

Ms Charlotte Cook
Scott Wilson
6 - 8 Greencoat Place
London
SW1 1PL

Application Ref: **2009/4257/P**
Please ask for: **Sara Whelan**
Telephone: 020 7974 **2717**

24 December 2009

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:

**10 & 10A Belmont Street
London
NW1 8HH**

Proposal:

Erection of seven storey mixed use building comprising two basement levels for business use (Class B1) and 163 self contained student units (Sui Generis) with associated facilities for student accommodation at ground-7th floor levels, following demolition of existing 5 storey building in Class B1 business use and demolition of a residential dwelling.

Drawing Nos: Energy Statement (as updated on 13/08/09 with addendum); Environmental Noise Final Report (December 2009 version); Sustainability Assessment; Daylight & Sunlight Report; Work Place Travel Plan; Green Travel Plan; Construction Management Plan; Transport Statement & Addendum; Planning Statement; Land Use & Development Viability Report; Viability Assessment

Site Location Plan; 710-200; 201; 203; 205; 248 B; 249 B; 250 D; 251 A; 253 A; 258 A; 300; 301; 350 A; 351 A; 400; 401; 402; 403; 410 A; 450 A; 451 A; 452; 453 A; 9740-102;

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 would result in an unacceptable loss of existing employment floorspace with potential for continued occupation by a range of uses within the B1 use class, including B1(c) light industrial. This would have a detrimental impact on the availability of such accommodation in the local area, particularly for small businesses, for which there is a demand. The proposal would therefore have an adverse impact upon the local economy, its economic diversity, mixed use character and the range of employment opportunities available in the local area, contrary to Policies E2 (Retention of existing businesses) and E3 (Specific Business Uses and Areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 2 The proposed Class B1 business use floorspace would be of inadequate quality and quantity to meet the needs of and be unattractive for occupation by a range of Class B1 uses, particularly for use by light industrial uses and small businesses and in the context of the quantity, quality and potential range of uses capable of being accommodated by the existing Class B1 business floorspace. This is due to the limited quality of natural light, limited floor to ceiling heights, limited access and unsatisfactory positioning of significant proportions of the proposed business floorspace at basement levels, plus the inadequate access and servicing arrangements. The proposal is therefore contrary to Policies E2 (Retention of existing businesses) and E3 (Specific Business Uses and Areas) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 3 It has not been demonstrated that the proposed construction arrangements can operate effectively without causing serious disruption to neighbouring businesses that use parts of the existing site for access and servicing, nor that the site can be adequately serviced by construction vehicles. The proposal therefore has the capacity to seriously disrupt the authorised functioning of neighbouring businesses and to cause hazardous conditions on the public highway. The proposal would thereby conflict with Policies SD8 (Disturbance) and T12 (Works Affecting Highways) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 4 The proposed development, in the absence of retention of existing Class B1 business floorspace or replacement of adequate Class B1 business floorspace with flexibility for occupation by a range of uses within the B1 use class including B1(c) light industrial and the loss of and lack of any residential units other than single student rooms, fails to deliver an appropriate mix of dwellings to the detriment of the fostering of sustainable, inclusive and mixed communities that meet local housing needs, contrary to policies SD1 (Quality of Life), H8 (Mix of units) and H9 (Hostels) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 5 The proposal, in the absence of a legal agreement to secure a service management plan (in the event that the Council were to find the servicing of the site acceptable in other respects), would not secure a strategy to prevent traffic and other activities associated with the servicing needs of the development from causing serious disruption to the maintenance of the satisfactory, safe operation of the public highways around the development site and with other users of the application site.

The proposal would therefore be contrary to policies SD2 (Planning obligations) and T12 (Works affecting highways) of the Camden Replacement Unitary Development Plan 2006.

- 6 The proposed development, in the absence of a legal agreement to secure a Construction Management Plan (in the event that the Council were to find the construction arrangements acceptable in other respects), would cause significant disruption to the satisfactory and safe operation of the public highway and to the amenities and functioning of adjoining occupiers and the area. The proposal would thereby be contrary to Policies SD2 (Planning obligations), SD6(Amenity for occupiers and neighbours, SD8B (Disturbance from demolition and construction) and T12(Works affecting highways) of the Adopted Replacement Camden Unitary Development Plan 2006 and Camden Planning Guidance 2006.
- 7 The proposed development, in the absence of a legal agreement securing a Workplace and Student Travel Plan; car-free student accommodation, highway contributions to undertake external and environmental/safety improvement works outside the application site would be likely to give rise to significantly increased car-borne trips and would result in a unsustainable form of development, contribute unacceptably to parking stress and congestion in the surrounding area, would fail to secure adequate provision for the safety of pedestrians, cyclists and vehicles with no measures or strategies to reduce or ameliorate such impacts. The proposal would thereby be contrary to policies SD2 (Planning obligations), T1 (Sustainable transport), T2 (Capacity of transport provision), T3 (Pedestrians and cycling), T7 (Off-street parking), T9 (Impact of parking), T12 (Works affecting highways) and SD2 (Planning obligations)of the Camden Replacement Unitary Development Plan 2006.
- 8 The proposed development, in the absence of a legal agreement securing a student management plan, would fail to protect the amenities of the surrounding area contrary to policies SD6 (Amenity for occupiers and neighbours) and H9 (Hostels) of the Camden Replacement Unitary Development Plan 2006.
- 9 The proposed development, in the absence of a legal agreement for defining the that the occupation of the student units would be restricted to students in full or part time higher education at an agreed local HEFCE-funded educational institution and that no part of the property to be sold as a separate self-contained unit, would fail to achieve a sustainable form of development that meets local housing needs and foster a mixed and balanced sustainable community. The proposal would thereby be contrary to policies SD1 (Quality of life) and H8 (Mix of Units) of the Camden Replacement Unitary Development Plan 2006.
- 10 The proposed development, in the absence of a legal agreement to secure a Water Strategy Plan; BREEAM assessment; Sustainable Building Plan; Energy Plan; Air Quality Action Plan and Waste and Resources Action Programme (WRAP), would fail to employ principles of sustainability in the use of water, construction and design, plus energy and resources which would cause the development to have unsustainable impact upon the environment. The proposal would thereby be contrary to Policies SD2 (Planning obligations), SD9 (Resources and Energy) and SD12 (Development and Construction Waste) of Adopted Replacement Camden Unitary Development Plan 2006 and Camden Planning Guidance 2006.

- 11 The proposed development, in the absence of a legal agreement securing contributions for public open space, health and community facilities, would be likely to contribute unacceptably to pressure and demand on the existing open space, community and health facilities in this area contrary to policies SD1 (Quality of Life), SD2 (Planning obligations) and N4 (Providing public open space) of the London Borough of Camden Replacement Unitary Development Plan 2006.
- 12 The proposed development, in the absence of a local labour and procurement agreement would fail to contribute towards the economic renewal of the area contrary to policies SD1 (Quality of life) and SD2 (Planning obligations) of the Camden Replacement Unitary Development Plan 2006 and Camden Planning Guidance 2006.

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