



Appeal Decision

Site visit made on 17 November 2022

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2023

Appeal Ref: APP/X5210/W/22/3297994

37 Estelle Road, London NW3 2JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alastair Graham, AR&V Investments Limited against the decision of London Borough of Camden.
 - The application Ref 2021/4219/P, dated 31 August 2021, was refused by notice dated 22 December 2021.
 - The development proposed is conversion of the existing building (in lawful use as three self-contained flats) to a single family dwelling house and the installation of a small bathroom window within the side elevation of the building at ground floor level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the net reduction in the number of residential units in the building would be acceptable, in light of the relevant policies relating to housing needs and supply in the Borough of Camden.

Reasons

3. The appeal site is occupied by a terrace property which incorporates three self-contained flats. These are arranged as a two-bedroom flat at ground floor level, a one-bedroom flat at first floor level and a two-bedroom flat which utilises the second floor and loft. The proposal is to amalgamate the three units to form a single three-bedroom dwellinghouse. To facilitate this, the proposal includes the insertion of a new window to the side elevation at ground floor level and the installation of a bike store within the front garden.
4. Whilst the proposed alterations to the property are acceptable, the proposal would result in the net loss of two residential units. Policy H3 of the Camden Local Plan ('LP') seeks to ensure that existing housing continues to meet the existing and future households by resisting development that would involve the net loss of two or more homes, unless, they: - Create large homes in a part of the borough with a relatively low proportion of large dwellings; Enable existing affordable homes to be adapted to provide the affordable dwelling-sizes that are most needed; or Enable sub-standard units to be enlarged to meet residential space standards.
5. With reference to the first criteria, the supporting text to Policy H3 of the LP states that the amalgamation of three or more dwellings is acceptable within four wards within the borough (Bloomsbury, King's Cross, Holborn and Covent Garden and

Kilburn) where there is a low proportion of large dwellings. The appeal site is not located within those four wards.

6. The appellant's submissions identify that of the 44 properties within Estelle Road (excluding a purpose-built block of flats at 45-61 Estelle Road) only 7 remain as single-family dwellinghouses, whereas the other 37 properties are all converted into either 2 or 3 self-contained residential units. Adding that most of those units are not family sized (i.e. 3 or more bedroom) and many do not have any direct access to private amenity space. Thereby, reducing the likelihood of such units being occupied by families. As such, the appellant asserts that substantial weight should be attached to the provision of an additional family sized dwelling within Estelle Road.
7. Nevertheless, I cannot be certain that above assessment is representative of this part of the borough (Gospel Oak ward). Moreover, as set out within the Camden Planning Guidance Housing, January 2021 ('Housing Guidance') the four wards specified above are based on the analysis of Census data, identifying areas where a proportionately small number of households live in smaller homes.
8. Furthermore, the information on household changes in wards in the Borough is updated in the Housing Guidance to reflect changes in Census data, with wards being added and removed from the identified list. Given that the Housing Guidance was published in January 2021, I consider this to be up-to-date and specific enough for these purposes. Therefore, the proposed large home would not be in a part of the borough with a relatively low proportion of large dwellings.
9. The proposal is not for affordable housing and therefore does not qualify under the second criteria.
10. Turning to the third criteria under Policy H3 of the LP, the main parties agree that all three existing flats at the appeal property satisfy the Nationally Described Space Standards ('NDSS'). Whilst neither of the upper floor units benefit from access to any private amenity space, this is not a specific requirement of the NDSS or Policy H3 of the LP. Therefore, the proposal would not enable sub-standard units to be enlarged to meet residential space standards.
11. Policy H7 of the LP supports the conversion of existing homes where this would contribute to meeting the priorities set out under Table 1: Dwelling Size Priorities and includes a mix of large and small homes. Even though the proposal would meet an overall priority for large homes which includes outdoor amenity space, the proposal does not include a mix of small and large homes. In any event, the delivery of the proposed family home would be at the expense of 2 x two-bedroom flats, which are also identified as 'high' priority under Table 1: Dwelling Size Priorities.
12. For the above reasons, the proposal does not accord with Policies H3 and H7 of the LP. Accordingly, I find conflict with Policy H1 of the LP, which aims to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing.

Conclusion

13. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR