

Application ref: 2021/2539/P
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FORM ARCHITECTURE LTD
85 Craigdale Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
**NOTIFICATION OF DECISION WHEN AN APPEAL HAS BEEN MADE
REFUSAL**

Address:

**529 Finchley Road
London
NW3 7BG**

Proposal: Erection of a part 1, part 2 and part 3-storey rear extension, alterations to windows, creation of rear roof terraces at 1st and 2nd floors, and creation of 5 x 1-bedroom flats.

Drawing Nos: 1783/01 Rev A, 1783/02 Rev B, 1783/V1 Rev A, 1783/V2 Rev A, AQA Issue 1 dated 06.09.21, Design and Access Statement Rev A

The Council has considered your application and had an appeal not been made to the Secretary of State, would have refused Full Planning Permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed development, by reason of its design, scale, siting and materials, represents an incongruous and overly dominant form of development, which fails to meet the highest standard of design and causes unacceptable harm to the character and appearance of the host property and surrounding area, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017.
- 2 The proposed development would result in a significant increase in bulk and mass in close proximity to neighbouring habitable windows. In the absence of a daylight/sunlight report or outlook visuals to demonstrate otherwise, it is considered likely that the development, due to its scale and siting, would cause undue harm to

the residential amenity of neighbouring residential properties (particularly, Nos. 529A & 529B Finchley Road), contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

- 3 The proposed development, specifically Units 3 and 5, would provide a substandard quality of accommodation which fails to meet minimum space standards and, in the case of unit 5 (bedroom), fails to provide adequate light and outlook. The proposal also fails to provide any accessible and adaptable units (when it is possible to do so). In the absence of existing and proposed sections, it also has not been demonstrated that the proposed residential units would meet the minimum floor to ceiling heights (2.5m) required by policy. The proposed development is therefore contrary to policy H6 (Housing choice and mix) of the London Borough of Camden Local Plan 2017 and policy D6 (Housing quality and standards) of the London Plan 2021.
- 4 The proposed development would result in the loss of a 3-bedroom family sized unit while providing an unacceptable unit mix of 5 x 1-bedroom flats failing to meet the priority housing needs of the borough in terms of unit mix contrary to policy H7 (Large and small homes) of the London Borough of Camden Local Plan 2017.
- 5 The proposed development would result in the loss of 21sqm of floorspace comprising part of a Class E commercial unit and the entirety of its 68 sqm rear service yard (critical to the function of the commercial unit). The proposed development would therefore harm the vibrancy and vitality of the shopping parade by compromising the functionality of the existing commercial unit contrary to policy TC2 (Camden's centres and other shopping areas) of the London Borough of Camden Local Plan 2017.
- 6 The proposed development creates 5 new residential dwellings, and as such is required to submit an energy and sustainability statement. In the absence of an energy and sustainability statement, it has not been demonstrated that sufficient measures would be adopted to minimise the effects of climate change and meet the highest feasible environmental standards, contrary to policies CC1 (Climate change mitigation) and CC2 (Adapting to climate change) of the London Borough of Camden Local Plan 2017.
- 7 The proposed development would result in significant demolition and construction works in close proximity to large, mature street trees. The applicant has failed to submit an arboricultural report and tree protection plan. In the absence of these documents, it has not been adequately demonstrated that sufficient measures would be adopted to mitigate undue harm to the health of the nearby street trees, contrary to policy A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement to secure an affordable housing contribution of (£33,000), would fail to maximise the supply of affordable housing in the borough and help meet the needs of households unable to access market housing, contrary to policy H4 (Maximising the supply of affordable housing) of the London Borough of Camden Local Plan 2017.
- 9 The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute to an unacceptable increase in parking stress and congestion in the surrounding area, contrary to policies T1

(Prioritising walking, cycling, and public transport) and T2 (Parking and car-free development) of the London Borough of Camden Local Plan 2017.

- 10 The proposed development, in the absence of a legal agreement securing an Energy Efficiency Plan and Renewable Energy Plan and a Sustainability Plan, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 11 The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Without prejudice to any future application or appeal, reasons for refusal numbers 6, 8, 9, 10 and 11 could be withdrawn as part of an appeal process should the appellants conclude a Section 106 Legal Agreement to the satisfaction of the Council.

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.

Yours faithfully



Daniel Pope
Chief Planning Officer