



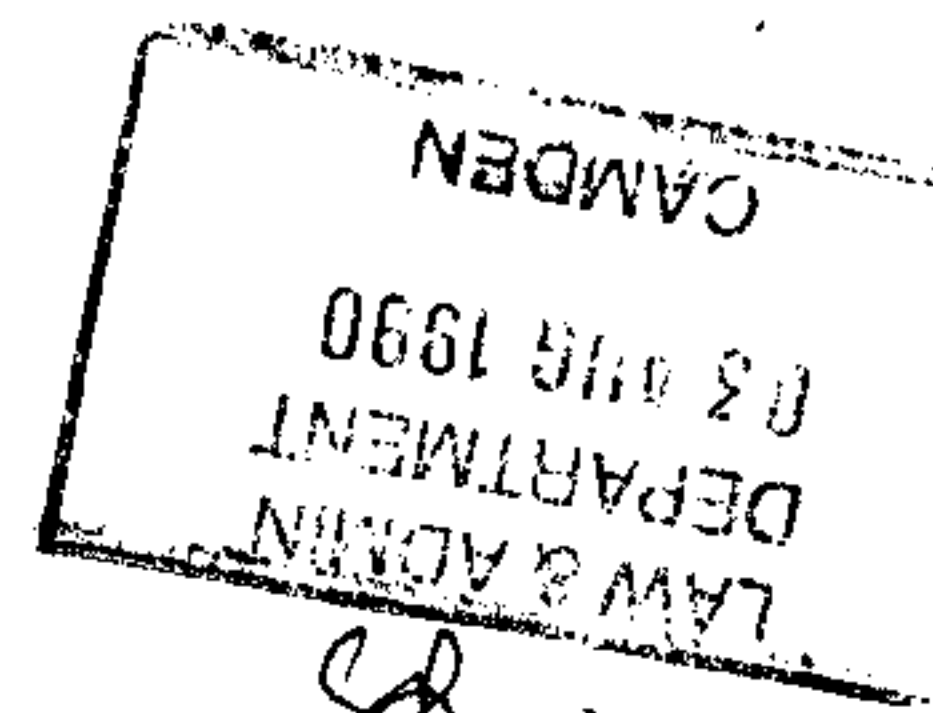
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8804599 [2866]
DISMISSED



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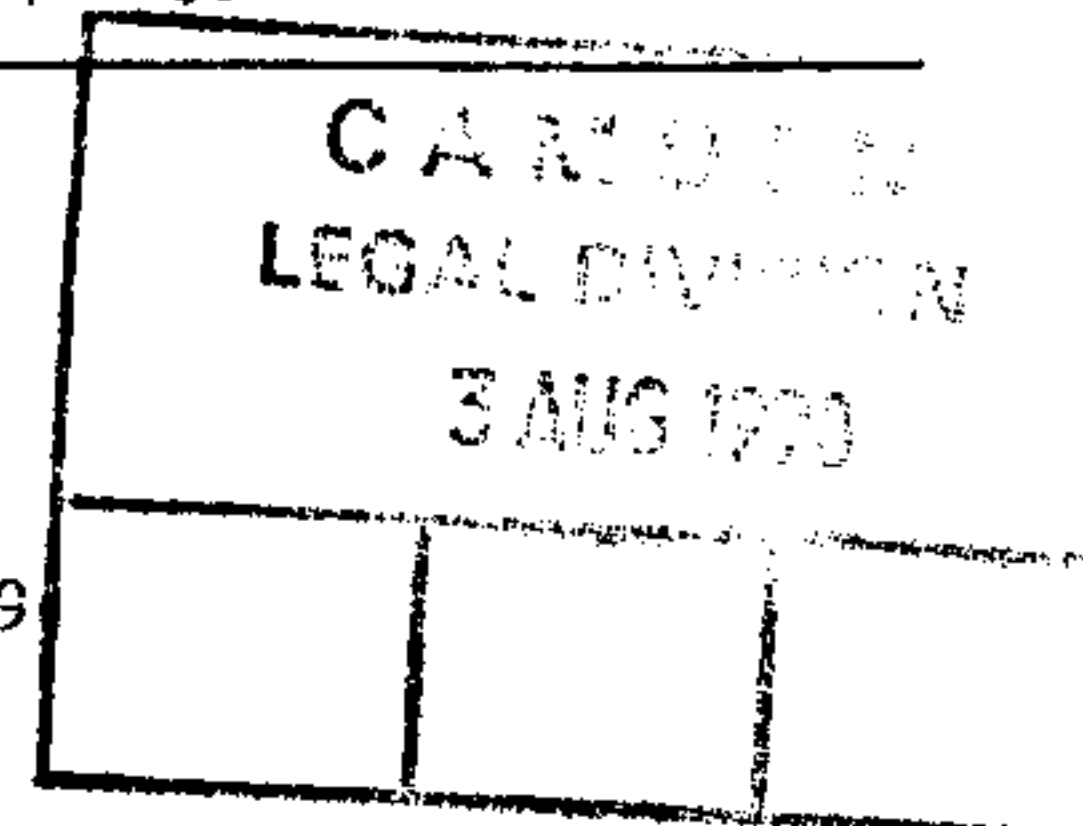
Your reference

Our reference

T/APP/X5210/A/89/140020/P3

Date

2 AUG 90



Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR D PRICE
APPLICATION NO: G7/13/11/8804599

- I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the London Borough of Camden to refuse planning permission for the formation of a hardstanding with means of access to highway at No 31A Buckland Crescent, NW3. I have considered the written representations made by you and by the Council. I have also considered those representations made directly by an interested person to the Council which have been forwarded to me. I inspected the site on 2 July 1990.
- From my inspection of the site and its surroundings and the representations received I consider the main issue in this case is the effect the proposal would have on the character and appearance of the Conservation Area.
- No 31 Buckland Crescent is a semi-detached house comprising 3-storeys and a basement amongst similar properties within a Conservation Area. The proposal seeks to construct a hardstanding on most of the front garden between the property boundary with No 33, the other house in the pair, and the steps to the entrance hall portico. Access would be provided to the highway by a dropped kerb.
- I note the policies contained in the adopted Borough Plan and the guidance in the Council's Environmental Code which is provided for in the Plan. Although the Code is not a statutory document, nevertheless it is a material consideration and I have attached some weight to the contents.
- The attractive appearance of this part of the Conservation Area is enhanced by the low walls and hedges on property frontages and boundaries. I saw on my inspection that Buckland Crescent contains several properties with front gardens which have been converted to hardstandings and which have cars parked on them. However, I do not consider that the hardstandings occur with sufficient frequency for this to be a dominant feature of the townscape.
- The formation of the proposed hardstanding would result in the loss of the low wall along most of the front boundary of the property and also the garden vegetation. It would result in the introduction of one or 2 parked cars onto the area in front of the appeal property. In my opinion, the effective loss of the front garden and its change to a hardstanding would lead to further damage to the continuity of the Crescent at street level and would fail to preserve or enhance either the appearance or the character of the Conservation Area, despite the



attention to the detailed materials in the scheme. I come to this view notwithstanding the presence of the other hardstandings elsewhere in the street. These do not justify the present proposal which would not enable the requirements of Section 277(8) of the 1971 Act as amended to be met.

7. I noted the parking restrictions in force outside No 31 and the parking congestion. However I do not consider that the parking benefits which would occur by the provision of 2 off-street spaces would offset the environmental disadvantages of the scheme referred to above.

8. Representations from an interested person to the Council prior to the determination of the application referred to the effect of the creation of the hardstanding on the residential amenities of the basement flat. In my opinion, the noise and fumes from cars reversing into the hardstanding and driving out, in addition to lights from cars arriving and departing in darkness, would be significantly disturbing to residents of the basement. Whereas the Council did not refer to this factor in their reason for refusal, it reinforces my view on the unacceptability of the proposal.

9. I have taken account of all the other points which have been raised but they do not outweigh those on which my decision is based.

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

I am Sir
Your obedient Servant

Mead

A MEAD BSc MRTPI AMIQ
Inspector