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ALLOWED

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Your reference
 C/C/428
 Our reference
 T/APP/X5210/A/91/196786/P4
 Date
 3 APR 1992

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
 APPEAL BY EUROMODES LTD
 APPLICATION NO: PL/9101103

1. As you know, I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the London Borough of Camden Council to refuse planning permission for the construction of one self contained studio flat in the roof space of the existing house at 4 Manstone Road, London NW2. I have considered the written representations made by you and by the Council and also those made by interested persons directly to the Council and forwarded to me. I inspected the site on 24 February 1992.

2. From my consideration of the representations made and my inspection of the site and its surroundings, I consider that there are three main issues in this case. The first is whether the proposal would create unacceptable living accommodation, by reason of its poor internal arrangements and space standards, the second is whether the alterations to the roof would have a damaging effect on the appearance of the building and on the attractive and uniform character of the surrounding area, and the third is whether the proposal would constitute overdevelopment of the premises, leading to unacceptable levels of noise and disturbance to existing residents and neighbours.

3. Relevant local policy background is contained in the adopted Borough Local Plan. Policy HG3 seeks to ensure that all new residential units should be of high quality and have adequate and safe internal and external amenities. Although there is an emphasis on the provision of family accommodation, the Plan acknowledges the need for a range of housing types, including small single-person units, as these help to meet an overall objective of increasing the number of dwellings within the Borough. The internal standards which the Council seeks to achieve are set out in detail in the Environmental Code Review: Residential Internal Standards, which is a non-statutory document supporting the Local Plan. These standards have been adopted by the Council in an earlier form and are now undergoing revision. The underlying aim of these policies, however is to provide housing of high quality, which is worthy of support.

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4. The proposal would involve the formation of a self-contained residential unit which is intended for occupation by one person. The layout would provide separate kitchen and bathroom facilities, whilst living, dining and sleeping activities would take place in the studio room. Access would be provided by extending the existing staircase from first floor level into the roof area. It seems to me that although the flat would be compact, and by my calculation would fall slightly short of the Council's space standards, the arrangement would not be inconvenient, and adequate living and storage space would be provided. I consider that the limitations of headroom due to the form of the roof space would be adequately dealt with, as would the need for sunlight and daylight. In conclusion, I am satisfied that the proposal would not create unacceptable living accommodation and I consider that the internal space standards which would be achieved in this case would not be so far below the Council's requirements as to justify the withholding of planning permission.

5. Turning to the second issue, the character of Manstone Road and the surrounding residential area north east of Cricklewood Broadway is that of two storey, closely spaced, detached or semi-detached houses which probably date from the end of the nineteenth century. The houses in Manstone Road are built of red brickwork which is elaborately detailed on the front elevations. The roofs are hipped and pitched and the slate covering incorporates decorative patterning on the pitches facing the street. Although alterations have taken place to some of the houses, including rendering, painting of the brickwork and reroofing in modern materials, it seems to me that the pleasant character of the street scene has not been seriously undermined. The rear elevation of the appeal premises, and the neighbouring properties, is relatively plain and of unremarkable quality, and faces onto an area comprising the rear gardens of houses in Manstone Road, Fordwych Road and Rondu Road. The proposed changes to the appearance of the roof would involve the introduction of five rooflights on the side pitches and a rear-facing dormer-window created by extending the ridge of the main roof. I am satisfied that because of the close proximity of the adjoining houses, which obstructs a clear view of the side and rear roof surfaces, the alterations would not be noticeable from Manstone Road.

6. The new dormer-window construction on the rear roof pitch would be prominent in relation to the rear elevation of the house, and the neighbouring properties, and would be the only feature of this type within the area. However, it seems to me that the design of the dormer has been carefully tailored so as to appear sympathetic to the appearance of the existing building, and although it would be a unique feature in this setting, it would not appear visually incongruous. To my mind, the attractive and uniform character of the area, which derives primarily from the scale and layout of the houses and the treatment of the front elevations, would not be harmed by this proposal.

7. With regard to the third issue, the Council argues that the creation of a fifth flat within the house would represent overdevelopment of the property, leading to noise and disturbance to existing residents and the occupants of neighbouring properties. It seems to me that the increase in activity resulting from the occupation of this flat would not materially affect existing residents in the area, bearing in mind that most of the other properties within the street are also subdivided into flats or bedsits. I am satisfied

that any noise nuisance which might be caused to the occupants of existing flats within the house could be largely resolved by incorporating appropriate sound insulation material, which could be dealt with by attaching an appropriate condition to a planning permission. The Council also refers to the additional pressure resulting from this proposal on parking provision in the area, but on the evidence before me, I do not consider that the degree of harm caused would be unacceptable.

8. I have taken into account all other representations made, but none is of sufficient weight to affect my conclusions.

9. I have noted the conditions suggested by the Council. Whilst I am not convinced of the necessity of one relating to the fixing of external pipes and plumbing, I am satisfied that the remaining conditions are necessary in principle so as to minimise the effect of noise nuisance on the occupants of existing flats, and to ensure that external changes are compatible with the appearance of the building.

10. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the construction of one self contained studio flat in the roof space of the existing house at 4 Manstone Road, London NW2 in accordance with the terms of the application (No PL./9101103) dated 7 October 1991 and the plans submitted therewith, subject to the following conditions:-

1. the development hereby permitted shall be begun before the expiration of five years from the date of this letter;

2. the studio flat hereby permitted shall not be occupied until sound insulation has been provided within the floor and walls and other areas that separate the newly formed premises from the existing dwelling units in accordance with a method which has received the approval of the Council;

3. the development hereby permitted shall not be commenced until samples of external facing materials to be used have been submitted to and approved by the local planning authority.

11. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

12. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

I am Gentlemen
Your obedient Servant



R STUART FELL DipArch RIBA
Inspector