

Application ref: 2018/1872/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 11 July 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Donald Shearer Architects
Unit 4, Scholars' House
Shottery Brook Office Park
Timothy's Bridge Rd
Stratford-upon-Avon
CV37 9NR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Refused and Warning of Enforcement Action to be Taken

Address:

**9 & 11 Mansfield Road
London
NW3 2JD**

Proposal: Variation of condition 3 (approved plans) of planning permission 2013/7934/P dated 27/10/2014 for the erection of a part 2 storey, part 3 storey building with rear roof terrace at 1st floor level, to accommodate 3 x 2 bed and 1 x 1 bed flats, following the demolition of existing house. Namely, extending the height of the roof and depth of the side (west) parapet wall; replacement of the roof lights; replacement of the glazed roof slope to the side (west) elevations; installation of new roof light, re-location of the bin stores to the front (side) elevations; and alterations fenestration to the front and rear elevation. (Retrospective)

Drawing Nos: 1110-BA-112 REVB; 1110-BA-113 REVC; 1110-BA-114 REVB; 1110-BA-115 REVB; 1110-BA-116 REVB; 1110-BA-117 REVB; 1110-BA-118 REVB; 1110-BA-119 REVB; 1110-BA-120 REVB; 1110-BA-121 REVB; 1110-BA-122 REVB; 1110-BA-123 REVB; 1110-BA-124 REVB; 1110-BA-125 REVB; 1110-BA-126 REVB; 1110-BA-127 REVB; 1110-BA-129 REVB and Design and Access Statement from Donald Shearer Chartered Architects dated 19th April 2018.

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

Reason(s) for Refusal

- 1 The proposed building by reason its height, mass, bulk and design, creates a unduly prominent and incongruous building that is out of scale and harmony with its surroundings and thereby has a detrimental impact on the character and appearance of the streetscene and the setting of the Mansfield Road Conservation area contrary to policies A1, D1 and D2 of the Council's Local Plan (2017).
- 2 The first floor rear balconies, first and second floor terrace result in an unreasonable level of overlooking to the detriment of the neighbouring occupiers contrary to policies A1, D1 of the Council's Local Plan (2017).
- 3 The proposed development, in the absence of a deed of variation to the S106 legal agreement securing the head of terms as set out in planning permission ref 2013/7934/P dated 27/10/2014, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), C1 (Health and wellbeing) and DM1 (Delivery and monitoring of the London Borough of Camden Local Plan 2017 and 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.

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.

ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer