

67/40620/3931

VICTORIA 6940

Surveyor
TP 81204

Notes

and 17/4

31 March, 1954.

Sir,

Town and Country Planning Act, 1947: Section 16
Appeal relating to No. 52 St. Giles's High Street, Holborn

1. I am directed by the Minister of Housing and Local Government to refer to the appeal made by Mr. M. Mousourous against the refusal of the London County Council to permit the change of use of the two front rooms of the flat on the first floor at No. 52 St. Giles's High Street, Holborn, from residential to restaurant purposes.

2. No. 52 is situated on the west side of St. Giles's High Street and forms part of a block of flats known as Clifford Mansions extending over the shops at Nos. 52-55 with a separate entrance at No. 54. The two first floor front rooms, the subject of the appeal, are the living-rooms of a self-contained flat comprising four rooms, a kitchen and a bathroom. The flat is partly over the look-up restaurant known as the "Athenaeum Restaurant", of which your client is the proprietor, and partly over a vacant shop. The flat is occupied at present by your client.

3. The main points made in support of your client's appeal were that:-

- (i) The restaurant was too small to accommodate all the customers. Your client offered no room for extension and he had been unsuccessful in acquiring the next door shop, which is at present vacant.
- (ii) He proposed, therefore, to remove the partition between the two living-rooms immediately above the restaurant and to construct a staircase leading directly from the restaurant to these rooms, which could then be used as part of the restaurant.
- (iii) He would continue to live in the flat and would occupy the front rooms in the evenings as the extension to the restaurant was needed only at the lunch-time rush hour. It was submitted that the proposal would not involve any loss of residential accommodation.
- (iv) He would agree to reinstate the flat as now existing should he decide not to continue to reside on the premises.

For the London County Council it was stated that:-

- (i) The premises were situated in the Central Zone defined in the Administrative County of London Development Plan.
- (ii) The Council had consulted the Holborn Metropolitan Borough Council on the application and they had offered no objection to the proposal subject to permission being restricted to the applicant only, and any structural work necessary to reinstate the rooms for residential use being carried out on the cessation of the restaurant use by the present occupier.
- (iii) The County Council had refused permission, however, because the proposal conflicted with their Development Plan, which sought to preserve residential uses.
- (iv) In the Council's view the only relevant consideration was whether the rooms in question could still be used residentially and they were satisfied that they could be.

(v)

7) The loss of these two front rooms would practically halve the amount of accommodation available in the flat, leaving a less satisfactory unit comprising two bedrooms, a kitchen and a bathroom only.

The Minister has considered the report of his Inspector, Mr. G. P. G. Whitaker, following his inspection of the premises and is satisfied that the removal of the two front rooms from this flat would leave a very small and unsatisfactory unit of accommodation. He can see no special circumstances which would warrant granting permission for the extension of a business use into this flat.

Accordingly, the Minister hereby dismisses your client's appeal, and this letter is issued as his formal decision.

I am, Sir,

Your obedient Servant,

A. Z. NICKINBOTHAM

Authorized by the Minister
to sign in that behalf.