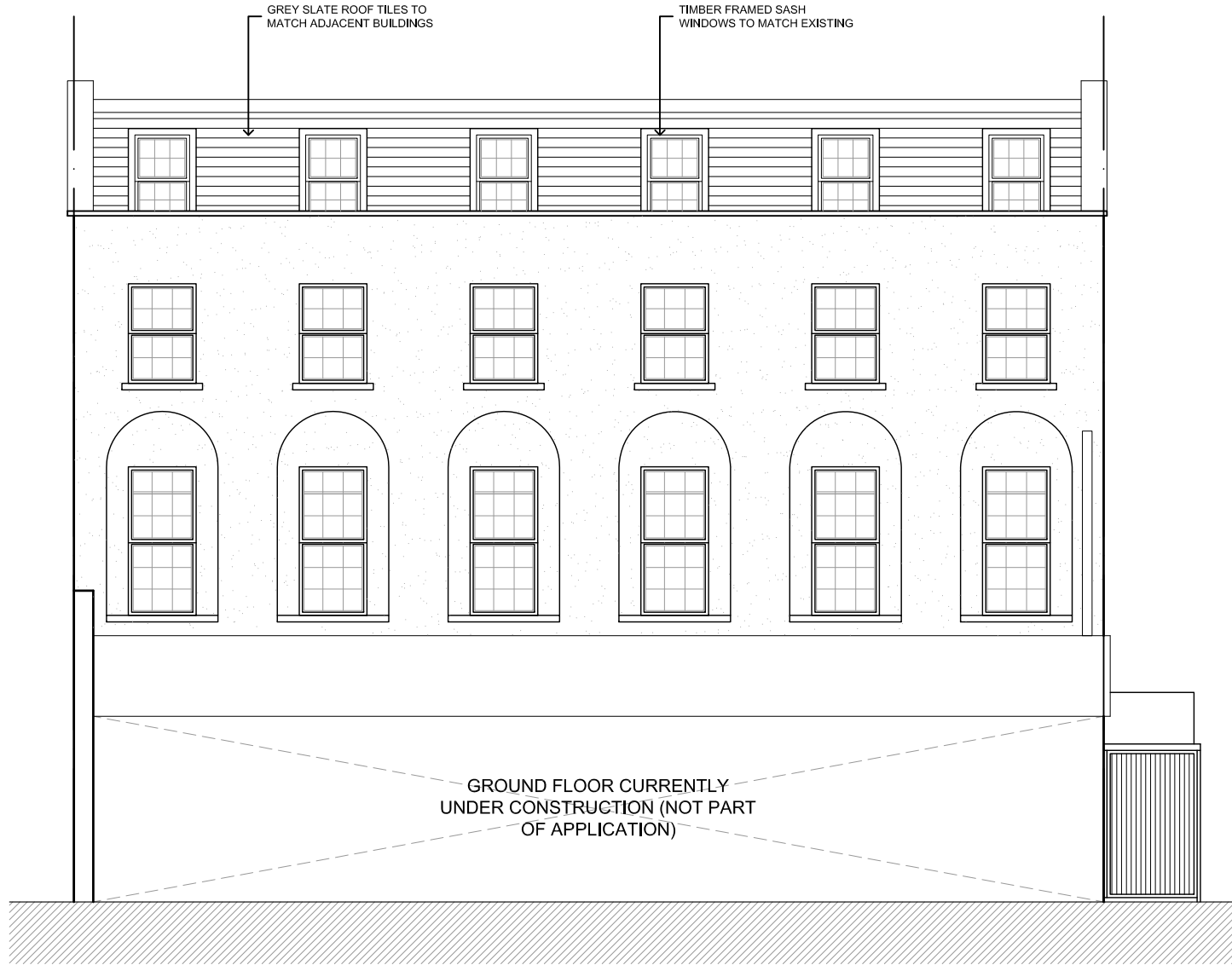
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PROPOSED ROOF PLAN



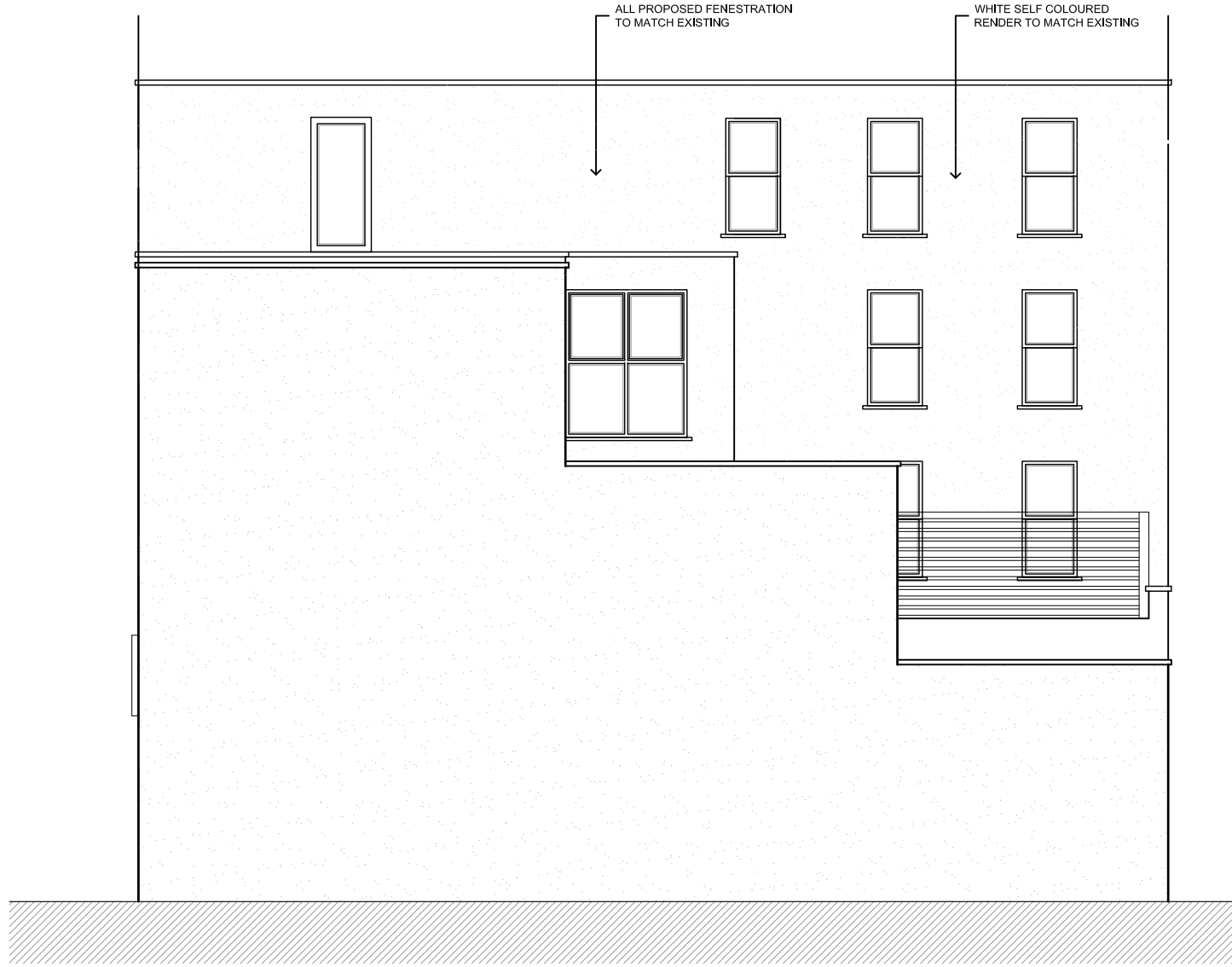
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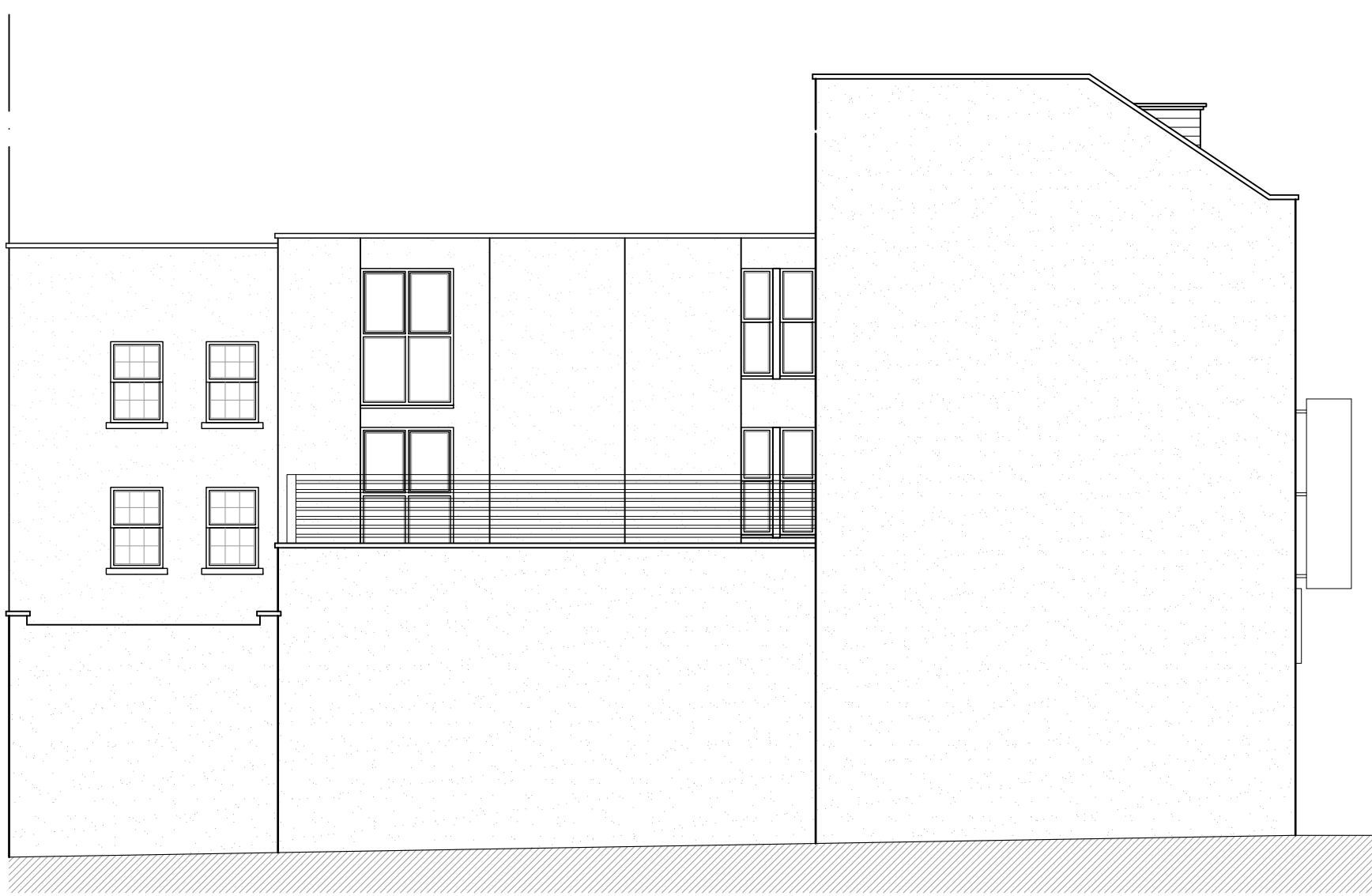
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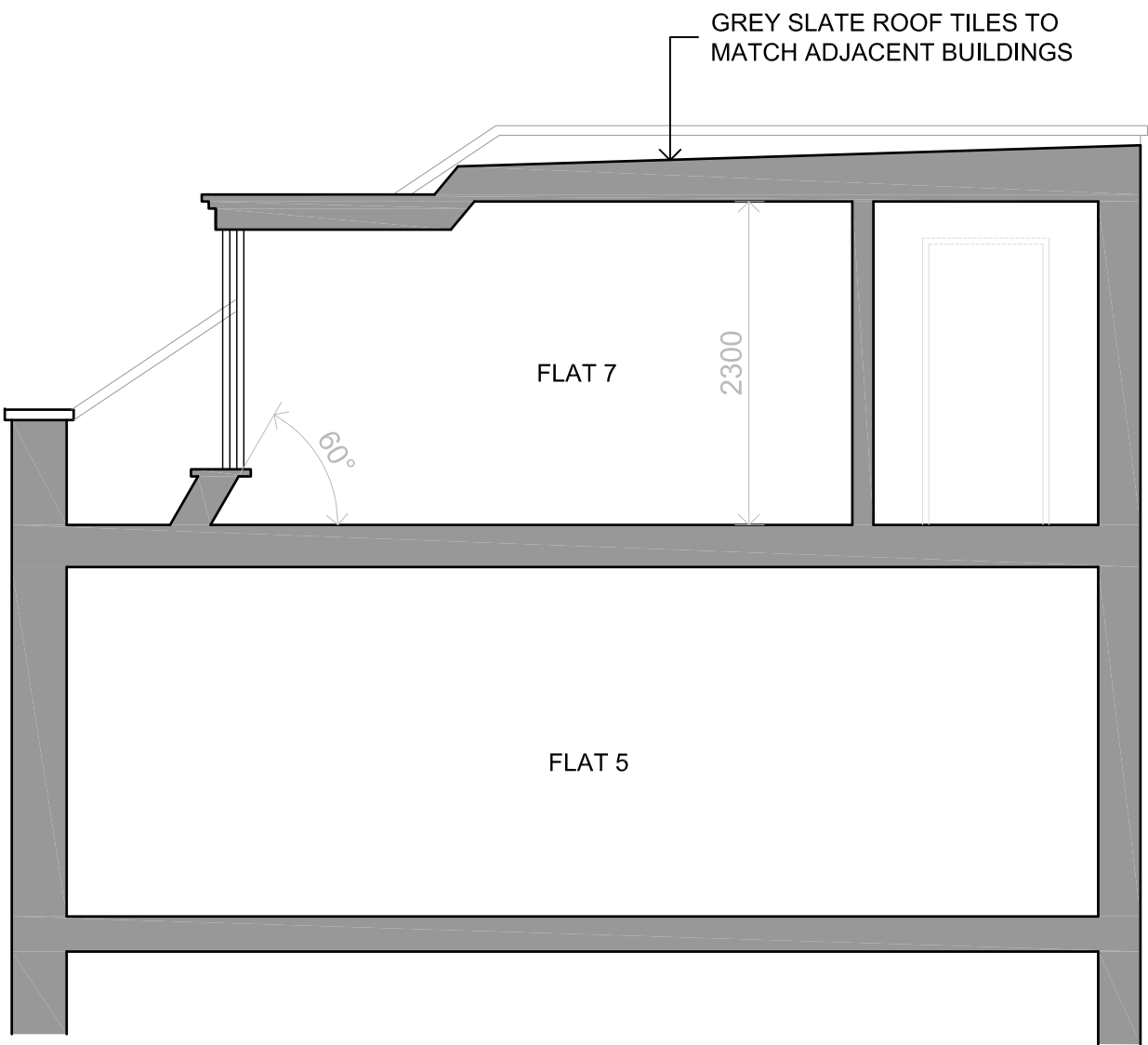
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SECTION A-A

E	25.09.15	TO SUIT CASE OFFICER COMMENTS	BR
D	22.09.15	TO SUIT CASE OFFICER COMMENTS	BR
C	18.09.15	TO SUIT CASE OFFICER COMMENTS	BR
B	04.09.15	TO SUIT CASE OFFICER COMMENTS	BR
A	23.02.15	AMENDED TO SUIT PRE-APP COMMENTS	RP
Rev.	Date	Description	Init.

Client

TRANSEUR PROPERTIES LTD.

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERS HOLT STREET, LONDON, NW1 1DA
Drawing Title

PROPOSED PLANS & ELEVATIONS

Cad File	Sheet Size	Scale
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Drawn by	Drawing Date	Approved by
RP	JUL 2015	NJ
Project No.	Drawing No.	Revision
1528	P202	E

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PLANNING ISSUE

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

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

- 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.

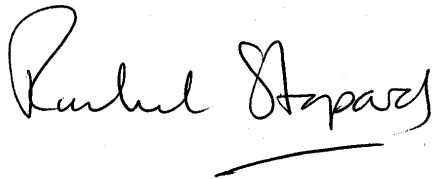
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of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

Rachel Stopard
Director of Culture & Environment

Appendix B



1 Existing 3D View 1



2 Existing 3D View 2



3 Existing 3D View 3



4 Existing 3D View 4



PREVIOUSLY APPROVED 3D VIEW 1



PREVIOUSLY APPROVED 3D VIEW 2



PREVIOUSLY APPROVED 3D VIEW 3



PREVIOUSLY APPROVED 3D VIEW 4



1 Proposed 3D View 1



2 Proposed 3D View 2

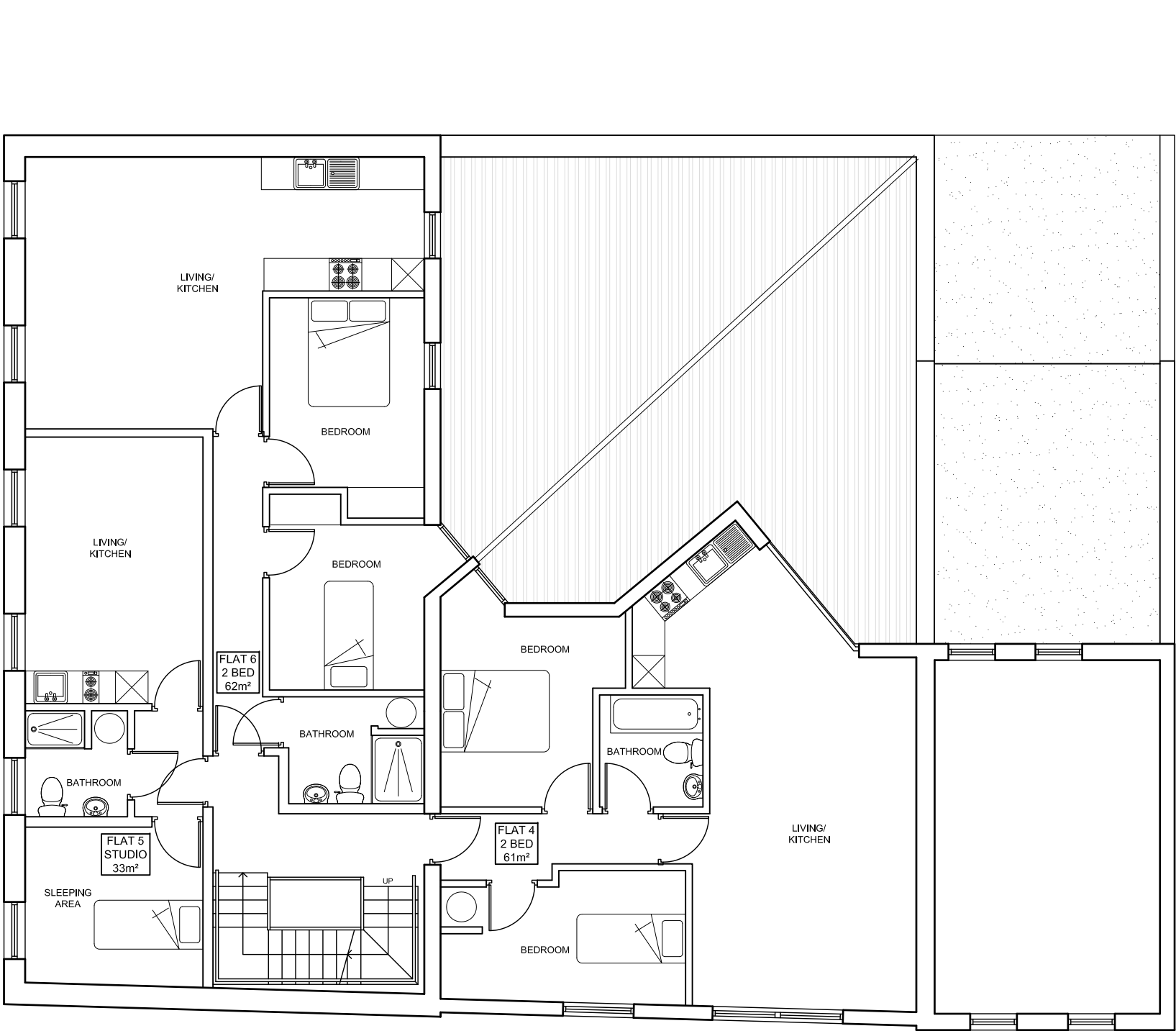


3 Proposed 3D View 3

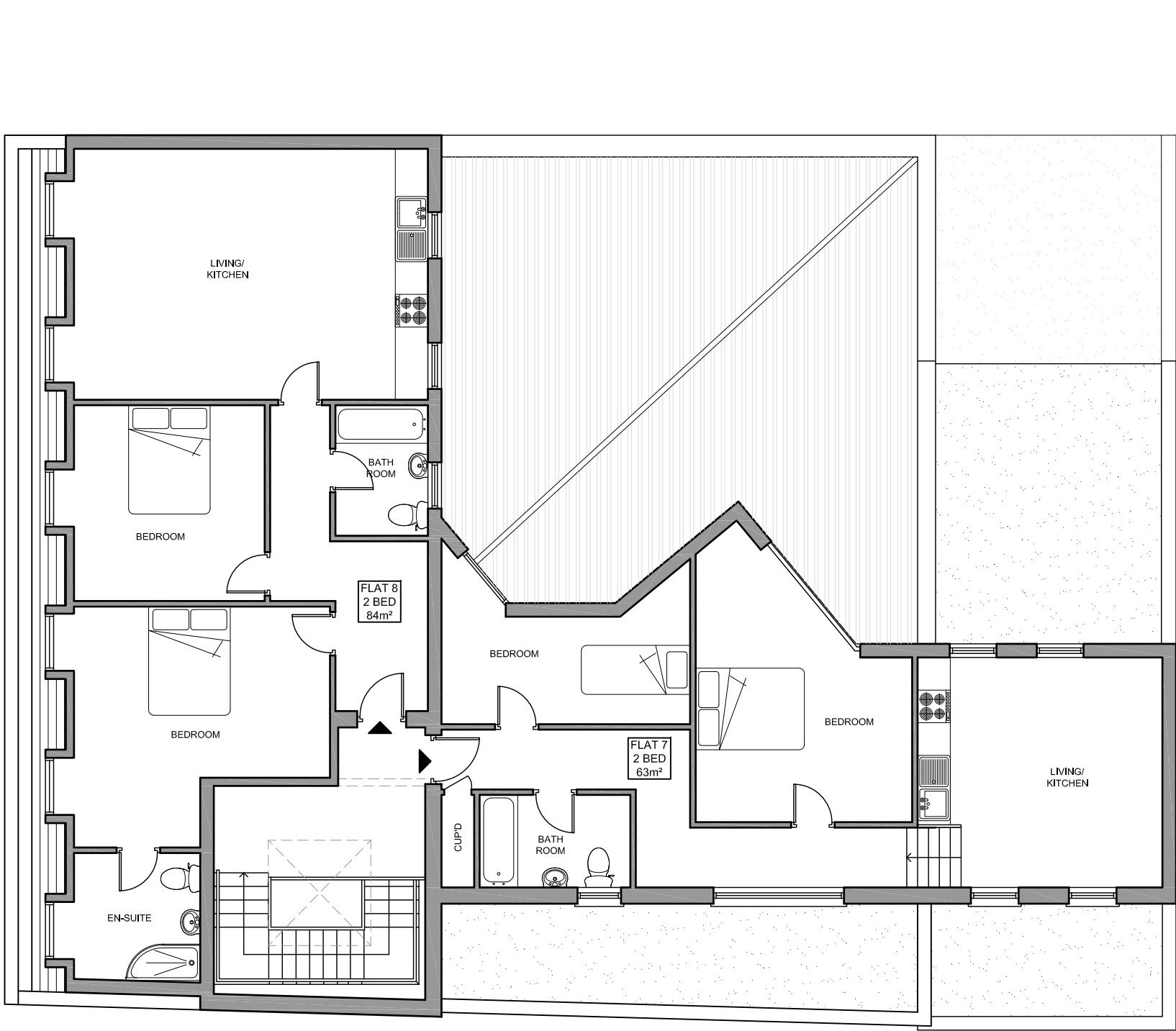


4 Proposed 3D View 4

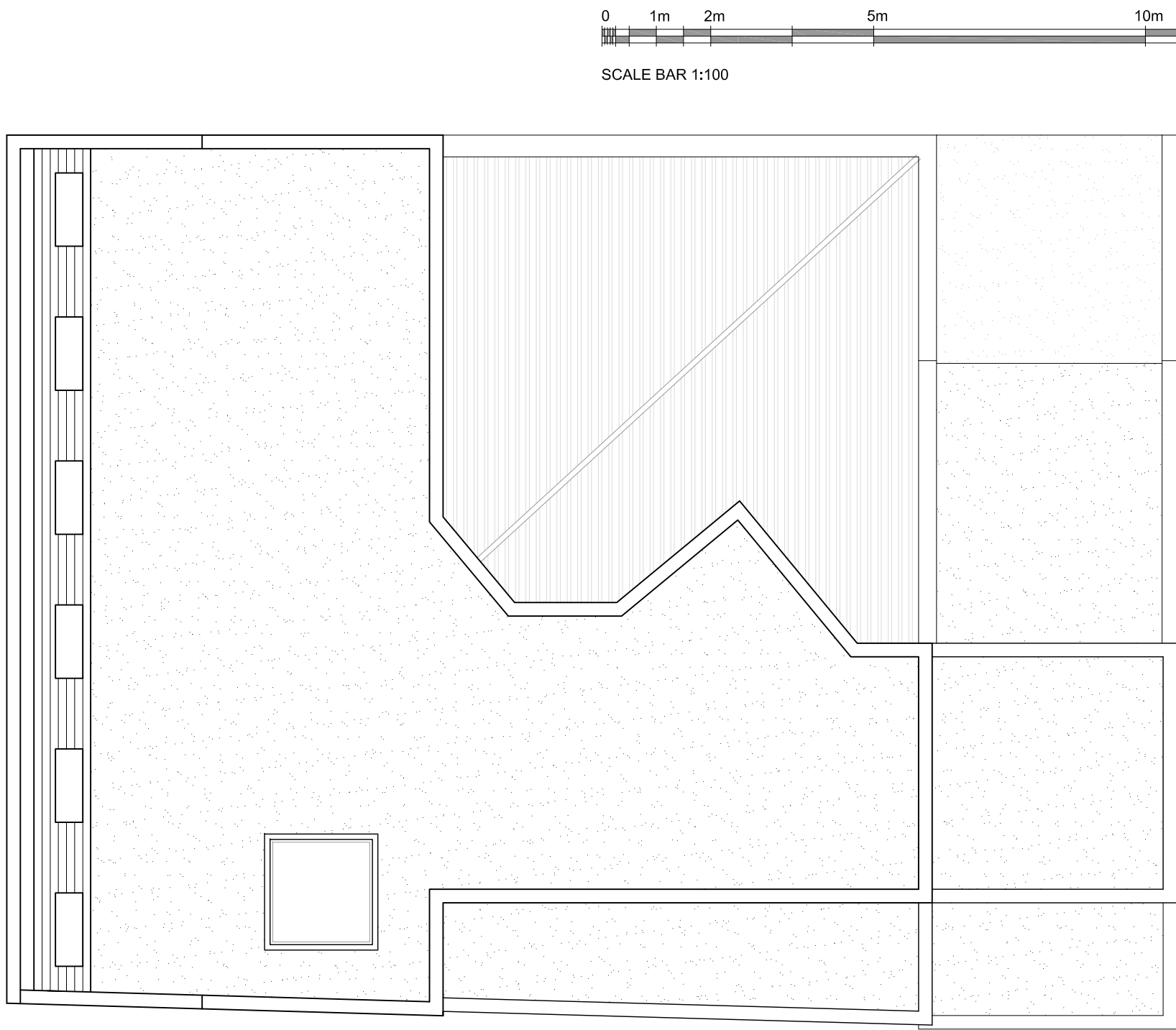
Appendix C



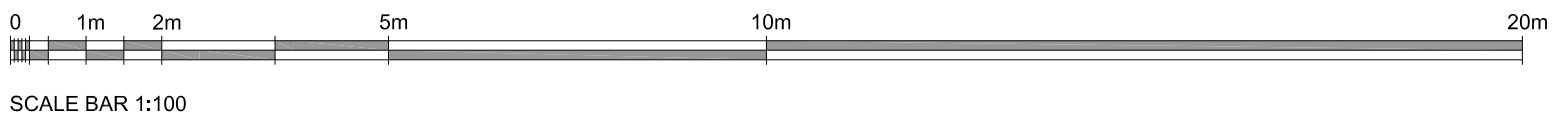
PROPOSED SECOND FLOOR PLAN (NO CHANGE)



PROPOSED THIRD FLOOR PLAN



PROPOSED ROOF PLAN



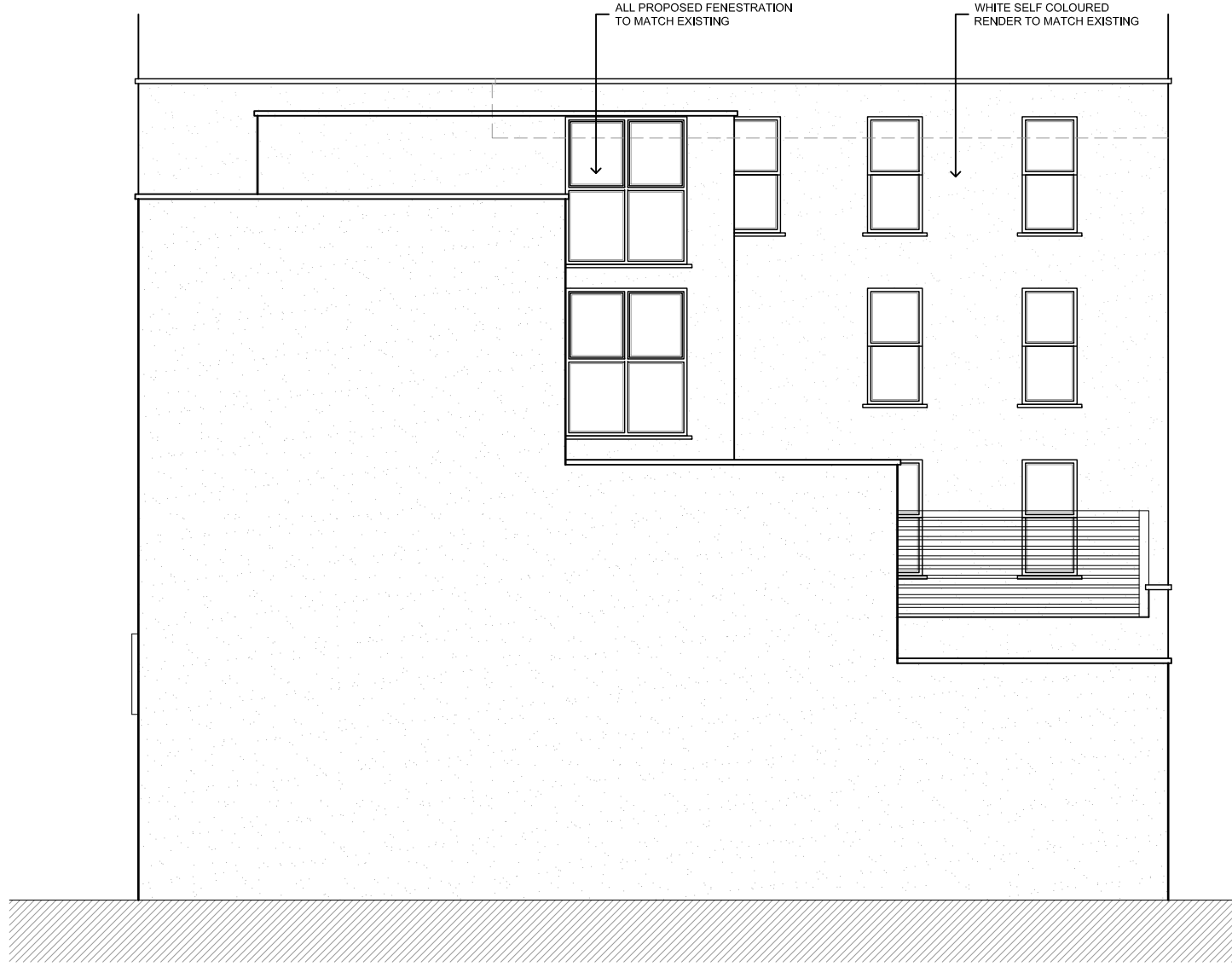
LOCATION PLAN
SCALE 1:1250



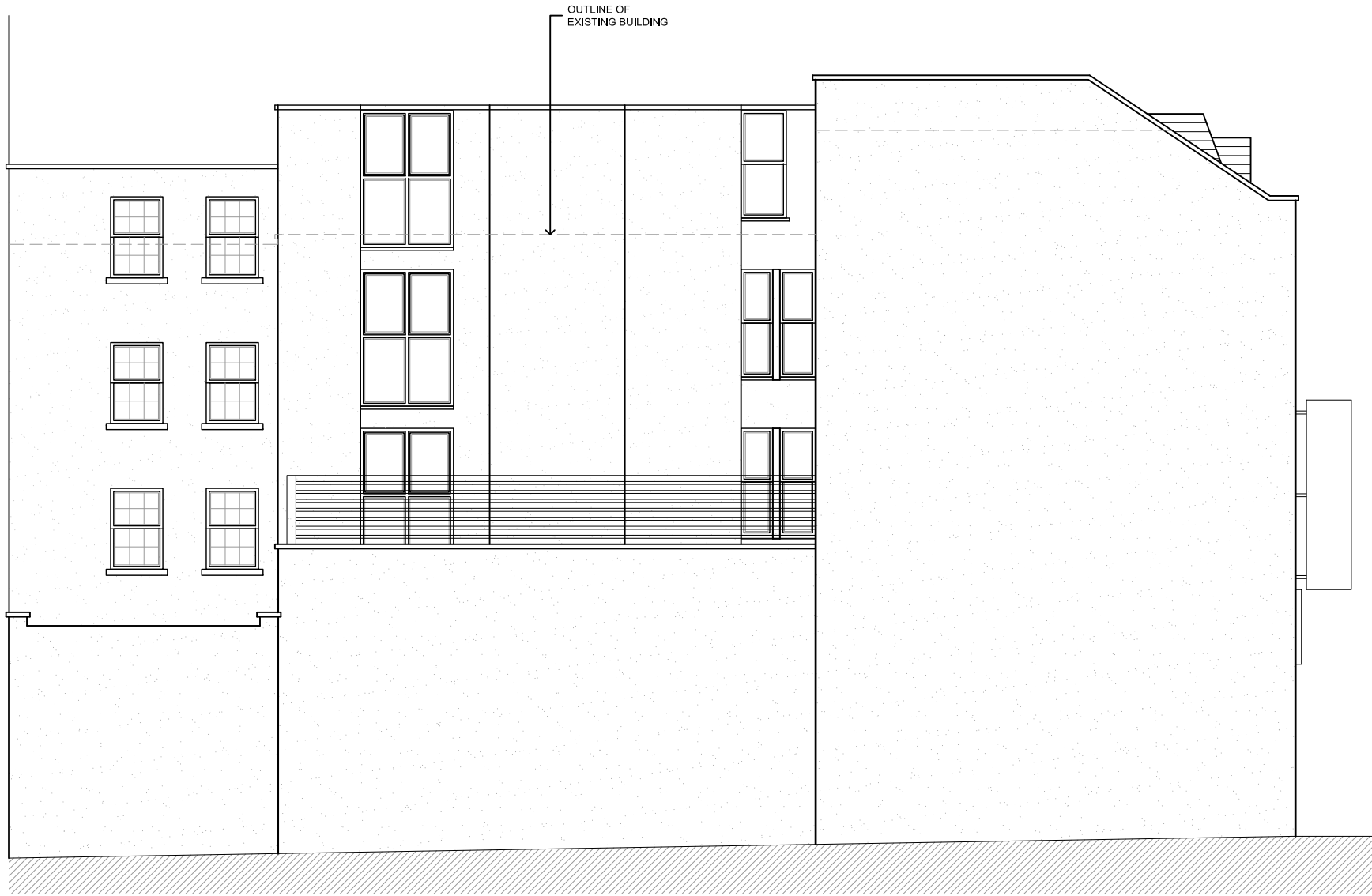
PROPOSED FRONT ELEVATION



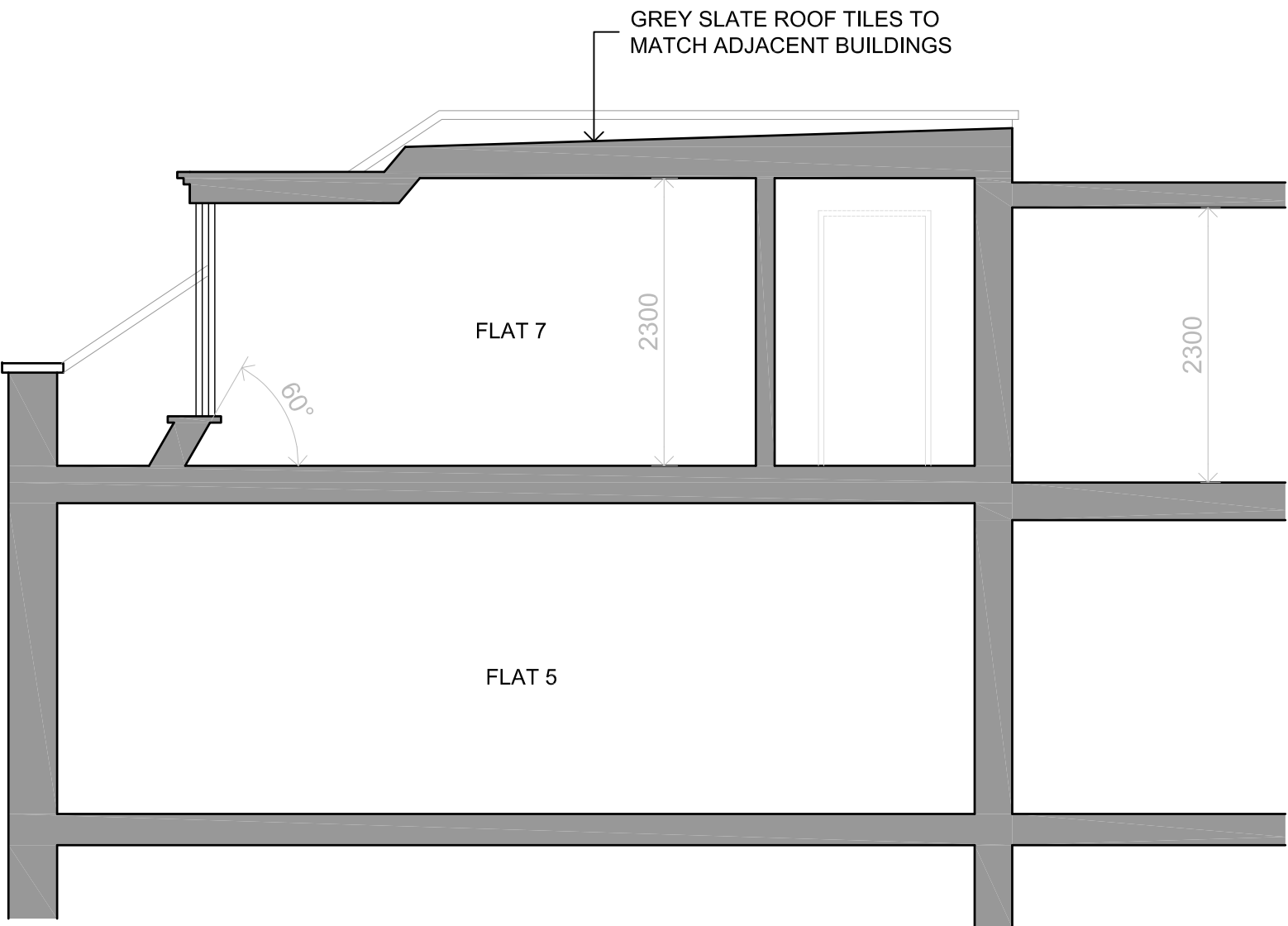
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SECTION A-A

Rev.	Date	Description	Init.
A	18.07.18	SECTIONS AMENDED	BR

Client

Project Title
PROPOSED THIRD FLOOR EXTENSION

34-38 EVERS Holt STREET, LONDON, NW1 1DA
Drawing Title

PROPOSED PLANS & ELEVATIONS

Cad File	Sheet Size	Scale
P003	A1	1:100
Drawn by	Drawing Date	Approved by
BR	AUG 2017	NJ
Project No.	Drawing No.	Revision
1528	P203	A

SCP ARCHITECTS LTD

ARGYLE HOUSE,
JOEL STREET,
NORTHWOOD HILLS,
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PLANNING ISSUE

Appendix D

34-38 Eversholt Road – Draft Planning Conditions

Time Period

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

Materials

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 ensure a satisfactory external appearance.

Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans P101; P102; P103; P201; P202; Daylight, Sunlight and Overshadowing Report (Ref: 15-1632) and Design and Access Statement August 2017.

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

Cycle Storage

As per drawing no. P104, 4 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 that a reasonable provision is made within the site for the parking of cycles and in the interest of promoting sustainable transport.

Construction Management Plan

Before any works associated, with the application hereby approved begin, a detailed Construction Management Plan covering the matters set out below shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and the approved measures shall be maintained throughout the entire demolition and construction period.

REASON: In the interest of public safety and amenity.