



Department of the Environment and
Department of Transport

Common Services

Room 142 Tollgate House Houlton Street Bristol BS2 9 DJ

Telex 449321

Direct line 0272-218 927

Switchboard 0272-218911

4/2/84 2486
Rec. 110 1252
23413527
CHIEF EXECUTIVE'S
DEPARTMENT
16 FEB 1984
CAMDEN

Mr E Carter BCom FCCA FTII
Messrs Carter Backer Winter & Co
Certified Accountants
Blue Star House
Highgate Hill
LONDON N19 5UU

CAMDEN
LEGAL DIVISION
16 FEB 84

Your reference

EC/GPC

Our reference

T/APP/X5210/A/83/2795/PH2

Date

PLANNING AND COMMUNICATIONS
14 FEB 84
DEPARTMENT

Sir

CAMDEN
21 FEB 1984

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- H12/34/18/35486

REFERRED TO

1. I have, as you know, been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Camden London Borough Council to refuse planning permission for the continued use of the basement and ground floor at 98 Camden Road as offices. I have considered the written representations made by you and by the council. I inspected the site on 31 January 1984.

2. When the present permission was granted in 1972 the following condition was imposed:-

'2. The use of the basement and ground floor offices shall be limited to use as offices for professional purposes for estate agents, accountants, solicitors, surveyors, architects and engineers and for no other purpose within Class II of the Schedule to the Town and Country Planning (Use Classes) Order 1972',

The following reason being given:-

'in order to ensure that the premises are occupied for a purpose providing a local service'.

3. Your present application was refused on the ground that 'the proposed development involves an increase in unrestricted office accommodation contrary to the policy to restrain the growth of such space as expressed in the Greater London Development Plan and in the District Plan and particularly where a desirable service to the local community is not proposed.'

4. From my inspection of the appeal site and its surroundings and my consideration of the representations it seems to me that the main issue is whether the proposed use is appropriate to the location and is in accord with relevant planning policy.

5. The appeal premises are part of a building occupied as offices on ground floor and basement, with 3 floors of residential accommodation above, and finished and maintained externally to a high standard.

6. The building is situated within a parade of similar properties, originally houses and now occupied as business premises and upper parts. The business premises comprise a public house and retail, professional and service occupations, the non-retail uses being among those appropriate to, and customarily to be found within, local retail shopping parades.

7. The building is not situated within a preferred office location as specified in Section 3.17 of the Local Plan, nor does it enjoy such substantial planning advantages as would bring it within the scope of that section, which follows the similar provision of section 4.15 of the Greater London Development Plan. I conclude that the appeal premises are inappropriately situated for unrestricted office use. On the other hand, the immediate area is one where many professional firms, offering a local service, are located, and despite your lack of success in letting the premises for occupation in accordance with your present permission, it seems to me that such a letting, upon suitable terms, remains a practical possibility.

8. The appeal premises are distinguishable from others which you cite as having unrestricted office permission. Both those cited are south of the shopping parades and beyond the Grand Union Canal. Shirley House is a modern purpose built multi-storey block with a car showroom on the ground floor and offices above. No 74 Camden Road is also divorced from terraces offering local services.

9. I have taken into account all other representations made, but none is of sufficient weight to override the considerations which have led to my decision.

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

I am Sir,
Your obedient Servant



C F HYAMS FRICS
Inspector