

Application ref: 2017/2064/P  
Contact: Charles Thuaire  
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Date: 3 May 2019

**Development Management**  
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Montagu Evans LLP  
5 Bolton Street  
London W1J 8BA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)  
**NOTIFICATION OF DECISION WHEN AN APPEAL HAS BEEN MADE  
REFUSAL**

Address:

**Land Adjacent to Jack Straws Castle  
North End Way  
London NW3 7ES**

Proposal: Erection of two x 4 bedroom 3 storey plus basement residential dwelling houses on rear part of carpark, and associated landscaping, refuse and cycle stores and reconfigured carparking on remainder of carpark.

Drawing Nos: 1370-1E, 2D, 3L, 4, 5A, 6, 7; 06-681-200-01M; 4423-SM01; Design and Access Statement dated March 2017 by Quinlan Terry; Planning and Heritage Statement rev E dated April 2017 by Montagu Evans; Energy and Sustainability Statement dated May 2017 by XCO2; Structural Methodology Report dated Sep 2017 by Richard Tant Associates; Ground Investigation and Basement Impact Assessment report dated Sep 2017 Issue 4 by GEA; surface water drainage and SUDS strategy dated August 2017 by Evans; Transport Assessment April 2017 by WSP; Preliminary construction programme; Carpark statement dated 30.4.18 by WSP; Scotscape wire trellis information, Cyclehoop double bike locker information; Internal Daylight Report dated March 2017 by Point 2 Surveyors, letter dated 27.4.18 by Point 2 Surveyors; Archaeological Desk-Based Assessment dated March 2017 by ASE; Tree Survey Report dated Dec 2017 revised 13.3.18 by RGS; Preliminary Ecological Appraisal dated March 2017 by Greengage; letters from Greengage dated 30.8.17 and 22.3.18; Bat survey report dated August 2017 by Greengage; letters from Montagu Evans dated 28.9.17 and 19.5.18

The Council has considered your application and had an appeal not been made to the Secretary of State, would have refused Full Planning Permission for the following reason(s):

## Reason(s) for Refusal

- 1 The proposed 2 new houses, by virtue of their overall bulk, symmetrical form and incongruous detailed design, would harm the setting of the adjoining listed buildings of Jack Straws Castle and Old Courthouse and the character and appearance of the surrounding conservation area and streetscene, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies DH1 (Design) and DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan 2018.
- 2 The proposed development, in the absence of a legal agreement securing contributions to affordable housing provision, would fail to ensure the provision of the required amount of affordable housing for the scheme, contrary to policies H4 (Maximising the supply of affordable housing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 3 The proposed development, in the absence of a legal agreement securing car-free 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 and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 4 The proposed development, in the absence of a legal agreement securing necessary highway works, would fail to secure adequate provision for and safety of pedestrians, cyclists and vehicles, contrary to policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) 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 Management Plan (CMP) and associated contributions to support the implementation of the CMP, 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 A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) 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 numbered 2 - 5 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 paragraph 38 of the National Planning Policy Framework 2019.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is centered on the page. The signature is fluid and cursive, with the first letter 'D' being particularly large and prominent.

Daniel Pope  
Chief Planning Officer