

Application ref: 2020/5999/P
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Anthony Frendo
Savills
33 Margaret Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Class AB of Schedule 2 Part 20 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The Council, as local planning authority, hereby confirm that **prior approval is refused** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority.

Address of the proposed development:
106 Hampstead Road
London
NW1 2LS

Description of the proposed development:

Erection of two additional storeys to provide 2 x 1 bedroom residential units above a mixed use building

Information that the developer provided to the local planning authority:

Drawing Nos: 001 Rev P1, 010 Rev P1, 090 Rev P1, 100 Rev P1, 101 Rev P1, 102 Rev P1, 103 Rev P1, 104 Rev P1, 105 Rev P1, 201 Rev P1, 202 Rev P1, 300 Rev P1, 301 Rev P1, 302 Rev P1, 303 Rev P1, 305 Rev P1, Design Report December 2020, Savills Supporting Statement, Environmental Noise Survey and Acoustic Design Statement Report, Contamination Report, Daylight and Sunlight Report, Flood Risk Assessment, Transport Report

Reason for refusal:

- 1 This application is for prior approval under Class AB of Part 20. However, the host building is not considered to be a 'terrace' building but a 'detached' building and therefore the site would not come within the description of Class AB under Schedule 1, Part 20 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2020). Prior approval is therefore refused under Paragraph B(3) of Part 20.
- 2 Notwithstanding the above reason for refusal, the proposed development, by reason of its design, height, scale and massing, would be detrimental to the character and appearance of the adjacent locally listed building (108 Hampstead Road) and surrounding area. The proposal would therefore be unacceptable under condition AB.2 (1)(e) and contrary to policies D1(Design) and D2(Heritage) of Camden Council's Local Plan 2017 and Design CPG and to the National Planning Policy Framework 2019, the Publication London Plan 2020 and section 12 (Achieving well-designed places) of the National Planning Policy Framework 2019. Prior approval is therefore refused due to the detrimental impact under Paragraph AB.2.(1)(e) of Part 20 (external appearance) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended 2020).
- 3 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, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of Camden Local Plan 2017.

Informatives:

You are advised that reasons for refusal 3 (car-free development) could be overcome by entering into a s106 agreement.

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.

You can find advice in regard to your rights of appeal at:

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

Yours faithfully



Daniel Pope
Director of Economy, Regeneration and Investment