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Your reference

Our reference

1/APP/X5210/A/88/108027/P3 and  
 2/APP/X5210/A/89/115277/P3

22 MAY 89

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9

APPEALS BY MRS H FINLAY

APPLICATION NOS: (1) PL/8803533 J7/2/A AND (2) PL/8804641 J7/2/A

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeals against (1) the decision of the London Borough of Camden to refuse planning permission for the erection of a pair of semi-detached single aspect 2½-storey mews houses at garages 1-7, Middlefield NW8 and (2) the failure of the Council to determine within the prescribed period an application for the construction of a 4 bedroom house above garages Nos 1-7 and the construction of one additional garage at No 1 Middlefield, NW8. I have considered the written representations made by you, by the Council and those made by interested persons. I inspected the site on 20 March 1989.
2. I shall deal first with the proposal to erect a pair of semi-detached houses. From my inspection of the site and its surroundings and the representations received I consider that the main issues are firstly, the effect of the increase in floor-space on the appearance of the area, secondly, the effect on the visual amenities of existing residents and thirdly, the effect of the loss of the garages on the car parking arrangements.
3. The application site lies between a 9-storey block of flats in Boydell Court and 3-storey terraced houses which are part of Middlefield. The proposed houses would face onto a narrow forecourt beyond which are garages attached to the nearest properties in Middlefield. The houses would be erected about 5 m from the adjoining 2-storey dwelling, the rear elevation of which faces down the forecourt. The proposed semi-detached houses would be basically 2-storeys in height with a roof structure which would enable an effective third storey level of accommodation to be built. In my opinion the mass of the proposed houses in such close proximity to the nearby 2-storey dwelling would create a cramped appearance which would seem incongruous in relation to the gaps which exist between other developments in the immediate area. The proposed houses would not have any attached garden or private amenity space and I consider that this would exacerbate the congested appearance.
4. The windows of the nearest of the proposed houses and the windows in the rear of the 2-storey dwelling would be about 5 m to 6 m apart. Due to the right angled orientation of the properties, most of the windows would not face each other. However, in my view, the short distance between the windows of those 2 properties would create an unacceptably overbearing effect on the occupants of the existing dwelling.
5. The proposal would result in the loss of 7 single garages from the Middlefield development. Two garages would be provided in the scheme, but they would be to accommodate vehicles of the occupants of the 2 houses to be built. I saw on my visit

that car parking space was in great demand in both Middlefield and the general area from existing residents. The loss of the garages would deprive the area of 7 direct spaces for garaging and the loss of the limited casual parking which may be possible in that part of the garage courtyard. In my opinion, this loss would lead to even more demand for parking during the day and night in adjoining parts of Middlefield and would be unacceptable.

6. Due to the higher ground level in the Boydell Court garden I think it most unlikely that the largest rear window on the ground floor of each proposed house would be built in the style illustrated on the plan. I do not consider that the limited overlooking possible from the narrow windows at the rear of the scheme would give rise to an unacceptable loss of privacy to residents of Boydell Court. However, on the basis of my conclusions on the 3 main issues discussed above, I consider that the first proposal should be rejected.

7. I now turn to the second appeal and the proposal to build a 4-bedroomed house along the top of garages Nos 1 to 7 with the replacement of the garage lost in the centre of the strip by another garage in the garden of No 1 Middlefield. From my inspection of the site and its surroundings and the representations received I consider the main issues in this case are the effect of the increase in floorspace on the appearance of the area and, the effect of noise and disturbance on future residents of the house.

8. The single dwelling on top of the garages would not achieve the same height as the first proposal due to the flat roof design and so the overbearing effect on the nearby 2-storey dwelling would not be as significant. However, in my view, the proximity of that dwelling to the proposed building, which would be 2-storeys in height, would still lead to a congested appearance. Similarly, the lack of private amenity space for the proposed dwelling would increase the appearance of crowded development.

9. The proposal would result in the 4-bedroomed dwelling being built directly on top of 6 garages. In my view, the normal use of the garages which would involve vehicles being able to arrive and depart at unrestricted times, the opening and closing of the garage doors and noise from any conventional vehicle maintenance would be likely to create a high level of noise and general disturbance for future residents of the overlying property. I consider the disturbance would be sufficient to be unacceptable and therefore I propose to reject this appeal.

10. The addition of a garage to the one which already exists at No 1 Middlefield would not, in my view, lead to an unacceptable loss of visual amenities for the occupants of the house in whose garden it would be built. However, I do not consider that this part of the proposal is the most significant element of the scheme which, in any event, I do not consider is satisfactory.

11. The issue of the possible loss of trees does not arise as I am dismissing both appeals. I have taken account of all the other factors raised, but they do not outweigh those on which my decision is based.

12. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss these appeals and refuse to grant planning permission.

I am Gentlemen  
Your obedient Servant

*Alford.*

A MEAD BSc MRTPI AMIQ  
Inspector