

Application ref: 2021/5956/P  
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Date: 17 February 2022

**Development Management**  
Regeneration and Planning  
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Tone  
8  
Sycamore Lane  
Ashford  
TN23 3RS

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Refused and Warning of Enforcement Action to be Taken

Address:

**31 Agar Grove  
London  
NW1 9UG**

Proposal:

Change of the lower and upper ground floor from 1x3 bed flat to a self-contained 1x2 bed flat and 1 x studio flat. (Retrospective)

Drawing Nos: 21034 A 1000 P 1, 21034 A 1001 P 1, 21034 A 1002 P 1, 21034 A 1101 P 1, 21034 A 2001 P 1 and 21034 A 2002 P 1

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

Reason(s) for Refusal

- 1 The development by reason of the loss of a larger three bedroom family sized home with access to private amenity space, would fail to retain existing flexible accommodation suited to the needs of families with children contrary to Policy H7 (Large and Small Homes) of the London Borough of Camden Local Plan 2017.
- 2 In absence of a S106 legal agreement to secure the development as car free, the development contributes unacceptably to parking stress and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan (2017).

Informative(s):

1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2 **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.

3 The notice shall allege the following breaches of planning control:

Change of use of the lower and upper ground floor from 1x3 bed flat to a self-contained 1x2 bed flat and 1 x studio flat.

**WHAT ARE YOU REQUIRED TO DO:**

1.Cease the use of the lower and upper ground floor from 1x3 bed flat to a self-contained 1x2 bed flat and 1 x studio flat and reinstate the use as one residential unit over the two floors.

2.Remove one of the kitchens and bathrooms from either the lower ground or upper ground floor level.

**PERIOD OF COMPLIANCE:** 3 months

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.

**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