

Buckmaster Batcup Architects Ltd  
70 Walter Road  
Swansea  
SA1 4QA  
United Kingdom

Application Ref: **2016/6782/P**  
Please ask for: **John Diver**  
Telephone: 020 7974 **6368**

30 March 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Refused**

Address:

**Warwick Lodge**  
**Shoot-up Hill**  
**London**  
**NW2 3PE**

Proposal:

Conversion of basement into no.2 residential units (C3) including excavation of no.5 lightwells and erection of no.2 new entrance ways within inner courtyard; demolition of outbuilding and erection of dwellinghouse (C3) to rear of site; re-landscaping communal parts to provide access road and no.28 off-street parking bays.

Drawing Nos: (Prefix: 702.P.) 01, 02, 03A, 04A, 05, 06, 07, 08, 09; Design and Access statement (Rev A); Planning Statement (dated Feb 2017); Daylight & Sunlight report produced by XCO2 for Pavhall Plc (dated Nov 2016) and Structural Engineering report (ref.16749/RGB/mf dated Nov 2016).

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

#### Reason(s) for Refusal

- 1 The applicant has failed to demonstrate that the proposed basement works would avoid adversely affecting drainage and run-off, exacerbating issues of flooding or causing other damage to the water environment as well as to maintain the structural



stability of the building and neighbouring properties contrary to policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policies DP23 and DP27 of the London Borough of Camden Local Development Framework Development Policies and policies A5, CC1 and CC3 of the Camden Local Plan Submission Draft 2016.

- 2 The proposed lightwells by reason of their scale, visual prominence, revealed basement facades and insensitively designed balustrading, would be detrimental to the character and appearance of the host building and group of buildings, contrary to policy CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24 and DP27 of the London Borough of Camden Local Development Framework Development Policies and policies A5 and D1 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 3 The proposed dwelling by reason of its siting, form and detailed design would fail to represent a high standard of design, would appear as an incongruous addition within the local area and would detract from the setting, character and appearance of the host building and group of buildings, contrary to policy CS14 of the London Borough of Camden Local Development Framework Core Strategy, policy DP24 of the London Borough of Camden Local Development Framework Development Policies and policies D1 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 4 The proposed landscaping works, resulting loss of greenspace and likely loss of boundary vegetation and trees would cause harm to the setting, character and appearance of the host building, group of buildings and local area as well as increasing the pressure on the drainage network and the risk of flooding contrary to policies CS13 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP23 and DP24 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and CC3 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policies 2, 17 and 18 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 5 The proposed basement units, by reason of their inadequate level of outlook and privacy and the proposed dwellinghouse, by reason of its inadequate level of outlook, privacy, internal storage as well as exposure to noise; would result in sub-standard quality of living accommodation that would fail to provide an acceptable level of residential amenity for the prospective occupiers, contrary to policies CS5 of the London Borough of Camden Local Development Framework Core Strategy, policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies as well as policies A1 and A4 of the Camden Local Plan Submission Draft 2016.
- 6 In the absence of sufficient information it is considered that the building up of the sloped banks along the Northern boundary as well as any retaining walls or

vehicular barriers required would cause detrimental impacts upon the residential occupiers at ground and first floor levels within the adjacent Kendal Court in terms of outlook, light, noise and air pollution. The development is therefore contrary to policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policies DP26, DP28 and DP32 of the London Borough of Camden Local Development Framework Development Policies as well as policies A1 and A4 of the Camden Local Plan Submission Draft 2016.

- 7 The creation of no.13 additional onsite parking spaces would fail to encourage the use of sustainable transport means in a highly accessible area, exacerbate local traffic conditions and remain contrary to the Council's strategy aims as well as policy CS11 of the Local Development Framework Core Strategy, policy DP18 of the Local Development Framework Development Policies, and policies T1 and T2 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 7 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 8 The development would fail to provide adequate cycle parking facilities for the residential element of the scheme and would therefore provide substandard housing development, and would fail to promote cycling as a healthy and sustainable way of travelling in this highly accessible location, contrary to policies CS6 and CS11 of the Local Development Framework Core Strategy, policies DP17 and DP18 of the Local Development Framework Development Policies, and policy T1 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 8 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 9 In the absence of a legal agreement to secure a Construction Management Plan and Highways Contribution, the development would fail to ensure that the development can be implemented without causing detrimental impact to residential amenity or the safe and efficient operation of the highway network in the local area or that the repair of any construction damage to transport infrastructure or landscaping and the removal of redundant crossovers and the reinstate footway surfaces following development is secured. The development would therefore remain contrary to policies CS5 and CS11 of the Camden Local Development Framework Core Strategy, policies DP20, DP21 and DP26 of the Local Development Framework Development Policies as well as policies A1 and T4 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 9 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).
- 10 In the absence of a legal agreement to secure car free/capped housing in this highly accessible location, the development would fail to encourage car free lifestyles, promote sustainable ways of travelling, help to reduce the impact of traffic and would increase the demand for on-street parking in the CPZ, all contrary to policy CS11 of the Camden Local Development Framework Core Strategy, policy DP18 of the Local Development Framework Development Policies and policy T2 of the Camden Local Plan Submission Draft 2016. The development also remains contrary to policy 7 of the Fortune Green and West Hampstead Neighbourhood Plan (2015).

Informative(s):

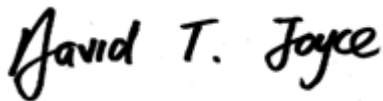
- 1 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.
- 2 It should be noted that were the proposed work to have been otherwise acceptable, due to the risk of contamination identified on the site conditions would have been attached to mitigate any potential health risks.

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



David Joyce  
Director of Regeneration and Planning