

Appeal Statement

Site: 50-52 Eversholt Street, London NW1 1DA

Proposal: Erection of part four storey and part two storey rear extension.

Reasons for refusal:

"1 The proposed extension, by reason of its height, scale, bulk, and design would represent a prominent and incongruous addition that would fail to appear subordinate and would cause harm to the original character and appearance of the locally listed buildings, the adjoining terrace and the surrounding area contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan (2017).

2 The proposed extension, by reasons of its overall size and depth would cause unacceptable harm to the amenity of the adjoining property at No.48 in terms of loss of light and outlook, contrary to policy A1 (Amenity) of the Camden Local Plan (2017)."

1.0 Appeal Site and Location

1.1 The appeal site is located on the eastern side of Eversholt Street and relates to a pair of three storey buildings which have a commercial use at ground floor and residential accommodation on the floors above. The properties have been extended previously in the form of a two-storey rear extension that extends all the way to the rear boundary of No.52 Eversholt Street.

1.2 The site is not located within a conservation area but does form part of a terrace of properties (34 to 70) which are included on the Council's local list of non-designated heritage assets (locally listed buildings).

1.3 The site is also located within the Crossrail 2 Safeguarding Area which means the site is earmarked for compulsory purchase in the future to facilitate Crossrail 2 infrastructure works.

1.4 The site has a public transport accessibility level rating (PTAL) of 6b, which is the best possible PTAL rating.

2.0 The Planning Proposal

2.1 The proposal seeks the erection of a small two storey rear at lower ground and ground floor level and a two-storey rear extension above the existing two storey rear extension.

2.2 The proposed extensions would provide additional living space to two existing short term let studios and to four existing studio flats at first and second floor level - allowing the studio flats to be changed to 1 bed flats.

3.0 Relevant Planning History

3.1 Planning permission was approved 4th February 2021 (planning ref: 2020/1672/P) for: *"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)."*

3.2 Prior approval was granted 12th October 2015 (ref: 2015/4734/P) for: *"Change of use from office (Class B1a) to 4 x studio flats (Class C3)".* This permission was implemented and refers to the existing four studio flats at first and second floor level.

4.0 Relevant planning policies and guidance

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires planning proposals to be considered against planning policies *“unless material considerations indicate otherwise”*.

4.2 National Planning Policy Framework (NPPF) 2021

Paragraph 10 of the National Planning Policy Framework Document (NPPF) (2019) states; *“So sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).”*

Paragraph 11 states; *“Plans and decisions should apply a presumption in favour of sustainable development.”*

Paragraph 60 states: *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

Paragraph 61 states: *“Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Paragraph 62 states. *“Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.”*

Paragraph 69 states: *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.”*

Paragraph 119 states: *‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions’*

Paragraph 124 states: *“Planning policies and decisions should support development that makes efficient use of land....”*

Paragraph 197 states: *“In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.”*

Paragraph 199 states: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

Paragraph 202 states: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

4.3 The London Plan 2021

Policy GG1 – Building Strong and Inclusive Communities

Policy GG2 – Making the Best Use of Land

Policy GG4 – Delivering the Homes Londoners Need

Policy H1 – Increasing Housing Supply. This policy sets new housing delivery targets for all London Boroughs.

Policy H2 – Small Sites. This policy states that small site housing developments (25 dwellings or less) will be the strategic priority to deliver housing. Part A of the policy states that “small sites should play a much greater role in housing delivery...” Part B, 1, recognises that planning decisions should accept that local character evolves over time and will need to change in appropriate locations to accommodate additional housing provision and increases in residential density through small housing developments. The policy also includes a new housing delivery target solely for the number of dwellings approved for applications of 25 dwellings or less.

Policy D1 – London’s Form, Character and Capacity for Growth

Policy D4 – Delivering Good Design

Policy D3 -Optimising site capacity through the design-led approach. This policy seeks design led higher density development in sustainable locations.

Policy D5 – Inclusive Design

Policy D6 – Housing Quality and Standards

Policy T5 – Cycling

Policy T6 – Car Parking

The London Plan Housing SPG (2016) is also a material consideration.

4.4 Camden's Local Plan

Camden Local Plan adopted 2017

A1 Managing the impact of development

D1 Design

D2 Heritage Camden

5.0 Planning Considerations

5.1 The main issues for consideration in this case are:

- Impact proposal would have on the character and appearance of the locally listed buildings and the area generally.
- Impact on the amenities of neighbouring and surrounding occupiers.
- The standard of accommodation provided and amenities of future occupiers of the existing studio flats.
- Other material planning considerations.


6.0 Impact proposal would have on the character and appearance of the locally listed building and the area generally.

6.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments.

6.2 Policy D1 requires development to have high quality architectural and urban design, which improves the function, appearance and character of the area.

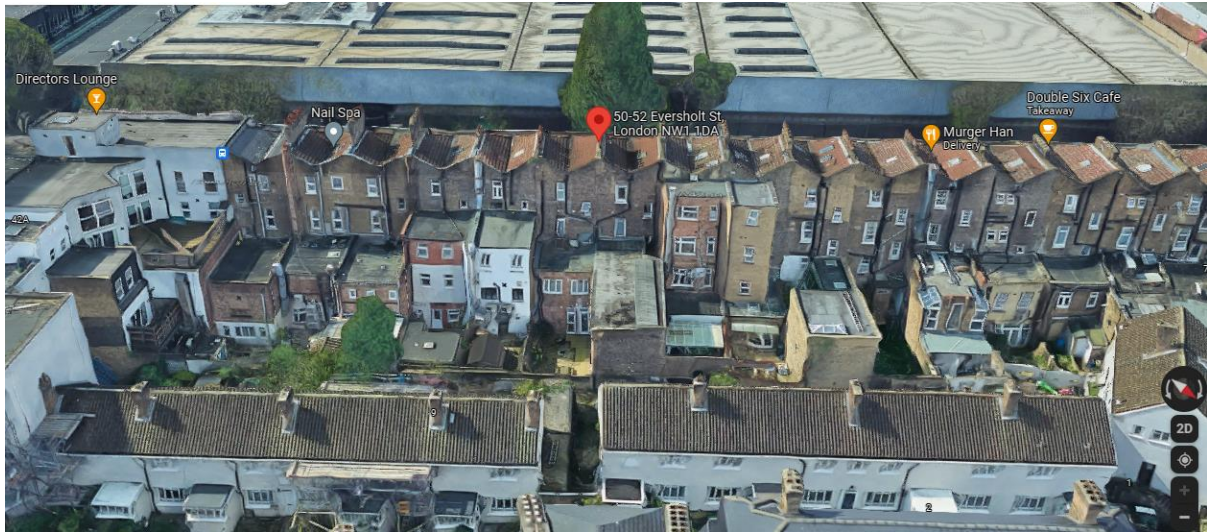
6.3 Policy D2 states the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including non-designated heritage assets.

6.4 The appeal property forms part of a group of locally listed buildings. The local listing is shown below.

<p>Ref72:</p>  <p>(Click here to return to the ward map)</p>	<p>Address: 34 to 70 Eversholt Street</p> <p>Significance: Architectural and Townscape Significance</p> <p>Asset Type: Building or Group of Buildings</p> <p>Ward: St Pancras and Somers Town</p>	<p>(64 is Listed) Early 19th C terraced houses with shops at g/f. All are 3 storey with basement. Alteration relate primarily to the ground floor (with the exception of the grade II listed (64)) general alterations some properties include rendering, replacement of windows, all 1st floor windows are set back within an arched brick frame, simple detailing above the windows. In terms of size, proportions, materials and repetition this complete section of terrace is an important part of the townscape with a collective identity.</p>
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6.5 It is clear from the local listing that the parts of the buildings with “*architectural and townscape significance*” solely relate to the front of the properties.

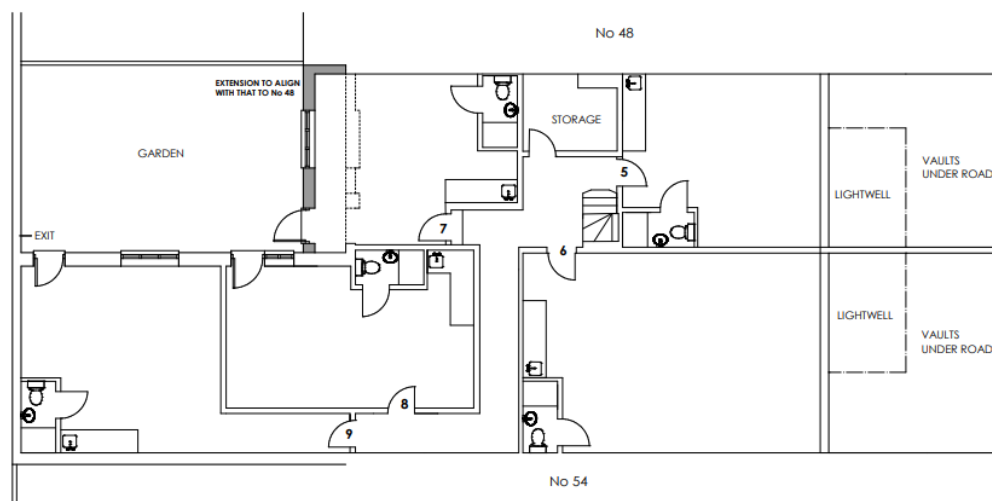
6.6 This is reinforced by the haphazard array of building form, design and materials used at the rear of the properties, which is demonstrated by the aerial image of the rear on the next page.



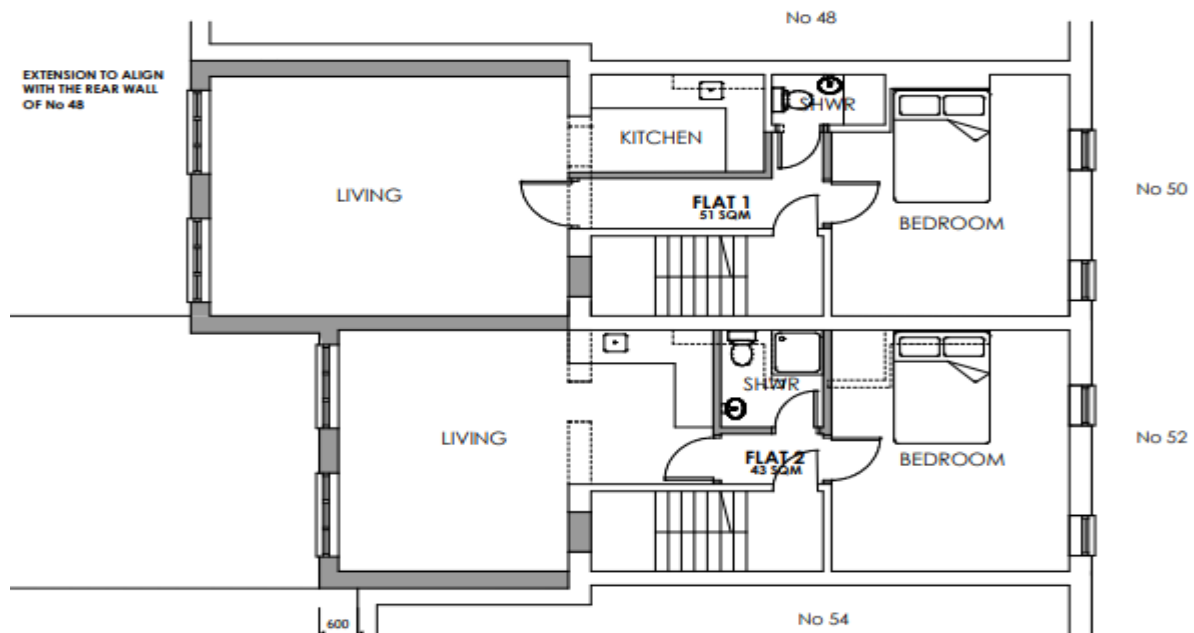
6.7 The site is not located within a conservation area.

6.8 There is an existing two storey rear extension (identified as lower ground and ground floor level) which extends the full width of the two properties and all the way to the rear boundary of No.52.

6.9 The proposal includes a small rear extension at lower ground and ground floor level which would be flush with the neighbouring (No.48) three storey rear extension. This is shown by the proposed floor below (identical for the lower ground floor and ground floor level).



6.10 The proposal at first and second floor level would be flush with the rear elevation of the three-storey rear extension at No.48 and project 600mm past the four-storey rear extension at No.54. This is shown by the proposed floor plan on the next page.



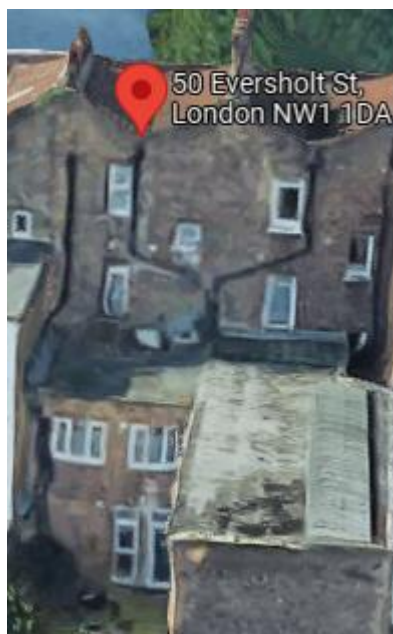
6.11 The proposal would project no higher than the rear extension at No.48.

6.12 The Council consider the proposal; *“would cause harm to the original character and appearance of the locally listed buildings..”*

6.13 It is the appellants case that the current design form of the appeal properties at the rear maintain very few original features.

6.14 It should be noted that the adjoining properties at Nos.54-56 Eversholt Street have similar sized rear extensions, which the current proposals are seeking to replicate in respect of size.

6.15 The existing two storey rear extension is built with bricks that are not sympathetic to the original building and the existing windows at the rear also relate poorly to the original building. This is demonstrated by the aerial image below.



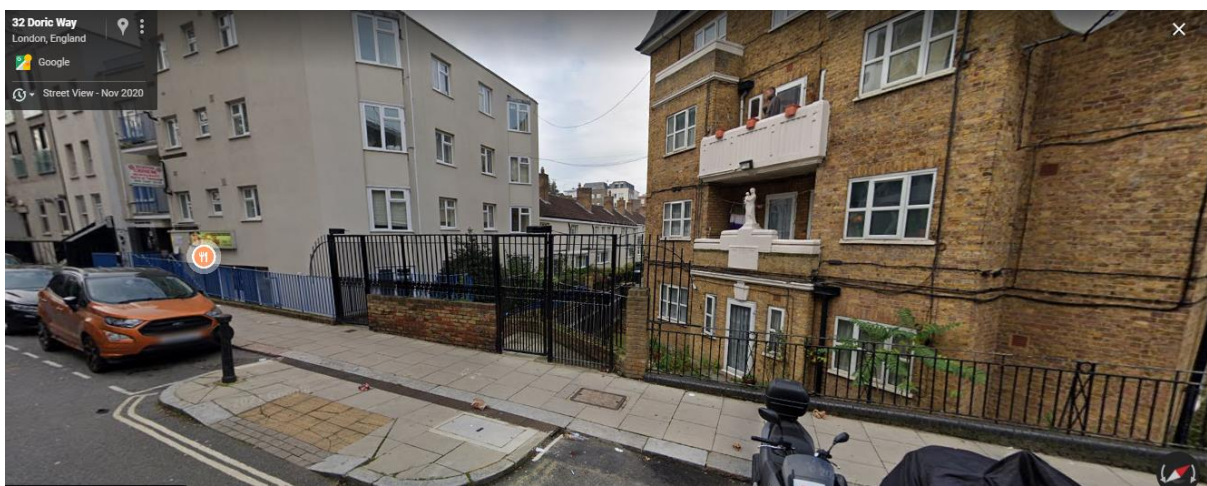
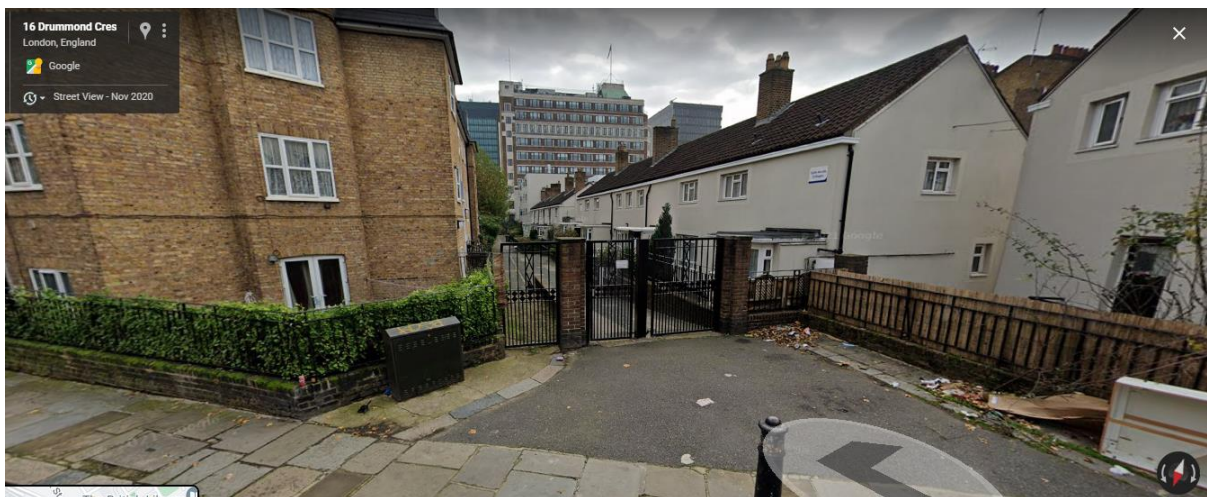
6.16 Overall, the existing two storey rear extension contributes negatively to the character and appearance of the building and area generally.

6.17 The proposal seeks to provide an extension built in its entirety out of second-hand London Stock bricks and introduce windows which are uniform and sympathetic to the original design form of the building overall – the details of the brick and windows can be controlled by a planning condition.

6.18 It is accepted that the proposal would significantly increase the bulk of the building, but the proposal is a great opportunity to improve the design detail and materials used at the rear which overall would improve the character and appearance of the building and area generally.

6.19 The LPA's planning report (appendix 1) states the row of properties are; *"clearly visible from Drummond Crescent to the north. Therefore, the proposed extensions would be visible from the public realm and are considered to cause harm to the character and appearance of the adjoining terrace and wider area generally."*

6.20 The appeal site could only be seen from Drummond Crescent through a gap between two terraced buildings. It is also important to note that Drummond Crescent is not accessible to the public, being blocked off from public access from both ends. This is demonstrated by the images below.



6.21 In any case, it is the appellants position that the proposed materials used and the improvement in design form overall would improve the character and appearance of the building and area generally.

7.0 Impact on neighbouring amenity.

7.1 The Council's second reason for refusal states the proposal; *"would cause unacceptable harm to the amenity of the adjoining property at No.48 in terms of loss of light and outlook."*

7.2 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not significantly harm the amenity of neighbouring residents.

7.3 The proposed extension would project beyond the rear elevation of No.54 by approximately 600mm, therefore would not cause harm to neighbouring amenity in terms of loss of light, outlook or privacy – the LPA's planning report (appendix 1) supports this position.

7.4 The LPA however consider the proposed projection beyond the second-floor window of the rear elevation at No.48 would result in unacceptable harm to the amenity of No.48, in terms of loss of light and outlook.

7.5 The aerial image below shows two neighbouring windows at second floor level.



7.6 The window circled in green is a small window serving a bathroom so is not protected, unlike a habitable room window. The window circled in yellow serves a habitable room.

7.7 The Council's reason for refusal refers to a loss of light to and outlook from the habitable room window. The rear elevation faces in a northerly direction which means it would not be

possible for the proposed extension to have any meaningful impact on the light to this window.

7.8 In respect of outlook from this window the appellant would comment the proposed extension would be sited a significant distance from this window (approximately 4.5 metres to the middle of this window) and the window has an unobstructed outlook in all other directions. Therefore, the proposal would not result in demonstrable harm to the outlook from this window.

8.0 The standard of accommodation provided and amenities of future occupiers of the existing studio flats.

8.1 Prior approval was granted 12th October 2015 (ref: 2015/4734/P) for: *“Change of use from office (Class B1a) to 4 x studio flats (Class C3)”*. This permission was implemented and refers to the existing four studio flats at first and second floor level. These flats are significantly below the 37sqm minimum standard for 1 bedroom/studio flats.

8.2 The proposal would significantly increase the living space of each of the four existing studio flats.

8.3 Two of the proposed 1 bed flats would have floor areas of 51sqm which would comply with nationally prescribed floor space standards for units of this size (minimum 50sqm). The two remaining units would have floors areas of 43sqm which falls below the minimum 50sqm requirement.

8.4 The proposed significant increase in floor space for each of the existing four flats and the consequential significant improvement in housing provision quality is a significant material consideration which weighs significantly in favour of the proposal overall.

9.0 Other material planning considerations

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires planning proposals to be considered against planning policies *“unless material considerations indicate otherwise”*.

9.2 The proposed significant increase in floor space for each of the existing four flats, which currently provide a poor standard of living accommodation, and the consequential significant improvement in housing provision quality, is a significant material consideration which weighs significantly in favour of the proposal overall.

9.3 Paragraph 202 of the NPPF (2021) states: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”* It is the appellants case that the benefit outlined in the previous paragraph is a significant public benefit of the proposal.

10.0 Conclusion

10.1 The proposed development will enhance the character and appearance of the building and area generally.

10.2 The proposal would significantly improve the existing housing provision which is currently a poor standard.

10.3 The proposal represents an opportunity to put the site to its best and most efficient use in a highly sustainable location.

10.4 The proposal protects neighbouring amenity.

10.5 The Inspector is therefore respectfully requested to allow this appeal.