

Rolfe Judd
Old Church Court
Claylands Road
The Oval
London
SW8 1NZ

Application Ref: **2012/0521/P**
Please ask for: **Gavin Sexton**
Telephone: 020 7974 **3231**

23 May 2012

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)
Town and Country Planning (General Development Procedure) Order 1995
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Refused

Address:

Gondar Gardens Reservoir
Gondar Gardens
London

Proposal:

Redevelopment of the reservoir street frontage to provide 28 residential units (Class C3 use) in two blocks from lower ground to third floors with basement parking, following substantial demolition of the roof and internal structure of the reservoir and its subsequent re-landscaping. This application is subject to an ENVIRONMENTAL IMPACT ASSESSMENT. The proposals include development on designated open space which would be contrary to development plan policy.

Drawing Nos: Energy strategy by Regeneco ref 2562 Rev 1 dated 19 Jan 2012; Sustainability Statement by Regeneco Rev 1 dated 19 Jan 2012; Code for Sustainable Homes Strategy by Regeneco dated 14th Dec 2011; Air Quality Impact Assessment ref 441014-01 dated January 2012 by RSK; Daylight and sunlight report by CHP surveyors ltd dated 20th January 2012; BS5228 Noise Impact Assessment ref 9384D-2 BS5228 by Noise.co.uk dated 22/12/2011; BS5228 Vibration Impact Assessment ref 9384-2 by Noise.co.uk dated 22/12/2011; Environmental Noise Survey ref 9587-2 by Noise.co.uk; Car Lift Noise Assessment report 9384A-2 by Noise.co.uk dated 19/1/12; Road Noise Impact Assessment report 9384C-2 by noise.co.uk 22/12/2011; Ecological Action Plan by James



Blake Associates Rev B January 2012; Reptile Mitigation Method statement by James Blake Associates Rev C December 2011; Phase 1 Habitat Survey by James Blake Associates rev D Dec 2011; Breeding Bird Survey by James Blake Associates Rev A Dec 2011; Reptile Survey by James Blake Associates Rev C Dec 2011; Bat Survey by James Blake Associates Rev B Dec 2011; Transport Statement by Royal Haskoning 18 Jan 2012; Letter from Jan Donovan (RolfeJudd) dated 21 March 2012 re Noise Report, BRE Daylight Report, Construction Timeline; Gondar Gardens Frontage Scheme statement with appendices (undated); Environmental Statement Main Report by Peter Radmall Associates Jan 2012; Gondar Gardens Lifetime Homes Review by Rolfe Judd 4870:120416; Planning statement by Rolfe Judd Planning Kan 2012 JD/P4513; Design and Access statement 20/01/2012 by Rolfe Judd; Geo-Environmental Site Assessment Report ref 23283-1 (00) by RSK Group Plc dated Dec 2009; Envirocheck Report dated 16 Feb 2011; Basement Impact Assessment Interpretative Report by Peter Radmall Associates Jan 2012; Basement Impact Assessment Land Stability Report by URS Jan 2012; Statement on Sequence of works, by URS. Undated; Vibration Impact Assessment report no 9843-2v by Noise.co.uk dated 22nd Dec 2011; Basement Hydrology Assessment by RSK dated Jan 2012; Letter from Colin Whittingham, Senior Hydrologist at RSK dated 28th March 2012 Re Drainage Assessment with accompanying drawing 880113-40-01 rev P1 (Indicative Surface Water Outfall Arrangement) and results of MicroDrainage 'WinDes' outputs; Flood Risk and Drainage Assessment 880113R4 (1) by RSK dated Jan 2012; Built Heritage Assessment by CgMs ref JO/13281 dated Dec 2011; Archaeological Desk Based Assessment by CgMs ref MS/KB/13281 dated Dec 2011; B20S01 P2; T120E01 rev D; T120E02 rev E; T120E03 rev F; T120E04 rev B; T1SK20-03 rev A; T1SK20-05; 9V6975/02 rev C; JBA 10-35-01 rev L; T20P00 unnamed Tree plan; T90P00D; T120S01 Rev A; T1SK2006; T120P-2 rev F; T120P-1 rev G; T120P00 rev F; T120P01 rev D; T120P02 rev D; T120P03 rev D; T127P04 rev D; SK220 P2; SK110 P3; SK120 P3; SK130 P3; SK200 P3; and SK210 P2.

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

Reason(s) for Refusal

- 1 The proposed development, by virtue of the development on designated Open Space, would result in the loss of land protected because of its local amenity, habitat and biodiversity importance and would be detrimental to the open nature of the site as viewed from the public realm, contrary to policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy; and policy 7.19 (Biodiversity and access to nature) of the London Plan July 2011.
- 2 The proposed development, by reason of its detailed design, would be detrimental to the streetscape and the character and appearance of the wider area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.
- 3 The proposed development, in the absence of a legal agreement to secure affordable housing on-site in addition to a contribution in lieu, would fail to maximise

the contribution of the site to the supply of affordable housing in the borough, contrary to policies CS6 (Providing Quality Homes) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy, policy DP3 (Contributions to the supply of affordable housing) of the London Borough of Camden Local Development Framework Development Policies and Policy 3.12 (Negotiating affordable housing) of the London Plan July 2011.

- 4 The proposed development, in the absence of a legal agreement for 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 sufficient 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.
- 5 The proposed development, in the absence of a legal agreement securing a contribution towards educational infrastructure, would place an unacceptable strain on local educational resources, contrary to policies CS10 (Supporting Community Facilities and Services) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy.
- 6 The proposed development, in the absence of a legal agreement securing a contribution for public open space, would be likely to contribute to pressure and demand on the existing open space in this area, contrary to policies CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP31 of the London Borough of Camden Local Development Framework Development Policies.
- 7 The proposed development, in the absence of a legal agreement to secure a contribution towards community facilities, would be likely to result in unacceptable additional pressures on existing facilities in the area, contrary to policy CS5 (Managing the impact of growth and development), CS10 (Supporting community facilities and services) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP15 (Community and leisure uses) of the London Borough of Camden Local Development Framework Development Policies.
- 8 The proposed development, in the absence of a legal agreement to secure the submission of, and implementation in accordance with, a demolition and construction management plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users, and would be detrimental to the amenities of the area generally, 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 DP20 (Movement of goods and materials) and DP32 (Air Quality) of the London Borough of Camden Local Development Framework Development Policies.

- 9 The proposed development, in the absence of a legal agreement securing the provision of an Ecology and Habitat Plan, including measures to secure the transfer of the retained protected land to a third party in perpetuity with a financial contribution towards long term management and maintenance, would fail to secure acceptable short, medium and long term measures to protect and improve the site of nature conservation and on-site habitats and species and to provide for public accessibility, contrary to policies CS15 (Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP31 (Provision of, and improvements to, open space, sport and recreation) of the London Borough of Camden Local Development Framework Development Policies and policy 7.19 (Biodiversity and access to nature) of the London Plan 2011.
- 10 The proposed development, in the absence of a legal agreement to secure local labour and procurement, would fail to contribute towards the creation of local employment and business opportunities and to contribute to the regeneration of the area, contrary to policies CS8 (Promoting a successful and inclusive Camden Economy and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy.
- 11 The proposed development, in the absence of a legal agreement requiring a contribution to secure associated highways works to be undertaken adjacent to the site, would be likely to result in an unacceptable impact on the local transport system, 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 policies DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP19 (Managing the Impact of Parking) and DP21 (Development Connecting to the Highway Network) of the London Borough of Camden Local Development Framework Development Policies.
- 12 The proposed development, in the absence of a legal agreement securing 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 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 policies DP16 (Transport implications of development), DP17 (Walking, cycling and public transport) and DP21 (Development connecting to the highway) of the London Borough of Camden Local Development Framework Development Policies.
- 13 The proposed development, in the absence of a legal agreement to incorporate environmental sustainability measures, with a view to reducing carbon energy emissions and minimised use of energy, water and resources, including the submission of post-construction reviews demonstrating compliance with Level 4 of the Code for Sustainable Homes, would fail to take sufficient measures to minimise the effects of, and adapt to, climate change 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), DP23 (Water) and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies.

- 14 The proposed development, in the absence of a legal agreement to secure fully fitted wheelchair accessible affordable housing, would fail to take account of the need to contribute to supporting the independence and quality of life of wheelchair users, contrary to policies CS6 (Providing quality homes) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 (Lifetime homes and wheelchair homes) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

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You are advised that in the event of an acceptable development being found the Council would seek to secure, by way of a legal agreement, a feasibility study of providing new car club spaces in the area with a contribution towards the Council's costs in respect of providing the spaces on street should they be found to be feasible.

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