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C/1100/WP/P

Dismissed

Stedman Associates  
Laurison Studios  
Connor Street  
LONDON  
E9 7LG

Your reference

JS

Our reference

T/APP/X5210/A/91/192850/P4

Date

17 FEB 1992

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY INVESTEX LTD  
APPLICATION NO: PL 8905366

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the London Borough of Camden to refuse planning permission in respect of an application for the renovation of an existing garage/store and the erection of an upper floor to provide one dwelling and parking space on land at the rear of 94 Fortune Green Road, London NW6. I have considered the written representations made by you and by the Council and other interested persons including those made directly to the Council and forwarded to me. As you know, I inspected the site on 20 December 1991.

2. From the written representations and my inspection of the site and its surroundings, I have formed the view that the principal issues I have to determine in this case are whether your clients' proposal would provide an acceptable standard of accommodation, whether it would be detrimental to the amenities of neighbouring residents, and whether the arrangements for access and parking would be satisfactory.

3. The appeal site is behind a parade of shops in Fortune Green Road, an important and busy road in West Hampstead. The building, in a somewhat dilapidated condition, is at present a small single-storey workshop or store and is reached by a private lane leading off Fortune Green Road by No 94. This lane serves further various private garages and parking spaces, the local Honda dealer's servicing area, and another narrower lane leading to other sheds and workshops. The site for the proposed development in fact forms the corner of these 2 lanes. Flats 94A and 94C also face the appeal site and the lane.

4. The Camden Borough Plan requires developments to observe certain standards of housing quality. These, which are set out in a non-statutory Environmental Code, include a minimum area of 30 sq m for one-person flats. The accommodation provided in your clients' proposal would be arranged on 2 floors and would, including the enclosed balcony, be just in excess of this minimum standard. It would be a small, but in my view attractive, unit for one person. My conclusion is that the standard of accommodation would be wholly acceptable.



100%  
RECYCLED PAPER

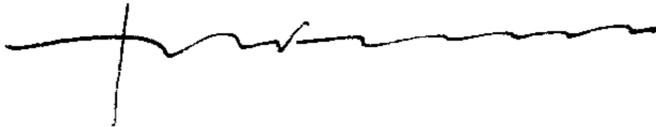
5. The studio flat proposed would be very close to Nos 94A and 94C and to the garden of 94C, indeed it would only be separated from the garden by the width of 2 parking bays in the lane. The development of an upper floor on the appeal site on top of the existing building would overlook and to some extent overshadow No 94C's living accommodation and garden, respectively about 10 m and 6 m away. The upper floor would also overlook the large garden belonging to No 39 Ingham Road, which has rear access and double garage in the lane. The rear windows of this house would be some 25 m from the studio flat. The overlooking of No 39 could be minimised by obscure glazing upstairs. The prevention of overlooking would be difficult to achieve on the side facing Nos 94C and 94A because the glazed upper floor balcony is an important and attractive feature of the design and would be pointless if opaque. I conclude that the proposed development would be detrimental to the amenities of neighbours, notably by the overlooking of the garden and windows of the ground floor flat at 94C Fortune Green Road.

6. The proposed development envisages access down the private lane off Fortune Green Road to a carport under the balcony. The lane is between 4 and 5 m wide and is heavily used. There are already problems of blocked accesses and inconsiderate parking. With additional residents possessing their own parking spaces and visitors, vehicle movements and parking in the lane would increase. My view is that if there is to be additional housing down this lane and the narrower one leading off it the question of vehicular access requires comprehensive consideration and not piecemeal improvisation. My conclusion is that parking and access arrangements would be likely to exacerbate existing problems in the lane and are consequently unsatisfactory.

7. I have considered carefully all other points that have been raised in this case but none have had sufficient weight to lead me to alter the conclusions on which my decision is based.

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

I am Gentlemen  
Your obedient Servant



JOHN R FREARS MA PhD JP  
Inspector