

Ms Lorna Henderson  
Turley Associates  
17 Gresse Street  
London  
W1T 1QL

Application Ref: **2014/1617/P**  
Please ask for: **David Fowler**  
Telephone: 020 7974 **2123**

3 October 2014

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Refused**

Address:  
**100 Avenue Road**  
**London**  
**NW3 3HF**

Proposal:

Demolition of existing building and redevelopment for a 24 storey building and a part 7 part 5 storey building comprising a total of 184 residential units (Class C3) and up to 1,041sqm of flexible retail/financial or professional or café/restaurant floorspace (Classes A1/A2/A3) inclusive of part sui generis floorspace for potential new London Underground station access fronting Avenue Road and up to 1,350sqm for community use (class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.

Drawing Nos:

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 reason of its height, bulk, mass, design and density represents overdevelopment of the site which would have an adverse impact on the



character and appearance of surrounding conservation areas and the local area generally contrary to policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 2 The proposed development by reason of its height, bulk and mass would result in loss of amenity, especially overshadowing to the adjacent Swiss Cottage Open Space and surrounding areas contrary to policies CS5, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and DP26 and DP31 of the London Borough of Camden Local Development Framework Development Policies.
- 3 The proposed development, in the absence of a legal agreement to secure:
  - a review of the private rented sector (PRS) units viability to provide affordable housing 1 year after completion;
  - a review of the PRS units at substantial break-up;
  - a review should the top floor of the tower (proposed amenity space) be converted to residential;would fail to make a contribution towards the supply of additional affordable housing within the Borough, contrary to policies CS6 of the London Borough of Camden Core Strategy (2010), DP3 and DP4 of the London Borough of Camden LDF Development Policies (2010).
- 4 The proposed development, in the absence of a legal agreement securing affordable housing, including for the 18 discounted market rent private rented sector units and rent levels for the affordable housing, would fail to ensure the provision of the required amount of affordable housing for the scheme, 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 DP3 (Contributions to the supply of affordable housing) of the London Borough of Camden Local Development Framework Development Policies.
- 5 The proposed development, in the absence of a legal agreement securing the provision of the community centre and affordable housing should a change of use of the community centre be proposed, would fail to ensure the provision of the required amount of affordable housing for the scheme, 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 DP3 (Contributions to the supply of affordable housing) of the London Borough of Camden Local Development Framework Development Policies.
- 6 The proposed development, in the absence of a legal agreement for securing contributions to employment provision, would fail to mitigate against the loss of employment floorspace, contrary to policies CS8 (Promoting a successful and inclusive Camden economy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP13 (Employment sites and premises) of the London Borough of Camden Local Development Framework Development Policies.
- 7 The proposed development, in the absence of a legal agreement for securing contributions to educational provision, would be likely to contribute unacceptably to

pressure and demand on the Borough's existing educational facilities, contrary to policies CS10 (Supporting community facilities) 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 for securing contributions to public art, would fail to sufficiently enhance the public realm contrary to policies 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.
- 9 The proposed development, in the absence of a legal agreement for securing contributions towards public realm and highways, a cycle link and Travel Plan monitoring, would fail to sufficiently enhance the public realm and mitigate highways concerns contrary to policies CS14 (Promoting high quality places and conserving our heritage), CS11 (Promoting sustainable and efficient travel) and CS17 (Making Camden a safer place) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design), DP16 (The transport implications of development) and DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.
- 10 The proposed development, in the absence of a local employment and apprenticeships agreement will be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies CS5 (Managing the impact of growth and development), 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 and policy DP13 (Employment sites and premises) of the London Borough of Camden Local Development Framework Development Policies.
- 11 The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, 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 DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies.
- 12 The proposed development, in the absence of a legal agreement securing a construction management plan, would be likely to give rise to conflicts with other road users, and be detrimental to the amenities of the area generally, contrary to policies CS5 (Managing the impact of growth and development), 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 DP20 (Movement of goods and materials), DP21 (Development connecting to highway network) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 13 The proposed development, in the absence of a legal agreement securing a delivery and servicing plan, would be likely to give rise to conflicts with other road users and pedestrians especially at peak times, contrary to 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 DP20 (Movement of goods and materials) and DP21 (Development connecting to highway network) of the London Borough of Camden Local Development Framework Development Policies.
- 14 The proposed development, in the absence of a travel plan, would be likely to give rise to significantly increased car-borne 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) and DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Development Policies.
- 15 The proposed development, in the absence of a legal agreement safeguarding the proposed new station entrance for a period of 2 years from occupation, would fail to provide the opportunity to make sufficient provision in a sustainable manner for the increased trips generated by the development thus causing a cumulative detrimental impact on the borough's transport network, 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 highway network) of the London Borough of Camden Local Development Framework Development Policies.
- 16 The proposed development, in the absence of a legal agreement securing a Basement Construction Plan, would fail to demonstrate that there would be no impact on surrounding properties, contrary to policy DP27 (Basements and lightwells) of the London Borough of Camden Local Development Framework Development Policies.
- 17 The proposed development, in the absence of a legal agreement requiring the internal design of the new units to appropriate Lifetime Homes standards, would fail to provide housing adaptable and suitable for future residents, 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 DP29 (Improving access) of the London Borough of Camden Local Development Framework Development Policies.
- 18 The proposed development, in the absence of a legal agreement for securing contributions for public open space provision, would be likely to contribute

unacceptably to pressure and demand on the Borough's existing open space facilities, contrary to policies CS15 (Protecting and improving 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 public open space) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal numbered 3-18 could be overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson  
Director of Culture & Environment