

CMA Planning
113 The Timberyard
Drysedale Street
London
N1 6NDApplication Ref: **2014/3244/P**
Please ask for: **Jenna Litherland**
Telephone: 020 7974 **3070**

19 January 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission RefusedAddress:
254 Kilburn High Road
London
NW6 2BS

Proposal:

Redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 989 sqm of commercial space (Classes B1 and B8) and 62 dwellings plus cycle parking, 2x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space.

Drawing Nos: 12066-S.00; 12066-S.01; 12066-GA.00-A; 12066-GA.01-B; 12066-GA.02-B; 12066-GA.03-B; 12066-GA.04-B; 12066-GA.05-C; 12066-GA.06-B; 12066-GE.01-C; 12066-GE.02-D; 12066-GE.03-B; 12066-GE.04-A; 12066-GE.06-A; 12066-GE.07-A; 12066-GE.08-A; 12066-GE.09-A; 12066-GE.10-A; 12066-GS.00; 12066-GS.01; 12066-WC.02 (marked up the meet Lifetime Homes Standard 14); 12066-GA.01 (marked up to show private wheelchair unit - private); 12066-GA.02 (marked up to show affordable wheelchair unit); Design and Access Statement by Claridge Architects dated April 2014; Schedule of Areas Revision E by Claridge Architects dated 7 April 2014; Planning Statement by CMA Planning dated May 2014; Transport Statement by Price and Myers dated May 2014; Noise Assessment by Entran Environmental and Transportation dated 3 April 2014; Geo-Environmental Desk Study by Jomas Associates Ltd dated 16 September 2013; Flood Risk Assessment by Price and Myers dated April 2014; Energy Strategy Report by Price and Myers dated 28 September 2014; Extended Phase I Habitat Survey by



PJC Ecology dated November 2014 Updated 2014; Daylight and Sunlight Report by GL Hearn dated 6 May 2014; Code for Sustainable Homes Pre-Assessment Report by Price and Myers dated 8 May 2014; Construction Logistics Plan by Price and Myers dated May 2014; BREEAM Pre-Assessment Report by Price and Myers dated May 2014; Air Quality Report by Entran Environmental and Transportation dated 6 March 2014; Air Quality Addendum by Entran Environmental and Transportation dated 28 November 2014; Air Quality Check List; Viability Assessment by Savills dated 16 June 2014; Un-named CGIs x 3; Arboricultural Impact Assessment by PJC Consultancy dated 29 May 2014; email from CMA Planning dated 04 September 2014; email from CMA planning dated 21 August 2014; Independent Viability Review by BPS dated 18 November 2014; email from CMA Planning dated 04 September 2014.

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 scale, bulk and associated deep floor plan would result in an unacceptable proportion of the habitable rooms providing a poor standard of accommodation for future occupants by way of daylight amenity, contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.
- 2 The proposed development, by reason of the small proportion of family sized affordable units in the residential mix, would fail to contribute to the creation of mixed and inclusive communities, contrary to CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies.
- 3 The proposed development, in the absence of a legal agreement to secure residential units as 'car-free' housing, would be likely to contribute unacceptably to parking congestion in the surrounding area and promote the use of non-sustainable modes of transport, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy and DP18 (Parking standards and limiting the availability of car parking) of the London Borough of Camden LDF Development Policies.
- 4 The proposed development, in the absence of a legal agreement to secure 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) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.
- 5 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.
- 6 The proposed development, in the absence of a legal agreement to secure contributions towards public highway works and public realm and environmental improvements would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy DP16 (The transport implications of development), DP17 (Walking, cycling and public transport) and DP21 (Development connecting to the highway network) of the London Borough of Camden LDF Development Policies.
 - 7 The proposed development, in the absence of a legal agreement securing a design and post-construction sustainability review achieving Level 4 in a Code for Sustainable Homes Assessment and an Energy Efficiency Plan setting out how the development would incorporate appropriate carbon reduction measures through design and provision of renewables, would fail to be sustainable in its use of resources, contrary to policies CS13 (Tackling climate change through promoting higher environmental standards) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction) and DP23 (Water) of the London Borough of Camden Local Development Framework Development Policies.
 - 8 The proposed development, in the absence of a legal agreement to secure an appropriate contribution to affordable housing including onsite provision and a deferred affordable housing contribution should viability improve, would fail to contribute to the borough's affordable housing needs, contrary to policies CS6 (Providing quality homes) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy, and policy DP3 (Contributions to the supply of affordable housing) of the London Borough of Camden LDF Development Policies.
 - 9 The proposed development, in the absence of a legal agreement securing a Public open space contributions, would be likely to contribute to pressure and demand on existing open space in this area, contrary to policies CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy and DP31 (Provision of, and improvements to, public open space and outdoor sport and recreation facilities) of the London Borough of Camden LDF Development Policies.
 - 10 The proposed development, in the absence of a legal agreement securing an Educational Facilities contribution, would be likely to contribute unacceptably to pressure on the Borough's social infrastructure, contrary to policies CS10 (Supporting community facilities and services) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy and DP15 (Community and leisure uses) of the London Borough of Camden LDF Development Policies.
 - 11 The proposed development, in the absence of a legal agreement securing a

Community Facilities contribution, would be likely to contribute unacceptably to pressure on the Borough's social infrastructure, contrary to policies CS10 (Supporting community facilities and services) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy and DP15 (Community and leisure uses) of the London Borough of Camden LDF Development Policies.

- 12 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.

Informative(s):

- 1 You are advised that reasons for refusal 3-12 could be overcome by entering into a S106 agreement.

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