

DP9  
100 Pall Mall  
London  
SW1Y 5NQApplication Ref: **2011/4390/P**  
Please ask for: **Charles Thuaire**  
Telephone: 020 7974 **5867**

12 April 2016

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Refused**Address:  
**The Water House**  
**Millfield Lane**  
**London**  
**N6 6HQ**

## Proposal:

Erection of a new 2 storey plus basement dwellinghouse (Class C3) with garage, including associated green roofs and landscaping works, following the demolition of the existing dwellinghouse.

Drawing Nos: 633(PL)- 000F, 001G, 003F, 004K, 005D, 010C, 011C, 013D, 014D, 015D, 020G, 021K, 022H, 023H, 201H, 202H, 301G, 302G, 303E, 900D, 901D, 902C, 903D, 904D; rear view bird's eye montage; rear view eye level montage; Design and Access Statement Revision D dated July 2013 by shh architects; 901/SK/019 P3, 020 P11, 021 P8, 022 P6, 023 P1; topographical survey 14624-01-P dated 8.8.14; drainage plans 2391-SKPH01A, 02D, 03B, 04F; mechanical service plans 2391-SK02A, 03A, 04A, 05A; Planning Statement dated August 2011 by dp9; Statement of Community Involvement dated August 2011 by dp9; Lifetime homes assessment report by shh; Code for Sustainable Homes Pre-Assessment dated 26.10.11 by Price and Myers; Energy Statement dated August 2011 by swp; Environmental Noise Assessment rev A dated 18.11.15 by Paragon; Arboricultural Impact Assessment Report and Outline Method Statement rev 02f dated 15.12.15 by Landmark Trees; Preliminary Ecology Assessment dated 3.2.15 by MKA Ecology Ltd, Bat inspection report dated 20.8.15 by MKA, Nocturnal



bat survey report dated 21.8.15 by MKA; Construction Method Statement Revision L dated December 2015 by Motion; CBR readings ref GE15068- plan and tables dated 30.11.15, letter on CBR test results dated 1.12.15 from Motion;

Comment and observations on hydrological impacts of development - updated June 2011 by Haycocks; letters dated 25.7.11 and 15.2.13 from HRW, letter dated 15.2.13 from Haycocks, letters dated 21.5.14 and 13.10.14 from RSK; Geotechnical, Hydrogeological and Geo-environmental Site Investigation Report ref 241830-01(00) dated February 2011 by RSK; Basement Impact Assessment ref 26128-01(00) dated January 2013 by RSK; responses to CGL review of BIA dated 19.5.14 and 22.7.14 by HRW; surface water drainage note 14.5.14 by swp and attached microdrainage calculations;

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

#### Reason(s) for Refusal

- 1 It is considered that, on the basis of submitted CBR data taken from Millfield Lane, the proposed intensive use of the lane for construction traffic would cause physical damage to the Lane's surface and would harm the longterm survival of the adjoining trees along the lane. It is also considered that, in the absence of further information to demonstrate otherwise, necessary mitigation measures to facilitate construction access, such as ground guards and vegetation pruning, would be likely to be harmful to the rural landscaped character and appearance of Millfield Lane and the wider conservation area. This is contrary to policies CS11 (Promoting sustainable and efficient travel), CS14 (Promoting high quality places and conserving our heritage) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
- 2 It is considered that the proposed access by construction vehicles at the site's entrance, by reason of the associated vehicular movements within Millfield Lane, is likely to cause harm to users of the Lane and Ladies Pond and may cause harm to adjoining trees and thus the landscaped character and appearance of the lane and conservation area. This is contrary to policies CS5 (Managing the impact of growth and development), CS11 (Promoting sustainable and efficient travel) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), DP25 (Conserving Camden's heritage) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.
- 3 In the absence of sufficient evidence in the arboricultural report to demonstrate adequately to the Council's satisfaction that the veteran oak tree (T5) on the site will not be significantly harmed, it is considered that the development and its construction would harm the longterm survival of the tree which has a high amenity value, which would be detrimental to the character and appearance of Millfield Lane

and the wider conservation area. This is contrary to policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of London Borough of Camden Local Development Framework Core Strategy and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 4 The proposed development, in the absence of a legal agreement securing a Basement Construction Plan requiring appropriate detailed drainage design, construction method statements, and mitigation and monitoring measures, would be likely to harm local hydrology, geology and land stability conditions and would cause harm to the built and natural environment and local amenity. This is contrary to policies CS5 (Managing the impact of growth and development), CS14 (Promoting high quality places and conserving our heritage) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP27 (Basements and lightwells) of the London Borough of Camden Local Development Framework Development Policies.
- 5 The proposed development, in the absence of a legal agreement securing car-capped housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport. This is 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 DP17 (Walking, cycling and public transport), 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.
- 6 The proposed development, in the absence of a legal agreement securing necessary highway works of resurfacing and pedestrian safety measures to mitigate the impacts of construction traffic, both on Millfield Lane and Merton Lane, would fail to secure adequate provision for and safety of pedestrians, cyclists and vehicles. This is 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 DP17 (Walking, cycling and public transport) and DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

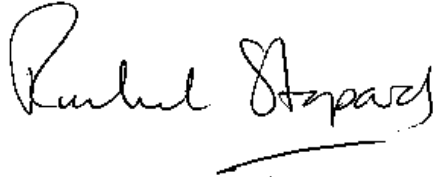
- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal numbered 4-6 could be overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.

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

A handwritten signature in black ink, reading "Rachel Stopard". The signature is written in a cursive style with a horizontal line underneath the name.

Rachel Stopard  
Director of Culture & Environment