



Department of the Environment
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J Nash for
Mr. Henson
Ref No 669
F5/9/29

Mrs J H Solomon
9 Langland Gardens
LONDON
NW3 6GD

PLANNING AND COMMUNICATIONS
DEPARTMENT
CAMDEN
27 SEP 1976

Your reference
Our reference
T/REP/9008/A/76/4186/38
Date
20 SEP 1976

Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 25 AND SCHEDULE 9
APPLICATION NO:- 21462

1. I refer to your appeal, which I have been appointed to determine, against the decision of the Council of the London Borough of Camden to refuse planning permission for the retention of a concrete vehicular hardstanding in the front garden of 9 Langland Gardens, NW3. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 10 August 1976.
2. From my inspection of the appeal site and its surroundings and the representations made, I am of the opinion that the determining issue is the effect of this development on the appearance of the existing street scene.
3. Langland Gardens has a pleasant residential character, with well maintained houses of some age, the front gardens of which, with in general a good growth of vegetation and flowers within low brick walls and brick pillars, contribute in an essential way to the attractive street scene. I note the standard adopted by the Council of seeking to retain half of front garden areas as 'soft' garden space in cases where part of the front garden, for want of facilities elsewhere, is used for vehicle parking.
4. I observed a number of examples along Langland Gardens in addition to No 9, where hardstandings have been constructed in front gardens, in particular at Nos 15, 17, 19 and 23 which have relatively open and unattractive frontages compared with much of the road. It seems to me that the absence of the low brick walls and of such of the vegetation evident in other parts, together with the open areas of concrete or tarmac, gives a somewhat stark appearance quite out of keeping with the character of the area. In my opinion this, which applies also to your dwelling, is unacceptable. Furthermore, the general similarity of front gardens and accesses along Langland Gardens is such that any departure from the standard which the Council seek to maintain would set an example that would be difficult to resist elsewhere and could result in a considerable degree of deterioration of the present attractive street scene.
5. I have considered all the other matters raised in the written representations, but in my opinion they are not strong enough to outweigh the considerations that have led me to my decision.

TOWN CLERK'S DEPT.
CAMDEN
22 SEP 1976

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

I am Madam
Your obedient Servant



A H GIBB, MBIM
Inspector

Department of the Environment
2 Marsham Street
LONDON SW1P 3EB

Under the provisions of section 245 of the Town and Country Planning Act 1971 a person who is aggrieved by the decision given in the accompanying letter may challenge its validity by an application made to the High Court within 6 weeks from the date when the decision is given. (This procedure applies both to decisions of the Secretary of State and to decisions given by an Inspector to whom an appeal has been transferred under paragraph 1(1) of Schedule 9 to the Town and Country Planning Act 1971).

The grounds upon which an application may be made to the Court are:-

1. that the decision is not within the powers of the Act (that is the Secretary of State or Inspector, as the case may be, has exceeded his powers); or
2. that any of the relevant requirements have not been complied with, and the applicant's interests have been substantially prejudiced by the failure to comply.

"The relevant requirements" are defined in section 245 of the Act: they are the requirements of that Act and the Tribunals and Inquiries Act 1971 or any enactment replaced thereby, and the requirements of any order, regulations or rules made under those Acts or under any of the Acts repealed by those Acts. These include the Town and Country Planning (Inquiries Procedure) Rules 1974 (SI 1974 No 419), which relate to the procedure on cases dealt with by the Secretary of State, and the Town and Country Planning appeals (Determination by Appointed Persons) (Inquiries Procedure) Rules 1974 (SI 1974 No 420), which relate to the procedure on appeals transferred to Inspectors.

person who thinks he may have grounds for challenging the decision should seek legal advice before taking any action.