

Application ref: 2018/3672/P
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Date: 31 March 2022

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SM Planning
80-83 Long Lane
London EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:

**55 Fitzroy Park
London
N6 6JA**

Proposal:

Demolition of all existing buildings on the site and their replacement with five detached dwelling houses (Class C3) (comprising three part 2 part 3 storey houses at front facing Fitzroy Park and two part 1 part 2 storey houses at rear adjoining Millfield Lane) plus associated driveways, access paths, carparking, landscaping and pond enhancements

Drawing Nos:

Existing Drawings: 010; 100-102; 115; 120; 121; 140; A1000 Rev 1.

Proposed Drawings: 099; 100 Rev A; 101 Rev B; 102 Rev A; 105; 115 Rev A; 120 Rev A; 121 Rev A; 140; 160 Rev A; A2000 Rev 5; A2010 Rev 4; A2011 Rev 2; A2200 Rev 3; A2201 Rev 1; A2300 Rev 2; A2301 Rev 1; 110 Rev A; 111; 112; 130; 131 Rev A; 150; 010 AB; 200 F; 400 F; TR-1; TPP-1; TR24; P-600.

Supporting Documents:

Covering Letters; Planning Statement; Statement of Community Involvement; Design & Access Statement; Heritage Assessment; Transport Statement; Car Parking Note; Arboricultural Impact Assessment & Tree Protection Plan; Ecological Appraisal; Ecology Response to LPA Comments; Technical Report - Analysis of DNA in Pond for Detection of Great Crested Newts; Open Space Assessments; Verified Views; Energy Statement; Sustainability Statement; Geotechnical Assessment; Hydrological & Hydrogeological Impact Assessment; Site Investigation Report; Drainage Report; Drainage Network

Simulation Report; Addendum Surface Water Drainage Statement; Note on Plots 1, 2 & 3 Fitzroy Park Carriageway Impacts; SuDS Pro Forma; SuDS Run-Off Calculations; Re-Infiltration Test Report; Drainage Comment/Query Tracker; LLFA Comment/Query Tracker; LBHGEO Letter to Camden; Response Following Meeting with Gabriel Berry-Khan; Addendum to BIA Submission; Response to London Fire Brigade Comments; Construction Management Plan Pro-Forma; Construction Management Plan Appendix R; Construction Air Quality Assessment and Management Plan; Noise Impact Assessment; Structural & Civil Engineering Design Statement.

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

Reason(s) for Refusal

- 1 The proposed development comprising five dwellinghouses would, by virtue of its scale, layout, visibility and location on designated open space, fail to protect the open character, amenity and ecological value of the site and the openness and character of the adjacent Hampstead Heath, resulting in harm to the amenity value of the Fitzroy Open Space, the character and appearance of the Highgate Conservation Area and the setting of Hampstead Heath. This would be contrary to policies A2 (Open Space), A3 (Biodiversity) and D2 (Heritage) of the Camden Local Plan 2017 and policies OS1 (Highgate's Major Open Spaces), OS4 (Biodiversity and Highgate's Green Grid), DH2 (Development Proposals in Highgate's Conservation Areas) and DH10 (Garden land and Backland Development) of the Highgate Neighbourhood Plan 2017.
- 2 The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017 and policy SC1 (Highgate's Housing Needs) of the Highgate Neighbourhood Plan 2017.
- 3 The proposed development, in the absence of a legal agreement securing a Construction Management Plan (CMP) and associated contributions to support the implementation of the CMP, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017 and policy TR1 (Promoting Sustainable Movement) of the Highgate Neighbourhood Plan 2017.
- 4 The proposed development, in the absence of a legal agreement securing car-free housing, 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 and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017 and policies TR2 (Movement of Heavy Goods Vehicles) and TR4 (Reducing the Negative Impact of Parking in Highgate) of the Highgate Neighbourhood Plan 2017.
- 5 The proposed development, in the absence of a legal agreement securing necessary highway works, would fail to secure adequate provision for and safety of

pedestrians, cyclists and vehicles, contrary to policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) and DM1 (Delivery and monitoring) of the London Borough of 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.

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 above the typed name and title.

Daniel Pope
Chief Planning Officer