**APPLICATION NUMBER 2014/7851/P**

**ASSOCIATED APPLICATION NUMBER 2014/5089/PRE**

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**ARTHUR WEST HOUSE . 79 FITZJOHN’S AVENUE . NW3 6PA**

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Comments submitted by David Sumray, Flat 1, 346 Finchley Road, London, NW3 7AJ

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I wish to draw to the attention of the Development Control Committee the planning history of the site (extant records go back to 1952), which indicates concerns on the part of the LPA about over-development; the impact upon the amenities of residential properties in the neighbourhood; traffic issues; and impact upon the Fitzjohn’s and Netherhall Conservation Area. These concerns were expressed in the form of Planning conditions attached to each grant of Planning Permission. All of these concerns have been flagged in the objections submitted to this application.

An LPA has the legal right to control the effects of new developments where they impact upon the general case of residential amenity, as there is a public interest in protecting the amenity of residential property as a whole, i.e. loss of privacy by excessive overlooking of windows or gardens; loss of light; overbearance by large new buildings that are too close to boundaries.

Over a period of twenty years, the LPA took this public interest into account when considering the applications made in respect of Arthur West House, and I believe that this public interest should similarly be taken into account by the Development Control Committee when considering this application.

I therefore set out below a summary of the Planning history of the site between 1971 and 1991 (the period during which the major development occurred - it was in 1971 that the application was made to demolish the existing buildings on the site and build what became Arthur West House).

**25 March 1971** An application (number 10820) for the redevelopment of the site of 79 Fitzjohn’s Avenue by the erection of a five storey building comprising fifteen residential units, with a 5 storey hostel, and basement car parking for 18 cars was rejected on the grounds that:

1. The mass of the building proposed on the site is regarded as excessive in relation to the character of the surrounding area, and produces an unacceptable concentration of occupation;

2. That part of the scheme proposed for hostel use is considered to be out of scale with the premises in Prince Arthur Road.

**20 October 1971** A revised application (number 11605) was conditionally granted for the redevelopment of 79 Fitzjohn’s Avenue by the erection of a five storey building comprising fifteen flats, and a four storey building on the return frontage for hostel use, and basement car parking for 19 cars, the additional conditions including:

 The pitch of the roof of the four storey hostel shall have a shallow angle and details of the revision shall be submitted to the Council for approval.

The reasons for the imposition of this condition being:

 It is not considered that the present treatment of the top storey provides a visual relationship with the character of this area by virtue of its proportions.

**26 October 1976** An application (number 22567/R1) for the erection of a five storey and basement hostel building (this being Phase 2 of the Hyelm Hostel development) was conditionally granted, the additional conditions including:

 All existing trees on the site shall be retained and shall be protected against damage during the course of the construction works.

The reasons given for this condition being:

 In order to maintain the character and amenities of the area.

**8 May 1980** An application (number 30156) to demolish the existing side extension and replace it with a two storey side extension, adjacent to the rear garden of 81 Fitzjohn’s Avenue was rejected on the grounds that ‘The proposed extension is considered undesirable as it would obstruct light to adjoining properties to the detriment of their amenities.’.

**25 February 1991** An application (number 8905835) to erect two extensions to provide an additional 48 bed spaces was refused on the grounds that:

1. The proposed roof extension would have an adverse effect on the appearance of the building and the visual amenity of the conservation area

2. The proposed rear extension is considered to be undesirable as it would obstruct the light and outlook of the adjoining properties to the detriment of their amenities;

3. The proposed scheme exceeds the Council’s plot ratio standards for the area and is considered to be overdevelopment of the site and would result in the unacceptable loss of an undeveloped open space to the detriment of the Fitzjohn’s and Netherhall Conservation Area.

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