

Application ref: 2021/0143/P  
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**Development Management**  
Regeneration and Planning  
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SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

Dear Sir/Madam

### **fiDECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Refused**

Address:

**12 Eldon Grove  
London  
NW3 5PT**

Proposal:

Erection of new dwelling with basement level East of No.12 following demolition of garage with associated landscaping and installation of front bin and bike stores.

To No.12: Excavation of basement level and front lightwell; erection of rear single storey extension at ground floor and side/rear extension at first floor with associated balcony; erection of roof extension, rear dormer and installation of side rooflight; fenestration alterations at first floor including replacement of 2x rear windows and insertion of 2x side windows and alterations to West side fenestration; front/rear landscaping alterations and installation of front cycle and bin stores.

Drawing Nos: E-101; E-102; E-103; E-104; E-100-12; E-110-12; E-130-12; E-200-12; E-300-12; E-301-12; E-302-12; E-303-12;

D-001; D-100-12; D-110-12; D-300-12; D-301-12; D-302-12; D-303-12;

P-002 Rev.A; P-003 Rev.A; P-004 Rev.A; P-090-12; P-100-12; P-110-12; P-120-12; P-130-12; P-200-12; P-201-12; P-300-12; P-301-12; P-302-12; P-303-12;

P-090-13; P-100-13 Rev.A; P-110-13 Rev.A; P-120-13 Rev.A; P-130-13 Rev.A; P-200-13 Rev.A; P-201-13 Rev.A; P-300-13 Rev.A; P-301-13 Rev.A; P-302-13 Rev.A; P-303-13 Rev.A;

Sustainability and energy statement by Ensphere Group Ltd dated December 2020; Tree protection plan dated Dec 2020; Tree Survey and Arboricultural Method Statement by Tre Tec dated Dec 2020; Transport Statement by RGP dated December 2020; daylight & sunlight report by Anstey Horne dated 4/12/20; Air Quality Statement by WYG dated dec 2020; Basement Impact Assessment by Byrne Looby dated 15.12.20; Sustainable urban drainage report ref. 9001-SUDS-001 by Byrne Looby dated 6.1.21; Sustainable urban drainage report ref. 9001-SUDS-002 by Byrne Looby dated 6.1.21 and Basement Impact Assessment Audit by Campbell Reith Rev.D1 dated May 2021.

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

#### Reason(s) for Refusal

- 1 The proposed cumulative extensions to the existing dwelling by reason of their detailed design, height, size, bulk and siting would subsume the host property, harming its character and appearance, the streetscene and Hampstead conservation area, contrary to policies D1 (design) and D2 (heritage) of the Camden Local Plan 2017 and policies DH1 (design) and DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan (2018).
- 2 The proposed new dwelling, by reason of its design, siting, footprint, height, scale and bulk and loss of garden space would harm the character and appearance of the streetscene and Hampstead conservation area, 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).
- 3 The basement, by reason of its disproportionately large size and the absence of an adequate Basement Impact Assessment, would likely cause harm to neighbouring properties and the amenity of neighbouring residents, contrary to policies A1 (Managing the impact of development) and A5 (Basements) of the London Borough of Camden Local Plan 2017 and Policy BA1 (Basement Impact Assessments) of the Hampstead Neighbourhood Plan (2018).
- 4 In absence of a comprehensive and adequate daylight and sunlight impact report to demonstrate otherwise, it is considered likely that the new dwelling would result in a harmful loss of daylight to residential properties at no.'s 12 and 14 Eldon Grove, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 5 The proposed new dwelling, by reason of its siting and scale, would result in a loss of outlook to residential properties at no.'s 12 and 14 Eldon Grove contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 6 The proposed development, in the absence of a legal agreement securing a Construction Management Plan and associated monitoring fee, would be likely to contribute unacceptably to traffic disruption and be detrimental to general highway and pedestrian safety, contrary to policies A1 (Managing the impact of development)

and T4 (Sustainable movement of goods and materials) of the London Borough of Camden Local Plan 2017 Policy BA3 (Construction Management Plans) of the Hampstead Neighbourhood Plan (2018).

- 7 The proposed development, in the absence of a legal agreement securing an Approval in Principle Plan and associated monitoring fee, would be likely to be detrimental to general highway and pedestrian safety, contrary to policies T3 (Transport infrastructure) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement securing financial contributions towards highways works, would fail to secure adequate provision for and safety of pedestrians, cyclists and vehicles, contrary to policies T3 (Transport infrastructure) and A1 (Managing the impact of development) of London Borough of Camden Local Plan 2017 and Policy TT2 (Pedestrian environments) of the Hampstead Neighbourhood Plan (2018).
- 9 In the absence of a legal agreement for car-free housing, the proposed development 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, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017 and Policy TT4 (Cycle and car ownership) of the Hampstead Neighbourhood Plan (2018).
- 10 The proposed development, in the absence of a legal agreement securing a contribution to affordable housing, would fail to ensure the provision of the required amount of affordable housing for the scheme, contrary to policy H4 (Maximising the supply of affordable Housing) 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 Nos. 6-10 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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer