

HTA
106-110 Kentish Town Road
London
NW1 9PX

Application Ref: **2007/5875/P**
Please ask for: **Alex Bushell**
Telephone: 020 7974 **2661**

10 January 2008

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:
**5 Bray
Fellows Road
London
NW3 3JR**

Proposal:
Change of use from doctor's surgery (Class D1) on ground floor to residential (Class C3) to create a self-contained flat.

Drawing Nos: Site Location Plan DRG. 001; CHA AL (0) 1004 RevA; AL (0) 7150; 7151

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

Reason(s) for Refusal

- 1 In the absence of information to demonstrate that (a) the use will be adequately replaced elsewhere, or (b) the use is no longer required, the proposal would result in the loss of a community facility contrary to Policies SD1 (Quality of life) and C2 (Protecting community uses) of the London Borough of Camden Unitary Development Plan 2006.



- 2 The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian safety contrary to policies SD2 (Planning obligations), T1 (Sustainable transport), T3 (Pedestrians and cycling), T8 (Car free housing and car capped housing), and T9 (Impact of parking) of the London Borough of Camden Unitary Development Plan 2006.

Informative(s):

- 1 In the event that the applicant chooses to submit another application for the use change, then a supporting statement should be included to address the provisions of Policy C2 of the UDP to demonstrate the following: either that: a) a replacement doctor's surgery has been - or will be - provided that is accessible to existing users; or b) the doctor's surgery is no longer necessary (for example, because of a surplus of doctors' surgeries operating in this area, or a restructuring to provide fewer but larger practices) AND there is no demand for an alternative community use of the site.
- 2 In the event that the issue in respect of protecting local community need is satisfactorily resolved, then the objection expressed in reason for refusal 2 above would be overcome by the conclusion of a Section 106 Planning Obligation to require that the development be 'car-free', which would preclude any future occupant from the right to purchase a permit to park in the street.

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