



The Planning Inspectorate

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DISMISSED

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Our reference
T/APP/X5210/A/92/207225/P8

Date = 2 SEP 92

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 7^A AND SCHEDULE 6
APPEAL BY REALVISTA LIMITED
APPLICATION No. PL9200198

1. I have been appointed by the Secretary of State for the Environment to determine this appeal, which is against the decision of the Camden London Borough Council to refuse full planning permission for the erection of a roof extension to provide 2 x 1-bedroomed flats and a studio unit, at Nos. 50A, 52 and 54 Haverstock Hill, London NW3, including the insertion of 7 velux windows on the front elevation. The appeal is also against the refusal of permission for the change of use and conversion works at Nos 52 and 54 Haverstock Hill, to form 7 self-contained flats and the erection of a 2 storey rear extension to No. 52, and the carrying out of minor elevational changes to the front elevation. I have considered the representations made by you, the borough council, and other interested persons. I have also considered those representations made directly to the borough council which have been forwarded to me, and I inspected the site and its surroundings on 25 August 1992.

2. In determining this appeal, the starting point must be the provisions of the Borough Plan. With regard to that plan's policy concerning the loss of non self-contained dwellings (Policy HG35) you state that Nos. 52 and 54 were occupied by 3 sitting tenants until 15-26 months before the submission of your appeal statement (on 18 June 1992) that there are no existing rights for non self-contained flats and that the present tenancies are on a short term basis, so that these properties could be vacated with short notice. On the other hand, the council consider that the current use of Nos. 52 and 54 as 14 bedsits and 2 flats may have been established over the last few years and that the properties have been occupied by non self-contained flats since the 1940s. They have not, however, produced any clear evidence to confirm those statements and, in the absence of such evidence, I do not consider that Policy HG35 should be applied in this case.

3. Therefore, from my inspection and the written representations which have been made, including all of the other local plan policies mentioned in those representations, it is my opinion that the main issues are whether the design and bulk of the proposed roof extension would have a serious impact on the



appearance of the building or the visual amenity of the area, and whether the provision of these flats would entail an excessive and inappropriate form of development for this site.

4. Nos.50A, 52 and 54 Haverstock Hill comprise the south eastern end of a terrace, near the junction of that road with Prince of Wales Road, and comprising 3 storey houses with semi-basements and having small front and rear gardens. No.50 is a single storey building and the next building to the south east is a higher single storey building, possibly a school gymnasium.

5. Whilst the proposals entail the provision of 7 roof lights in the front roof slope, that element of the development, and the other alterations to the front elevation do not entail any significantly detrimental change in the appearance of the building. The end of the addition of the rear dormer roof addition would, however, be seen in silhouette on the approach up the hill from the south east, and destroy the present symmetry of the gable end. The height of No.50 may be increased, but no details of that possibility have been given and in view of the differences in ground level and the existing sharp contrast in height between 50 and 50A I doubt if it would mask the prominent and unfortunate skyline view of the gable end of No.50A.

6. Although the end building of No.199 Prince of Wales Road has been extended to 5 storeys and a dormer inserted in the rear roof of No.56 Haverstock Hill, the Prince of Wales Road extension has existed for some time, and neither addition involves the full width of the respective buildings. This development, however, would create an almost continuous wall of dormer windows across the width of 3 properties which would leave little of the existing roof slope remaining and, in effect, increase the height of the back walls of the existing buildings. The roof additions would increase the amount of evening shadow at the rear of the appeal buildings, and in view of the smallness of the back gardens, they would also increase the overbearing effect of the existing rear elevation on some of the properties in Prince of Wales Road. They would therefore result in a detrimental impact on the appearance, scale and proportions of the existing buildings, and the outlook and enjoyment of neighbouring properties.

7. The proposals do not affect the existing flats in No.50A, and elsewhere seek to provide a studio flat, 5 X 1 bedroomed flats and 4 X 2 bedroomed flats, one on each floor, except the new third floor. There would therefore be some provision in this development as a whole, for family dwellings and I do not consider that the mix of dwelling sizes, is in itself so inappropriate as to be seriously contrary to the aims and objectives of the Borough Plan (particularly Policies HG30, 32 and 33).

8. Policy HG21 of the Borough Plan sets a maximum of 140 habitable rooms per acre (hra) and whilst Policy HG23 permits higher densities in certain circumstances, the existing number of habitable rooms already exceeds HG21's maximum standard by 37 hra. These proposals would entail a further significant increase of 18.6% and I do not consider that the availability of public transport or the proximity of the site to the Camden Town or Swiss Cottage shops, warrant such a high figure. I accept that such a density measure may be crude, but it is still widely used and respected, and as the figure is, in this case, reinforced by a high plot ratio, it is excessive.

I therefore conclude that, whilst the mixture of dwelling sizes is, in itself, acceptable, the design and bulk of the proposed roof additions would have a serious impact on the appearance of the building and the visual amenity of the area, and the provision of these flats would entail an excessive and inappropriate form of development for this site. Those two adverse factors, together, create a compelling planning objection.

10. Questions raised by residents concerning the adequacy of foundations are matters for consideration under Building Regulations and I have considered all other matters raised in the written representations, but they are not sufficient to outweigh the above reasons which lead me to my decision. For those reasons and in exercise of the powers transferred to me I hereby dismiss this appeal.

I am Sir
Your obedient Servant



J S CHEER FRTP1
Inspector