

Application ref: 2020/1672/P  
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Date: 4 February 2021

**Development Management**  
Regeneration and Planning  
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WC1H 9JE

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Henry planning ltd  
163 Church Hill Road  
Barnet  
EN4 8PQ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**50-52 Eversholt Street**  
**London**  
**NW1 1DA**

Proposal:

Change of use of the property to form a mixed use (Sui Gen) development consisting of 9 short term let units (Class C1) at lower ground floor and ground floor level, a bureau de change (Class E) and coffee shop (Class E) at ground floor level, conversion of four studio flats at first and second floor level to provide two studio flats (Class C3) and retention of external alterations to provide new shop fronts and windows and doors to the rear (part-retrospective).

Drawing Nos: Proposed floor plans, Existing first and second floor plans, Site location plan and pre-existing floor plans, Existing elevations, Henry Planning - Planning Statement, Marketing Report dated October 2016

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 D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed floor plans, Existing first and second floor plans, Site location plan and pre-existing floor plans, Existing elevations, Henry Planning - Planning Statement, Marketing Report dated October 2016

Reason:

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to occupation, the rear windows at ground and lower ground floor level hereby approved shall be obscure glazed and permanently retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements policy A1 of the London Borough of Camden Local Plan 2017.

- 6 The nine short-term let studios at ground and lower ground floor hereby approved, shall not be used as permanent residential accommodation, for occupation for periods of more than 90 days.

Reason: In order to prevent the provision of poor quality permanent residential accommodation in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Retrospective permission is sought for alterations to the front façade of the property at ground floor level associated with the subdivision of the retail unit into two separate units to provide a currency exchange and cafe. The alterations include the installation of two new doorways at 50 Eversholt Street to provide access to the currency exchange and the residential accommodation above and to the rear. These alterations are considered minor and do not

cause harm to the character and appearance of the host buildings and surrounding area. Whilst officers note that the proposals would result in a loss of retail floorspace to the rear, the commercial space and frontages along Eversholt would be retained and the supporting marketing information provided by the applicant sufficiently demonstrates that there is demand for smaller commercial units such as this, as is demonstrated by the lease agreement the applicant has secured for ten years for the bureau de change shop.

The current proposal would provide approximately 233sqm of short term let floorspace at ground and lower ground floor level in the form of 9 separate units. Whilst permanent residential accommodation is the priority land use of the Local Plan, in this instance the provision of permanent self-contained housing at basement and ground floor would provide an unacceptable standard of accommodation for long-term residential use and would not meet residential development standards. Policy E3 (Tourism), recognises the importance of the visitor economy in Camden and supports smaller-scale visitor accommodation in Town Centres and the Central London Area. Officers note that the application site is located just outside the boundary of the Central London Area. However, the location of short term lets are still considered to be broadly in line with Policy E3 given the site's close proximity to Euston Station and acceptable as a result. A condition is included on the decision to ensure that the short term let units could not be occupied as permanent residential accommodation. A management plan for the short term let accommodation would be secured by legal agreement.

Policy H3 seeks to resist development that would result in the loss of two or more homes unless it would enable sub-standard units to be enlarged to meet residential space standards. There are four existing studio flats (C3) at first and second floor level which have GIA's of approximately 17sqm each, which is well below the minimum requirement of 37sqm for dwellings of this size. As such, the conversion of these flats into two larger residential dwellings with floor areas of 35sqm each is considered acceptable as they would provide a better standard of accommodation for future occupiers. The proposals do not include any on-site cycle parking which is considered acceptable in this instance given the constraints of the site and its close proximity to a variety of public transport links.

The proposed development is not considered to have a significant impact on neighbouring amenity in terms of loss of light or outlook. Given the layout of the site to the rear, there could be opportunity for some overlooking between the short term let units at ground and lower ground floor level. To address this issue, the windows of the units would be fitted with obscure glazing to prevent any mutual overlooking. The proposed residential flats would share the same outlook as the existing residential space at upper floor level and would not exacerbate current levels of overlooking as a result.

- 2 Policy T2 of the Local Plan states that the Council will limit the availability of parking and require all new residential developments in the borough to be car-free. As such, all of the proposed short term let units as well as the residential flats at upper floor level would be secured as car free via a s106 legal agreement.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received following statutory consultation.

As such, the proposed development is in general accordance with policies D1, E3, H1, T1, TC1, TC3 and A1 of the Camden Local Plan 2017. The development also accords with policies of the London Plan 2016 and the NPPF 2019.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these

hours.

- 7 Under Section 25 of the GLC (General Powers) Act 1983, the residential (C3) accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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 'DPope', is positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer