

ALLOWED

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H5/4/18
8601763



FILE COPY

Your reference

REF: 14/W

Dr L A Berger
37 Compayne Gardens
LONDON
NW6 3DD

Our reference

T/APP/X5210/A/87/67721/P4

Date

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS

19 NOV 1987

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO: PL/8601763/R1

RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against the decision of the London Borough of Camden Council to refuse planning permission for the retention of a hardstanding and means of vehicular access to the road at your home, 37 Compayne Gardens, London NW6. I have considered the written representations made by you and by the council and also those made by an interested person. I inspected the site on 29 August 1987.

2. From my inspection of the site and surroundings and the representations made, it appears to me that the principal factors to be taken into account in determining this appeal are whether, having regard to the fact that in the case of single family dwellings, such proposals do not require specific planning permission, and having regard to the Environmental Code operated by the council since 1979 with which the council acknowledges that your plan complies, but which the council is reviewing, there are any special considerations in this case which would lead to the refusal of the permission that you seek.

3. Compayne Gardens is a residential road in NW London. It has on both sides of the road large semi-detached Victorian houses which have in front of them limited front gardens. Some of these houses, including No. 37, have been divided into flats; some remain in single family occupation. A significant proportion of the houses already have hardstandings for cars in their front gardens. There is a lot of kerb-side parking in this and neighbouring roads. Compayne Gardens does not appear to me to carry much traffic.

4. The council has recently become concerned about the way in which parking in front of houses has proliferated in this area and is currently revising its policy. However, you have pointed out that specific permission is not required for such arrangements where a house is in single family occupation and where similar amenity and road safety considerations may apply. Where, as in this case, specific permission is required, the council's District Plan is supported by an Environmental Code which has operated since 1979. Though the council is reviewing this, it appears that when you first discussed your proposals with the council, subject to a reduction in the size of the access, it met the standards of the code and was in principle acceptable by the council. The considerations on which the council has refused your application appear to me to apply to virtually all forecourt parking for which specific permission is required and the council say they are generally resisting such proposals.

5. I appreciate the amenity and traffic hazards associated with forecourt parking but in the case of Compayne Gardens, which appears to carry little traffic, I am not convinced that the traffic hazards are serious. Amenity considerations weighed

Similarly in the case of 2 earlier appeal decisions to which the council have drawn attention. However, in the case of your proposal there is other forecourt parking in the vicinity. What is more, less than half the forecourt would be used for parking and the remainder would have landscaping which would limit the amenity impact of the parking. I have also had regard to the need which you have, as a doctor, for immediate access to your car. In all the circumstances, therefore, it appears to me that I would not be justified in withholding the permission that you seek and I have decided that your appeal should be allowed.

6. I have considered all the other matters raised in the written representations but have found nothing of sufficient weight to affect my decision.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the retention of the vehicular hardstanding and means of access to the highway at 37 Compayne Gardens, London NW6, in accordance with the terms of the application (No. PL/8601763/R1) dated 17 September 1986 and the plan submitted therewith.

8. 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 Sir
Your obedient Servant

W. P. Knox

W C KNOX BA
Inspector