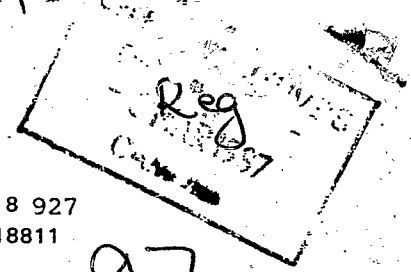


ALLOWED

G9/9/D *

8502219

Reg 1868



Department of the Environment and
Department of Transport

Common Services

Room 1417 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 927

Switchboard 0272-218811

GTN 2074

27

Pollard Thomas Edwards & Associates
55 Colebrook Row
LONDON N1

Your reference

RP/PM/874

Our reference

T/APP/X5210/A/86/52280/P4

Date

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS

25 MAR 1987

NOTED
RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY LEON NAHON ESQ
APPLICATION NO:- G9/9/D

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the London Borough of Camden to refuse planning permission for the enlargement of the fifth floor flat, No 19 Walham Court, 109/111 Haverstock Hill, London NW3 by extending onto the roof above and uniting by a new internal stair. I have considered the written representations made by you and by the Council and also those made by interested persons. I inspected the site on Tuesday 10 February 1987.

2. From the representations made I consider the issues in this case are whether:

- i. this proposal would result in an unacceptable infringement of the density standards operated by the Borough Council;
- ii. light to neighbouring properties would be obscured;
- iii. the overall bulk would impair the street scene.

3. On behalf of your client you point out that the Council are prepared to accept exceptions to their policy in cases where shopping and transport facilities are good, and that the overall policy within the borough is to increase the housing stock. In addition you maintain that this proposal would not harm adjoining residents, rather that it would enhance the appearance of Walham Court.

4. From my inspection I note that the existing block has an indented form of plan, with a substantial lift tower in the centre. It stands to the south of Faircourt, at a lower level on Haverstock Hill, but slightly exceeds the neighbouring block in height. From the roof the only windows visible in the flank wall of Faircourt appear to be a pair of bathroom windows glazed in obscure glass. When standing close to the edge of the roof it is possible to see the edge of a roof terrace at Faircourt. On the south the closest windows to the appeal site are bathroom and corridor windows in the nurses home. Walham Court is close to Englands Lane, which has a parade of shops, and a convenient bus stop on Haverstock Hill. Chalk Farm and Belsize Park tube stations are reasonably close and Primrose Hill is within easy walking distance.

5. The proposal is only in outline at this stage nevertheless it is clear that in order to pick up support from the existing structure the proposed perimeter would be substantially set back from the outer edge of the existing building.

6. From positions at ground level close to the building the flat would not be seen and from a distance it would largely be contained within the profile of the existing form, provided that the height at the eaves and at roof level were kept reasonably low.

7. Because the extension would be set back from the edge of the existing building I do not consider that it would interfere with the passage of light or be likely to disturb the privacy of neighbouring occupants. Inevitably there would be some increase in the bulk of the block at roof level, but because of the factors already referred to I do not consider that this proposal would appear too heavy or likely to detract from the street scene.

8. Evidently at present development at Walham Court is below the Council's plot ratio ceiling for the site, but at their recommended limits for density. However I note that where shopping and transport facilities are good and there is easy access to public open space the Council are prepared to consider exceptions to their standards.

9. I note that in Policy 13 of the Camden District Plan the Borough Council aims to increase the quantity of dwellings in the borough. This proposal is for a family flat designed with high spatial standards and would interconnect with an existing flat, appropriate for the use of different generations of the same family. I do not consider that unduly high levels of occupation would result. It seems to me that this proposal would only exceed the Council's guidelines to a limited extent, in a location which merits an exception and that therefore the overall policy to increase the stock of housing should take precedence.

10. In my opinion this proposal would not be an unacceptable infringement of the Borough Council's density standards and it would not be harmful for neighbouring residents or the street scene.

11. I have taken into account all the other issues that have been raised but these have not proved sufficient to outweigh the considerations that have led to my decision.

12. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the enlargement of the fifth floor flat, No 19 Walham Court, 109/111 Haverstock Hill, London NW3 4SD in accordance with the terms of the application (No RP/PM/874) dated 18 December 1985 and the plans submitted therewith, subject to the following conditions:

1. a. approval of the details of the siting, design and external appearance of the building, (hereinafter referred to as 'the reserved matters') shall be obtained from the local planning authority;
- b. application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this letter;
2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:
 - a. 5 years from the date of this letter; or
 - b. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

*

13. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission and for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

14. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Gentlemen
Your obedient Servant

Ann R Bridger

ANN R BRIDGER BA(Hons)Arch DipUD MA RIBA MRTPI
Inspector