



DISMISSED
**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

E11/9/1
 8500565

Reg 1761

Stuart Henley & Partners
 18 Friern Park
 LONDON
 N12

Your reference

SH

Our reference

T/APP/X5210/A/85/042525/P4

Date

CAM
 LEGAL
 12 MAY 1986

8 MAY 1986

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY BERTIE'S WINE BAR
 APPLICATION NO:- PL/8500565

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the London Borough of Camden to refuse planning permission for conversion of upper parts into 2 self-contained flats with mansard roof extension at 56 Chetwynd Road, London NW5. 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 14 April 1986.

2. Planning permission has recently been granted on appeal for change of use of the ground floor to wine bar and alterations to the ground floor including a single-storey rear extension. The present appeal is concerned with the separate application for alterations above ground floor level, including formation of roof terraces at first floor and second floor levels, and construction of a mansard third floor. There would be a first floor one-bedroom flat marked on the plans as for an assistant manager and above that a 2-bedroom maisonette described as for the manager of the wine bar. The Council object to the mansard roof, a first floor roof terrace, and to lack of family accommodation, but not to the appearance of the flank walls below existing roof level.

3. From my observations at the site and my reading of the representations, there seem to me to be 2 chief issues in this appeal: the effect of the proposed mansard extension on the street scene and character of the locality; and whether the first floor roof terrace would overlook neighbouring property to an unacceptable degree.

4. Although not a designated Conservation Area, the locality around the appeal site seemed to me to have kept its essential character of pleasing though not grand Victorian terraces. The pattern of fenestration and the roof lines are largely intact; the footways are still paved with attractive sandstone slabs; and I gained the impression that the area is recovering from a temporary decline, much refurbishment work being in evidence. In my opinion the appeal building's original 3-storey building height with typical London parapets is in proportion with the relatively narrow street and balances the building on the opposite side of the street. Since despite the lack of planning permission construction of the mansard was well advanced at the time of my visit, I was well able to judge

CHIEF EXECUTIVE
 DEPARTMENT
 12 MAY 1986
 CAMDEN

the effect of the proposal on the street scene. You claim that the mansard would not be prominent, and I agree that this may be so as seen from the street directly below. But this is not the case as seen from the south-west, particularly since Chetwynd Road rises markedly in that direction. The attention of passers by heading north-east would readily be drawn to the mansard extension, in a prominent corner location, which in my judgment would appear bulky and out of proportion with the rest of the street. I consider that the effects on the character and street scene of the locality would be unacceptably harmful, and in coming to this conclusion I have been conscious of the advice in Circular 22/80 (repeated in Circular 31/85) about aesthetic control. You have cited 90-92 Highgate Road as comparable with the appeal premises; I viewed that property but it is a free standing building and therefore very unlike Chetwynd Road which comprises continuous and balancing terraces on both sides of the street.

5. I have considered the Council's objection to the proposed first floor roof terrace, and your own proposal for overcoming it by resiting the railing to be further from the edge overlooking the garden of No 58. This seems to me a reasonable way of giving occupants of the flat above the wine bar some of the amenities of a garden without impinging too greatly on the privacy of occupants of No 58. I therefore do not find this aspect of the appeal proposal unacceptable. ³¹ Having studied the Council's relevant policies and your and the Council's arguments about relative suitability of the existing and proposed maisonettes as family accommodation, I have concluded that there is too little difference to be significant to my decision: the lack of a bathroom in the existing is remediable, perhaps with the loss of a bedroom, whilst the second bedroom in the proposed maisonette might be large enough for 2 young children. In both cases family accommodation would be less than ideal but not so unsatisfactory that it could not be used as such.

6. Although my adverse findings concern only the mansard extension, it would be impracticable to make a split decision when a single building structure is involved. I have also taken into account all other matters raised in the representations, but they do not outweigh my conclusions on the material considerations that have led to my decision.

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

I am Gentlemen
Your obedient Servant

W M H PATTERSON MA(Cantab) DipTP FRTPI
Inspector