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GTN 2074

H9/14/B

8500148

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Iain Pattie Associates
6 Erskine Road
LONDON
NW3 3AJ

20 DEC 1985

Your reference
8431.4/JIP/VG

Our reference
T/APP/X5210/A/85/33303/P2

Date
18 DEC 1985

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY EQUAL PROPERTIES LIMITED
APPLICATION NO:- H9/14/B

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the failure of the London Borough of Camden Council to give notice of their decision within the appropriate period on an application for planning permission for the erection of 8 flats on 6 floors at 1C King Henry's Road, NW3.
2. I have considered the written representations made by you and by the Council and also those made by other interested persons and I inspected the site and its surroundings on Tuesday 3 December 1985. As a result I have come to the conclusion that the main issue is whether the proposal would constitute an overdevelopment of the site.
3. I have noted your comments on the history of the various planning applications made for the development of the site, and of the discussions and correspondence between yourselves and officers of the Local Planning Authority. I have also noted your remarks on the attention paid to the constraints set in the previous appeal decision and your reference to points made in your letter dated 2 July 1985 to Members of the Planning Committee concerning the height and design of the proposed building and the number of habitable rooms considered to be appropriate.
4. Although you questioned the Council's assertion that only 21 habitable rooms remained to be built on the site, you did not appear to dispute their contention that the 26 habitable rooms included in the proposed block would bring the total density of the overall site to 113 HRA. This figure is clearly above the normal range of 70-100 HRA set out in paragraph 2.17 of the District Plan for "Developments including accommodation for families with children ...".
5. You also did not appear to question the Council's contention that none of the 4 criteria set out in paragraph 2.18(a) to (d) of the District Plan which allow for higher densities in certain circumstances, apply to the appeal site. Since the appeal block would include 7 flats each with 2 or 3 bedrooms, and only one with one bedroom, it seems to me that in the main the dwellings could well be occupied by families with children, and that therefore the proposal would conflict with the Council's policies on densities for family accommodation.
6. More importantly however the proposed block would rise one storey above the height of the adjoining 'Chesterfields' block to the east and in my view produce

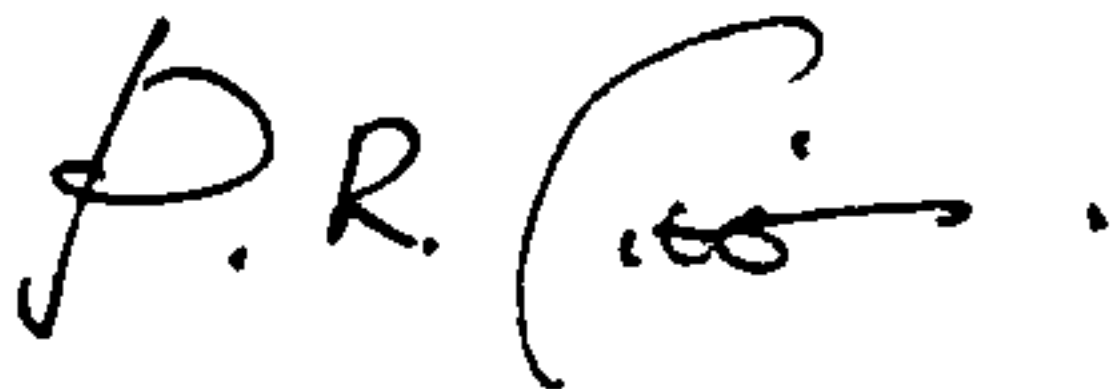
a very unfortunate change in roof-line making it appear too bulky on the site. The block would also rise 2 storeys above the roof of No. 1 King Henry's Road adjoining to the west, and in my opinion completely dominate and overpower this building. In my view therefore the proposed block would not only adversely affect the visual quality of the street scene, but also that of the Primrose Hill Conservation Area in which the site is located. I am therefore convinced that it would constitute an unsatisfactory overdevelopment of the site.

7. I appreciate that a number of the criticisms made regarding certain aspects of the previous appeal scheme, such as living rooms of dwellings which would have looked into the backs of 4 and 5-storey properties in King Henry's Road, and the absence of satisfactory private amenity spaces, have been substantially met in the current scheme. However this appeal scheme is very different in character providing flats not houses, and its dominating height is a new factor. Because of its adverse effect, on the street scene and the Conservation Area I believe that the height of the proposed building outweighs any advantage it may have, when compared to the previous appeal scheme.

8. I have noted the car parking provision proposed, which would apparently meet the Council's standards for the appeal block itself, and I have also noted your reasons for submitting a scheme for 7 flats on the appeal site which has now been approved. Furthermore I have taken into account all the other matters raised, but I am of the opinion that they are outweighed by the considerations which have led me to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Gentlemen
Your obedient Servant



P R GIBBS MD AADip RIBA
Inspector