

Withers LLP
16 Old Bailey
London
EC4M 7EG

Application Ref: **2009/3413/P**
Please ask for: **Charles Thuaire**
Telephone: 020 7974 **5867**

12 April 2010

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:

Athlone House
Hampstead Lane
London
N6 4RU

Proposal:

Erection of 8 bedroom single dwelling house (Class C3) together with ancillary staff and guest accommodation and underground parking, following the demolition of Athlone House.

Drawing Nos: Design and Access statement July 2009; Landscape design statement July 2009; Historic architecture report July 2009; Landscape visual impact assessment July 2009; Historical landscape report May 2009; Tree Survey May 2009; Ecological survey May 2009; Archaeological report June 2009; Planning statement and sustainability assessment May 2009; Sustainability assessment July 2009; Structural report May 2009; Preliminary budget estimate July 2009; Market report July 2009; Community involvement statement June 2009; Planning report July 2009; Price and Myers review of ground water reports Feb 2010.

Site Location Plan 101/2b; 5021/02A; 03D; 04G; 05F; 06G; 07F; 08F; 09J; 19A; 20; 21E; 22D; 23D; 24D; 25B; 26D; 27D; 28A; 29; 30 A; 31 A; 32 B; 33 A; 34 A; 35; 36; 37;38; 39; 40; 41; 42; 43;



851.001.001 revC, 002 revB, 003 revD; 851.002.001 revA, 002 revA, 003 revA, 005 revA; 851.040.003 revC.

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

Reason(s) for Refusal

- 1 The new building, by reason of its inappropriate and intrusive bulk, form, design and materials, will harm the character and appearance of the Highgate conservation area and streetscene, contrary to policies B1 (design principles) and B7 (conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 2 The new building, by reason of its bulk, form, design and materials, will be more intrusive in views within and from private open spaces and Hampstead Heath and thus be harmful to the character, appearance and setting of surrounding open spaces, contrary to policies B1 (design principles) and N2 (protecting open space) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 3 The new building, by reason of it being materially larger than the existing house, is considered to be inappropriate development on Metropolitan Open Land and fails to satisfy the tests of PPG2 for new dwellings on such land, contrary to policy N1 (Metropolitan Open Land) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 4 In the absence of adequate and up-to-date survey information on existing bat roosts within the property to demonstrate otherwise, it is considered likely that the new development may have a harmful impact on protected species and their habitats, contrary to policies N6 (nature conservation sites) and N7 (protected species and habitats) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 5 In the absence of adequate justification or evidence to show that the maximum reasonable amount of affordable housing has been provided, the proposed development would fail to make a contribution to the supply of affordable housing appropriate to the additional development proposed, contrary to policies SD2 (planning obligations) and H2 (affordable housing) of the London Borough of Camden Replacement Unitary Development Plan 2006 and policies 3A.10 and 3A.11 of the London Plan.
- 6 In the absence of a legal agreement requiring a post-construction sustainability review achieving level 3 of the Code for Sustainable Homes and including on-site renewable energy facilities, the proposed development would fail to ensure proper standards of sustainability in the development, contrary to policies SD2 (planning obligations) and SD9 (resources and energy) of the London Borough of Camden Replacement Unitary Development Plan 2006.

Informative(s):

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

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