

Application ref: 2018/3113/P  
Contact: Gideon Whittingham  
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Date: 25 October 2018

**Development Management**  
Regeneration and Planning  
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Boyer Planning  
2nd Floor  
24 Southwark Bridge Road  
London  
SE1 9HF

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Refused

Address:  
**169 West End Lane**  
**London**  
**NW6 2LH**

Proposal: Change of use to utilise the basement and rear ground floor (A1 use) to form a single flat (C3 use) including the installation of a lightwell.

Drawing Nos: SV 00; SV 01 /A; SV 02; SV 03; GA 01 /B; GA 02 /B; GA 03 /B; Basement Impact Assessment, dated May 2018, prepared by LAD construction limited; Daylight and Sunlight Study, dated 15 January 2018, prepared by Right of Light Consulting.

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

#### Reason(s) for Refusal

- 1 The proposed lightwell by virtue of its scale, footprint and detailed design would appear as an incongruous development that would have an adverse impact on the character and appearance of the host building, adjacent buildings and the South Hampstead Conservation Area. The application is therefore contrary to Policies D1 (Design), D2 (Heritage) and A5 (Basements) of the Camden Local Plan 2017.
- 2 The proposed residential unit, by reason of insufficient outlook would result in substandard living accommodation to the detriment to future occupiers, contrary to

policy A1 (Managing the impact of development) of the Camden Local Plan 2017.

- 3 The proposed lightwell, by virtue of its location and size would reduce the amount of useable, unobstructed footway, which would be detrimental to the quality of the public realm, cause harm to highway safety and hinder pedestrian movement and have a detrimental impact on the promotion of walking as an alternative to motorised transport, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.
- 4 The proposed development, in the absence of a legal agreement securing the development as 'car-free', 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 T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking) and A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 5 The proposed development, in the absence of a legal agreement securing a construction and demolition management plan and an appropriate financial contribution towards implementation support, 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 G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 6 The proposed development, in the absence of a legal agreement securing necessary contributions towards highway works would fail to make provision to restore the public highway to an acceptable condition contrary to policy A1 (Managing the impact of development) of Camden Local Plan 2017.
- 7 The proposed development, in the absence of a legal agreement securing an 'Approval In Principle' (AIP) would be fail to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site, contrary to Policies A1 (Managing the impact of development), T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal No's 4, 5, 6 and 7 could be overcome by entering into a legal agreement with the Council 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 paragraph 38 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 T. Joyce*

David Joyce  
Director of Regeneration and Planning