



Development Control
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Mackenzie Betty Associates
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Application Ref: **2005/0700/P**
Please ask for: **Kiran Chauhan**
Telephone: 020 7974 5117

19 May 2005

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:
59 Frognal
London
NW3 6YA

Proposal:

Demolition of existing building for the erection of 2 new 4 storey semi-detached houses with integral garages.

Drawing Nos: SK100-105; Ex01-03; Ex04A; Ex05A; Ex06; Ex07; Ex08; Design statement; Archaeological impact assessment; email dated 16/5/2005.

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

Reason(s) for Refusal

- 1 The proposed building, by virtue of its excessive footprint, height, bulk, massing, and inappropriate materials and elevational detailing, would be inappropriate to the context of its neighbours and local streetscene, would not be of equal or greater benefit than the existing building, would harm the setting of the listed buildings at no. 23 Frognal Lane and 66 Frognal, and would fail to preserve or enhance the character and appearance of the Hampstead Conservation Area, contrary to



policies EN1 (General environmental protection and improvement), EN13 (Design of new development), EN14 (Setting of new development), EN16 (Site layout), EN31 (Character and appearance of conservation areas), EN32 (Demolition of unlisted buildings in conservation areas) and EN38 (Preservation of listed buildings) of the London Borough of Camden Unitary Development Plan 2000 and supporting advice contained within the Hampstead Conservation Area Statement 2002.

- 2 The proposed new vehicular entrances and crossover, in the absence of a legal agreement securing the relocation of on-street parking bays would impact detrimentally on the supply of on-street resident parking bays, and in turn contribute unacceptably to on street parking stress and congestion in the surrounding area contrary to policy TR11 (On-street parking controls) of the London Borough of Camden Unitary Development Plan 2000.
- 3 In the absence of any information to demonstrate otherwise, it is considered that the proposed redevelopment, by virtue of its increased proximity to trees and its new basement excavations, would be likely to result in damage to and potential loss of the protected trees on the Frognal frontage, to the detriment of the local tree cover and character and appearance of the conservation area contrary to policies EN1 (General environmental protection and improvement), EN31 (Character and appearance of conservation areas) and EN35 (Trees in conservation areas) of the London Borough of Camden Unitary Development Plan 2000.

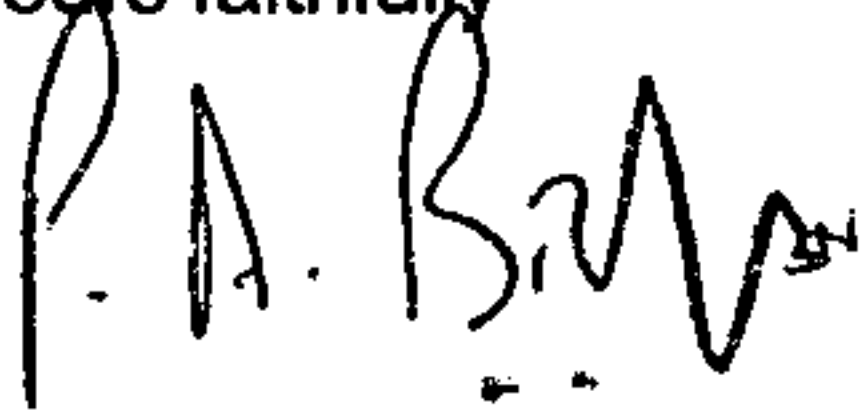
Informative(s):

- 1 The proposal is unlikely to comply with Part M and Part K of the Building Regulations for level access and parapet height for the second floor roof terraces. These may require alterations to the scheme at a later stage. The applicant is therefore advised to incorporate the requirements of these regulations into any future resubmission.
- 2 In the event of any resubmission, the applicant is advised that the replacement building on the site should not significantly exceed the existing building footprint.
- 3 No information has been submitted with the application with regards to how the trees on site would be protected during construction. In the event of a future submission, the applicant is advised to submit a tree survey of the site and method of tree protection with reference to BS 5837: Trees in Relation to Construction.
- 4 No elevational or sectional details have been provided on the proposed gates on the Frognal frontage, or to the level of alteration/demolition to the boundary walls, nor the proposed garage drive gradients. These have not been considered or assessed as part of the application.
- 5 In the event of a re-submission, reason for refusal (2) could be overcome by designing a development scheme that takes account of the existing crossover and on-street parking constraints. Alternatively, you are advised to enter into early pre-application consultation with the Highway Authority to establish where and how the

existing on-street parking bays could be relocated to accommodate the new vehicle entrance arrangement. As referred to in that reason, this would require the applicant entering into a section 106 legal agreement with the Council to ensure that the required works are implemented and completed at the applicant's cost.

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 'P. A. B. M.' with a stylized flourish at the end.

Environment Department
(Duly authorised by the Council to sign this document)