

Iceni Projects  
Flitcroft House  
114-116 Charing Cross Road  
London  
WC2H 0JR

Application Ref: **2016/6407/P**  
Please ask for: **Laura Hazelton**  
Telephone: 020 7974 1017

31 March 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Refused**

Address:  
**286-290 Kilburn High Road**  
**London**  
**NW6 2DB**

Proposal: Change of use of part ground, 1st, 2nd and 3rd floors from office (B1a) to residential (C3) to provide 16 self-contained units (4 x studios, 9 x 1 bed and 3 x 2 bed); erection of rear extension at 1st and 2nd floor levels; alterations to rear fenestration; and shopfront alterations.

Drawing Nos: OS, EX.01, EX.02, EX.03, EX.04, EX.05, EX.06, PN.01, PN.03, 5431 - P.01, 5431 - P.02, 5431 - P.03, 5431 - P.04, 5431 - P.05, 5431 - P.06, 5431 - P.07; Design and Access Statement dated October 2016; Planning statement dated 22 November 2016; Transport Note; Construction Progress Report dated 21/11/2016.

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, in the absence of sufficient justification demonstrating that the premises is no longer suitable for continued business use would fail to support economic activity in Camden and result in the loss of employment opportunities within the Borough contrary to policy CS8 (Promoting a successful and



inclusive economy) of the London Borough of Camden LDF Core Strategy; policies DP13 (Employment sites and premises) of the London Borough of Camden LDF Development Policies; policies E1 (Economic development) and E2 (Employment premises and sites) of the Camden Local Plan Submission Draft 2016; policies 2.15 and 4.2 of the London Plan 2015 and paragraphs 14, 17 and 18-23 of the National Planning Policy Framework 2012.

- 2 The proposed development, by reason of the small proportion of 2 bed units (which are of the highest priority to the Borough) and the lack of any larger (3 bed or more) units, would fail to contribute to the creation of mixed and inclusive communities, contrary to policy CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy; Policy DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies; policies H6 (Housing choice and mix) and H7 (Large and small homes) of the Camden Local Plan Submission Draft 2016 and policy 3.8 of the London Plan 2016.
- 3 The majority of the proposed residential units by reason of inadequate internal floorspace and the poor quality of their access to outlook, light, external amenity space and likely harm through noise and general disturbance, would result in sub-standard accommodation, which would be harmful to the amenities of future occupiers, contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy; policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies; policy A1 (Managing the impact of development) of the Camden Local Plan Submission Draft 2016 and policy 3.5 of the London Plan 2016.
- 4 The proposed development, by reason of the lack of any affordable housing contribution would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policies CS6 (Providing Quality Homes) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework and Core Strategy; policy DP3 (Contributions to the supply of affordable housing) of the London Borough of Camden Local Development Framework Development Policies; policy H4 (Maximising supply of affordable housing) of the Camden Local Plan Submission Draft 2016; policies 3.8, 3.10, 3.11 and 3.12 of the London Plan 2016 and paragraphs 47, 50 and 173 of the NPPF 2012.
- 5 The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and to 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; policy DP18 (Parking standards and limiting the availability of car parking) of the London Borough of Camden LDF Development Policies and policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car free development) of the Camden Local Plan Submission Draft 2016.

- 6 The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians, cyclists and other road users and would 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; policies DP20 (movement of goods and materials) and DP26 (impact on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies and policies T4 (Sustainable movement of goods and materials), A1 (Managing the impact of development), and DM1 (Delivery and monitoring) of the Camden Local Plan Submission Draft 2016.
- 7 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 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; policies 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 and policies A1 (Managing the impact of Development) and T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan Submission Draft 2016.
- 8 The proposed development, in the absence of a legal agreement securing a design and post-construction energy and sustainability review 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; policies DP22 (Promoting sustainable design and construction) and DP23 (Water) of the London Borough of Camden Local Development Framework Development Policies and policies CC1 (Climate change mitigation) and CC3 (Water and flooding) of the Camden Local Plan Submission Draft 2016.
- 9 The proposed development, in the absence of a legal agreement securing a public open space contribution, 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.

Informative(s):

- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal 5-8 could be overcome by entering into a S106 agreement.

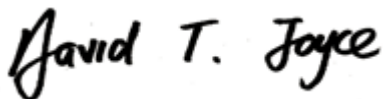
- 2 The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination 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.

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning