

Donald Shearer Architects  
Scholar's House  
Shottery Brook Office Park  
Timothy's Bridge Road  
Stratford-upon-Avon  
Warwickshire  
CV37 9NR

Application Ref: **2013/2970/P**  
Please ask for: **Angela Ryan**  
Telephone: 020 7974 **3236**

12 February 2014

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

### **Full Planning Permission Refused**

Address:  
**9 & 11 Mansfield Road**  
**London**  
**NW3 2JD**

#### **Proposal:**

Erection of a part two storey, part three storey plus basement building to accommodate 4 flats, comprising 3 x 2 bed units and 1 x 4 bed unit following the demolition of existing house (Class C3).

Drawing Nos: (Prefix 1051-BA -) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 B, 113 C, 114 C, 115 C, 116 C, 117 C, 118 C, 119 B, 120 B, 121 C, 122 C, 123 C, 124 C, 125 C, 126 C, 127 B, 128 B, 129 C, 130 C, Design and access statement by Donald Shearer Architects dated 02/05/13 (Ref: 1051BA001), Code for Sustainable Homes by Dominic Woosey and Associates, Revised Lifetime Homes Statement by Donald Shearer Architects dated 23/09/2013, Basement Impact Assessment dated by Site Analytical Services Limited dated October 2013 (Ref: 13/20476-2); Construction Management Plan by Martin Redston Associates dated 24/05/13 (Ref: 13.111), Proposed construction method statement and sequence of works by Martin Redston Associates and associated drawings sheet 1, sheet 2 and sheet 3 (Ref:13:111), Temporary works by Martin Redston Associates dated 25/05/13-sheets 1-12, Ground investigation report by Site Analytical Services Ltd dated May 2013 (Ref: 13/20476)



The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The submitted basement impact assessment fails to demonstrate that the proposed basement excavation would not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability, contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP23 (Water), DP26 (Managing the impact of development on occupiers and neighbours) and DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.
- 2 The proposed development, by virtue of the provision of a self-contained basement level flat within an identified area with the risk of surface water flow and flooding, would provide sub-standard accommodation which would be harmful to the residential amenity of future occupiers, contrary to policies CS5 (Managing the impact of growth and development), CS6 (Providing quality homes) and CS14 (Promoting high quality places and conserving heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP23 (Water), DP26 (Managing the impact of development on occupiers and neighbours) and DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.
- 3 The proposed development, in the absence of a legal agreement securing a design stage and post-construction sustainability review achieving at least a minimum Level 4 of the Code for Sustainable Homes for the residential units proposed, would fail to be sustainable in its use of resources, contrary to policies CS13 (Tackling climate change through promoting higher environmental standards), CS16 (Improving Camden's health and well-being) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction) and DP23 (Water) of the London Borough of Camden Local Development Framework Development Policies.
- 4 The proposed development, in the absence of a legal agreement securing the submission and implementation of a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and road safety hazards and be detrimental to the amenities of the area generally, contrary to policies CS5 (Managing the impact of growth and development), CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.
- 5 The proposed development, in the absence of a legal agreement securing

necessary highway works, would fail to secure adequate provision for and safety of pedestrians, contrary to policies CS5 (Managing the impact of growth and development), CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP21 (Development connecting to highway network) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 6 The proposed development, in the absence of a legal agreement to secure car-capped housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 (Parking standards and the availability of car parking) of the London Borough of Camden Local Development Framework Development Policies.

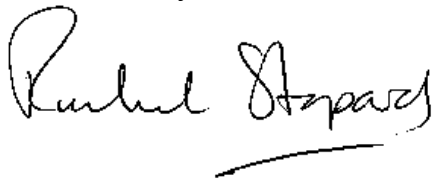
Informative(s):

- 1 Without prejudice to any future application or appeal, the applicant is advised that reason for refusal numbers 3-6 could be overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.

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.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Director of Culture & Environment

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