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DISMISSED

H13/4/P

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R-1598

CHIEF EXECUTIVE'S

DEPARTMENT

27 JUN 1985

CAMDEN

Mr J E Kahane MA DipArch (Camden)
Garden Flat
18 Prince Arthur Road
LONDON NW3

Your reference

Our reference

T/APP/X5210/A/84/24972/P2

Date

26 JUN 85

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- H13/4/P

1. As you know, I have been appointed by the Secretary of State for the Environment to determine your appeal against the decision of the London Borough of Camden Council to refuse planning permission for the erection of a 2 storey house at the back of 31 St Augustine's Road, London NW1. I have considered the submissions made by you and by the local planning authority and the representations received from interested persons. I inspected the site on 21 April 1985.

2. From my persual of the submissions made and representations received and my inspection of the site and surroundings I am of the opinion that the chief issue is whether the proposed method of using the forecourt for car parking would adversely affect those living in the proposed house, and the locality, and those using the adjoining highway.

3. You make the point that the guidelines on parking issued by the local planning authority are just that and are not statutory requirements, and you contend that few of the houses in Murray Mews observe these guidelines. Then you allege that parking parallel to the carriageway as you propose is safer than parking at right angles to it because visibility is better. The ramped pavement outside the site is effectively a full width crossover requiring no modification for the proposed parking. You consider that there would be no difficulty in parking a car on the forecourt in 2 manoeuvres and that no one would leave their car protruding on to the pavement with the risk that it might be scratched or hit. Finally you consider that there would be less likelihood of fumes entering the house from a car parked parallel to it than from a car backing against it, and that those living in the house would not have their view from the window blocked by the parked car - they would be able to see over it.

4. The local planning authority describe the site and surroundings, and they say that almost all of the houses in Murray Mews have integral garages or open parking spaces at right angles to the highway. They go on to say that the site is within the Camden Square Conservation Area. The statutory development plan for the borough is the approved district plan read in conjunction with the Greater London Development Plan. The district plan contains several non-statutory documents, one of which is the Environmental Code and this contains sections relating to the provision of car parking. The guidelines in the code state that the area of site given over to parking should not exceed half the forecourt area; parked cars should be set back sufficiently to prevent fumes from entering the dwelling; cars should not obstruct the clear and direct access to each dwelling entrance, and parking will not be permitted where the depth of forecourt available for parking is less

than 5.4 m deep. The authority say that the drawings submitted by you indicate that the area taken up by the parked car would exceed half the width of the forecourt, that fumes would be likely to enter the house, and that a clear access to the front door might be obstructed. The authority also consider that there would have to be manoeuvring over the footpath to get the car in the position which you have shown. Moreover the door step and dustbin area would obstruct vehicle movement. The authority are of the opinion that the car would be either parked at an angle, or parked partly on the footpath, or parked in such a way that the car doors would swing open across the public highway, thus causing obstruction and possible danger.

5. Two letters of objection have been received, together with one letter of support.

6. In my opinion the pros and cons of the proposed manner of parking are almost equal. The advantage of this method of parking is that it would conduce to road safety, for good views of Murray Mews would be obtained by a driver entering or leaving the forecourt. The disadvantage is that most of the forecourt would be used as a car parking space and this would be unpleasant to look out upon, even though the ground floor window looking on to the forecourt would be a high level one. Moreover those travelling along Murray Mews past the proposed house would see most of the small forecourt given over to the parking of the car. As Murray Mews is in a conservation area this defect of the proposal precludes my allowing the appeal. In coming to this conclusion I have taken into account all the other matters mentioned in the submissions and representations, and the fact that I noticed when we walked down Murray Mews that there was a van parked on the forecourt of a house even though a garage had been provided, but these matters do not outweigh the considerations leading to my decision.

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

I am Sir
Your obedient Servant



JOHN EYRE RIBA ARCS
Inspector