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Recd. 22/11/90

ALLOWED

J W Bonallack Esq  
35 Murray Mews  
LONDON  
NW1 9RH

Your reference

Our reference  
T/APP/X5210/A/90/158008/P3

Date

26 NOV 90

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPLICATION NO:- 8903585

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. This appeal is against the decision of the London Borough of Camden Council to refuse planning permission for the following development at No 35 Murray Mews, London NW1: an extension over the forecourt on an 8 ft frontage to provide ground-floor shower/WC and laundry-room. I have considered the written representations made by you and by the Council. I inspected the site on 28 August 1990. Since then further representations have been made.

2. From my inspection of the site and its surroundings and from the written representations made, I consider that the main issue in this case is whether or not your proposal would preserve or enhance the character or appearance of the Camden Square Conservation Area, having special regard to the following possibilities:

- a. the density would be excessive;
- b. the plot ratio would be excessive;
- c. there would be additional on-street parking;
- d. there would be unsightly forecourt parking.

3. The Council have informed me that the appeal site lies within the Camden Square Conservation Area. Accordingly section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a material consideration in the determination of this appeal. Because of the location I am obliged to assess the impact of your proposal against the yardstick of whether it would be positively beneficial to the Camden Square Conservation Area.

4. There are 4 reasons for refusal that appear on the Council's decision notice, and I propose to examine each of those in turn. The first reason alleges that the total density would exceed that indicated as appropriate in the Greater London Development Plan, approved in July 1976, and in the London Borough of Camden Local Plan, adopted in May 1987. The Council have produced a report form which indicates that they regard the gross site area as 166.5 m<sup>2</sup> and the net site area as 139.5 m<sup>2</sup>. The same form says:

Furthermore, the plot ratio and density is excessive compared to other dwellings.

I have not been furnished with copies of appropriate extracts of the Greater London Development Plan or of the London Borough of Camden Local Plan. Nor have the Council sought to explain how your proposal would fail to conform to policies of those plans.

5. You have produced a plan which indicates that the existing ground-floor area is  $78 \text{ m}^2$  and that the existing first-floor area is  $65.5 \text{ m}^2$ . The extent of the proposed laundry-room is said to be  $7.8 \text{ m}^2$ . I calculate that the existing second-floor area is about  $36 \text{ m}^2$ . The result of adding the laundry-room would be to raise the total floor area from about  $180 \text{ m}^2$  to about  $188 \text{ m}^2$ . An increase of about 4% might be significant if a uniform pattern of development were to be disturbed or if the scale of activity were to be intensified. As it is, neither condition would be met. That is because there is little uniformity in the existing pattern of development, and the number of habitable rooms and the sizes of them would remain the same.

6. The second reason alleges that the Council's plot ratio standards for the area would be exceeded and that the proposal constitutes over-development. The Council's document 'A Plan for Camden: The Environmental Code', dated January 1979, says in paragraph 2.1:

Plot ratio expresses the relationship between gross floor area and net site area, and is a more sensitive indicator of building bulk than density.

Paragraph 2.2 sets out the plot ratio standards for purely residential buildings. Where the density range is as high as 100-140 habitable rooms per acre the maximum plot ratio is 1.2:1.

7. If the existing gross floor area is  $180 \text{ m}^2$  and if the net site area is  $140 \text{ m}^2$  the plot ratio is already 1.29:1. Your proposal would result in the plot ratio being 1.34:1. However, there are 3 particular reasons why I do not consider that the plot ratio would be excessive or that there would be over-development. First I calculate that No 35 has 6 habitable rooms, namely a sitting-room, a dining-room, a study and 3 bedrooms and that the density is already about 360 habitable rooms per hectare or about 146 habitable rooms per acre. A plot ratio of 1.34:1 is not inconsistent with such a high density. Secondly the plot ratio would be raised only slightly. Thirdly, as paragraph 2.1 suggests, plot ratio is designed to be a measure of building bulk. The area where the laundry-room is proposed is already enclosed on 3 sides and does little to contribute to the open setting of No 35. The building bulk, as perceived by the public, would be little different if a single-storey structure with a lean-to roof were to be substituted.

8. The third reason for refusal alleges that the loss of off-street parking is contrary to the policy set out in the Camden Square Conservation Area Plan. In the report form produced by the Council it is said:

The proposed extension includes loss of a garage space which is an integral part of the house when it was built and there were no conditions attached. However, the loss of off-street parking is contrary to Camden Square Conservation Policy ...

I have not been furnished with copies of any extract of the Camden Square Conservation Area Plan.

9. In considering the third reason for refusal I recognise that on-street parking is both unsightly and a source of danger and inconvenience and support the Council in their efforts to retain provision for on-site parking. However, it would appear that what was intended as an integral garage for No 35 is already in use as a store and that there is nothing that the Council can do to secure discontinuance of that use. Regardless of how this appeal is determined there is no sure prospect of a garage use being instituted or resumed. I do not therefore entirely agree with the observation that the proposed extension includes loss of a garage space. In any event the capacity of the store to operate satisfactorily as a space for the accommodation of a car is severely compromised by the narrowness of the forecourt

approach and by problems likely to be experienced in turning into and out of the access. The forecourt itself is only about 2.6 m wide and about 3.2 m deep. It is therefore far too shallow to be able to accommodate even a modest-sized car. There is no on-site provision for car parking to be lost.

10. The fourth reason for refusal alleges that the use of the forecourt for parking is contrary to the policy on forecourt parking in Conservation Areas. It would appear that there may have been a plan, showing forecourt parking along the front of No 35. However, the plans produced by you and the plan that was enclosed with the Council's communication of 17 October 1990 show no provision for on-site parking along the front of No 35 or anywhere else. I am determining this appeal upon the basis that there would be no use of any forecourt for parking. Under that circumstance the fourth reason for refusal appears to relate to a form of development that may have been envisaged but is no longer proposed.

11. Having examined all 4 reasons for refusal I take the view that none of them can be sustained. Neither the density nor the plot ratio would be excessive. There would be neither additional on-street parking nor forecourt parking. However, the question remains whether the impact of the development would be positively beneficial. I consider that it would be. That is most of all because the addition of a laundry-room, the enlargement of an entrance lobby and the substitution of a large shower/WC for the present small WC would enable No 35 to operate more efficiently. The more convenient the dwelling is the greater the inducement to look after it sympathetically. The conclusion I reach is that the character and appearance of the Camden Square Conservation Area would be preserved and enhanced.

12. In the event of the appeal being allowed the Council have provided a list of conditions they would favour. The first special condition relates to materials. It is stated on the application form that walls would be of London stock brick and that the roof would be covered with slate. Under that circumstance I am satisfied that materials have already been specified, and I would expect them to match those existing. The second special condition requires no pipes or plumbing, other than rainwater pipes, to be fixed to the external face of the building. I have no reason to suppose that there would be external pipes or plumbing. Nevertheless I am adopting the Council's suggestion in a wish to avoid the risk of a cluttered appearance. I have noted that the laundry-room would project in front of the remainder of No 35, but it would do so only at ground-floor level and would be similar to part of No 31. I have taken into account all the other matters raised in the written representations, but none is of sufficient substance to outweigh the considerations that have led me to my decision.

13. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the following development at No 35 Murray Mews, London NW1: an extension over the forecourt on an 8 ft frontage to provide ground-floor shower/WC and laundry-room. The planning permission is in accordance with the terms of the application (No 8903585) dated 11 September 1989 and the plans submitted therewith and is subject to the following conditions:

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter;
2. no pipes or plumbing, other than rainwater pipes, shall be fixed to the external faces of the laundry-room hereby permitted.

14. 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. Your attention is drawn to the provision of section 74 of the Planning (Listed Buildings and Conservations Areas) Act 1990 which requires consent to be obtained prior to the demolition of buildings in a conservation area.

I am Sir  
Your obedient Servant

*Robert Sherlock.*

ROBERT SHERLOCK BA DipTP MRTPI FSA  
Inspector

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