

Application ref: 2019/1625/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Email: David.PeresDaCosta@camden.gov.uk
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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

tp bennett LLP
One America St
London
SE1 0NE

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:

Maria Fidelis Convent School
34 Phoenix Road and 1-39 Drummond Crescent
London
NW1 1TA

Proposal: Variation of condition 2 (approved plans) of planning permission 2016/3476/P dated 01/12/2016 (as amended by 2018/2405/P dated 21/09/2018) (for demolition of existing school buildings and erection of a new part two, part three, part four-storey secondary school with associated landscaping and flood-lit multi-use games area), namely retention of part of 3 storey building abutting 42 Phoenix Road and Clarendon Grove.

Drawing Nos: 2698-JW-200 P02; 2698-JW-228 P05; 2698-JW-230 P05; 2698-JW-231 P02; Letter prepared by tp Bennett dated 25 March 2019; REVISED DRAWING SCHEDULE dated 25 March 2019; WWA_1566_LL_101 P00; 1566/LL/113 P01; WWA_1566_Sk_002 P00; 2698-JW-100 P01; Letter prepared by tp Bennett dated 23 April 2019

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

Reason(s) for Refusal

- 1 The proposed amendment to the scheme to include the retention of part of a 3 storey building abutting 42 Phoenix Road and Clarendon Grove, by reason of its

size, bulk, materials and design, is incongruous to the streetscape, harms the appearance of the school and the street frontage, obscures public views to and from Clarendon Grove, reduces passive surveillance from the site and has the potential to increase the fear of crime contrary to Policy D1 (Design) and Policy C5 (Safety and security) of the London Borough of Camden Local Plan 2017.

- 2 In absence of a deed of variation to the S106 Legal Agreement secured as part of planning permission ref: 2016/3476/P approved on the 01/12/2016 the development would fail to ensure the development complies with the ongoing heads of terms including car free, school development travel plan, employment and training plan, local procurement, sustainability plan contrary to planning policies G1 (Delivery and Location of Growth), E1 (Economic Development), CC1 (Climate change mitigation), CC2 (Adapting to Climate Change), CC4 (Air quality), T1 (Prioritising walking, cycling and public transport), T2 (parking and car free development), and DM1 (Delivering and Monitoring) of the Camden Local Plan 2017.

Informative(s):

- 1 **ENFORCEMENT ACTION TO BE TAKEN**

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

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