

Application ref: 2024/3751/P
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EH Architectural Services
197 Penmere Drive
Newquay
TR71RY

Dear Sir/Madam

DECISION

In accordance with section 60 (2B) and (2C) of the Town and Country Planning Act 1990 (as amended by section 4(1) of the Growth and Infrastructure Act 2013)

Process set out by condition MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Certificate of Lawfulness (Proposed) Prior Approval refused

The Council, as local planning authority, hereby confirm that their **prior approval is refused** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority:

Address of the proposed development:
159 Broadhurst Gardens
London
NW6 3AU

Description of the proposed development:

Change of use of the rear section of the property from Class E to C3 (one maisonette flat) via Schedule 2 Part 3 Class MA of the GDPO. The retail/commercial space to the front of the property would remain.

Information that the developer provided to the local planning authority:

Drawing Nos: A.01 rev A.7, A.02 rev A.7, A.03 rev A.7, Right To Light (BS EN 7037/BS8206) Data Report dated July 2024 by C80 Solutions, Planning Statement by EH Architectural Services.

Reason(s) for refusal:

- 1 As demonstrated by the Daylight/Sunlight Assessment the dwelling would not receive adequate natural light, and therefore the proposal is contrary to MA.2 (f) of Class MA, Schedule 2, Part 3 of the GPDO.
- 2 The proposed development, in the absence of a Section 106 legal agreement to secure the residential units as car-free and in the absence of provision of cycle parking or a Section 106 legal agreement to secure a contribution towards cycle parking, would contribute unacceptably to parking stress and traffic congestion in the surrounding area. It is therefore contrary to MA.2 (a) of Class MA, Schedule 2, Part 3 of the GPDO.

["The Council consider that the impact of the proposed development on the amenity of [specify addresses of adjoining premises] would be unacceptable" or "The proposed development, by reason of its siting, size, [and design], would have an unacceptable impact on the amenity of [specify addresses of adjoining premises]", or "The information provided by the developer fails to demonstrate that the impact of the proposed development on the amenity of the adjoining premises would be acceptable", or

Informative(s):

1 n/a

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice in regard to your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.