

Turley Associates
The Charlotte Building
17 Gresse Street
London
W1T 1QLApplication Ref: **2013/6589/P**
Please ask for: **Tania Skelli-Yaoz**
Telephone: 020 7974 **6829**

3 December 2013

Dear Sir/Madam

DECISION

Process set out by condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No. 2362 and SI 2013 No. 1101)

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)

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:**Utopia Village
7 Chalcot Road
London
NW1 8LF****Description of the proposed development:**

Change of use from offices (Class B1a) to 53 residential units (Class C3).

Information that the developer provided to the local planning authority:

Drawing Nos: Transport Statement by Robert West dated October 2013, Planning Statement by Turley Associates dated 09/10/13, [prefix 638-] site location plan S00/P1, (as existing:) EX00/P1, EX01/P2, EX02/P1, EX03/P1, (as proposed:) GA00/P8, GA01/P7, GA02/P3, GA03/P1.

Reason for refusal:

- 1 The proposed development, in the absence of a Section 106 legal agreement to secure the new development as car-capped, 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 to secure associated highway works, would fail to maintain the borough's transport infrastructure to the detriment of the safety of pedestrians, cyclists and vehicles, contrary to the National Planning Policy Framework chapter 4, paragraph 32.
- 3 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 .
- 4 The proposed development, in the absence of a Section 106 Legal Agreement to secure the provision and 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.
- 5 The proposed development, in the absence of a Section 106 legal agreement to secure financial contributions towards pedestrian and environmental improvements in the area, would fail to mitigate the impact of the development created by increased trips contrary to the National Planning Policy Framework chapter 4, paragraphs 32 and 35.
- 6 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.
- 7 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.
- 8 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.

- 9 The proposed development, in the absence of a Section 106 legal agreement securing the provision of an Ecology and Habitat Plan, to ensure the protection of bats and to enhance biodiversity is contrary to the National Planning Policy Framework chapter 11 paragraphs 109 and 117-118.
- 10 The proposed development, in the absence of a Section 106 legal agreement requiring the development to achieve level 3 of the Code for Sustainable Homes and to incorporate sustainability measures designed 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.
- 11 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.
- 12 The proposed development, in the absence of sufficient information on internal daylight levels, appears to fail to provide a high standard of residential accommodation contrary to the National Planning Policy Framework Core planning principles, paragraph 17 and Chapter 6, paragraph 50.
- 13 The proposed development, by reason of the condition attached to planning permission Ref: CTP/H10/12/A/5062 dated 08/05/1968 which secured windows as fixed shut and obscure glazed, will result in the provision of sub-standard residential accommodation to future occupiers contrary to the National Planning Policy Framework Core planning principles, paragraph 17.
- 14 The proposed development, by reason of its proximity to existing residential development on Edis Street, Egbert Street, Fitzroy Road, Chalcot Road and Gloucester Avenue, would result in overlooking and a loss of privacy to the occupiers of existing residential properties and an unacceptable standard of accommodation to future occupiers, contrary to the National Planning Policy Framework Core planning principles, paragraph 17.
- 15 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.

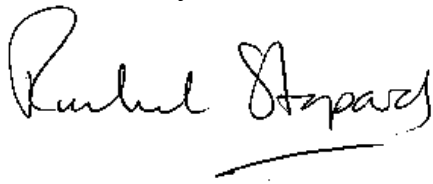
Informative(s):

- 1 You are reminded that any disturbance of the land will require a preliminary risk assessment in accordance with CLR11 model procedures for management of contaminated land and must include an appropriate scheme of investigation with a schedule of work detailing the proposed sampling and analysis strategy. You are advised that the London Borough of Camden offer an Enhanced Environmental

Information Review available from the Contaminated Land Officer (who has access to the Council's historical land use data) on 020 7974 4444, or by email, <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-contaminated-land-officer.en>, and that this information can form the basis of a preliminary risk assessment. Further information is also available on the Council's Contaminated Land web pages at <http://www.camden.gov.uk/ccm/navigation/environment/pollution/contaminated-land/>, or from the Environment Agency at www.environment-agency.gov.uk.

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

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.