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Application Ref: **2013/6819/P**  
Please ask for: **Eimear Heavey**  
Telephone: 020 7974 **2949**

20 December 2013

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 J.2 of Schedule 2 Part 3 Class J of the Town and Country  
Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362  
and SI 2013 No. 1101)

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:**

**254-256 Belsize Road  
London  
NW6 4BT**

#### **Description of the proposed development:**

Change of use from office (Class B1(a)) to residential flats consisting of 13 x 1beds and 5 x 2 beds (Class C3)



**Information that the developer provided to the local planning authority:**

Drawing Nos: Location plan; 507-02RevA; 03RevA; 04RevA; 05RevA; 13RevA; 14RevA; 15RevA; 16RevA and 17RevA.

**Reason for refusal:**

- 1 The proposed development, in the absence of a Section 106 legal agreement to secure the new development as car-free, would be likely to contribute unacceptably to parking stress and traffic congestion in the surrounding area and would not promote use of sustainable transport contrary to the National Planning Policy Framework chapter 4, paragraphs 29, 30, 35 and 39.
- 2 The proposed development, in the absence of a Section 106 Legal Agreement securing a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and be detrimental to general highway and pedestrian safety and residential amenity, contrary to the National Planning Policy Framework chapter 4, paragraph 29 and 32 .
- 3 The proposed development, in the absence of a Section 106 legal agreement securing a contribution towards the provision of public open space, would be likely to contribute to pressure and demand on existing open space in this area, contrary to the National Planning Policy Framework chapter 7, paragraph 58 and chapter 8, paragraph 73.
- 4 The proposed development, in the absence of a Section 106 legal agreement to secure affordable housing would fail to maximise the contribution of the site to the supply of affordable housing in the borough and fail to contribute towards the delivery of mixed and balanced communities, contrary to the National Planning Policy Framework chapter 6, paragraph 50.
- 5 The proposed development, in the absence of a Section 106 legal agreement securing a contribution towards educational infrastructure, would place an unacceptable strain on existing local educational resources, contrary to the National Planning Policy Framework chapter 8, paragraph 72.
- 6 The proposed development, in the absence of a Section 106 legal agreement requiring the development to incorporate sustainability measures to reduce carbon emissions and minimise use of energy, water and resources, would fail to be sustainable in its use of its resources and meet the challenge of climate change contrary to the National Planning Policy Framework chapter 10, paragraphs 93 and 95-97.
- 7 The proposed development, in the absence of a Section 106 legal agreement to secure the provision of wheelchair accessible housing, would fail to deliver housing suitable for people with disabilities contrary to the National Planning Policy Framework Core planning principles, paragraph 17 and Chapter 6, paragraph 50.
- 8 The proposed development, in the absence of a Section 106 legal agreement to secure a contributions towards the provision of or improvements to existing

community facilities, would be likely to result in unacceptable additional pressures on existing community facilities in the area, contrary to the National Planning Policy Framework Chapter 8, paragraph 70.

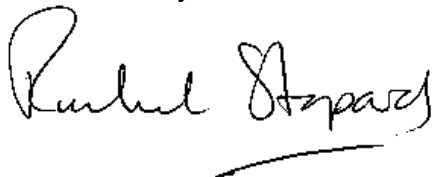
- 9 The proposed development, in the absence of a Section 106 Legal Agreement to secure the permanent retention of the cycle parking, would be likely to fail to contribute towards sustainable and efficient transport modes, contrary to the National Planning Policy Framework chapter 4, paragraph 29, 30, and 35.

Informative(s):

- 1 You are reminded that the reasons for refusal could all be overcome by the signing of a Section 106 legal agreement.

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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