



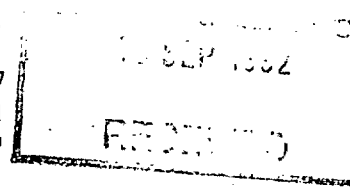
The Planning Inspectorate

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Appeal dismissed re four dwelling units
Your Reference:
Appeal allowed re retention of single storey rear extn.
Our Reference:
T/APP/X5210/A/92/206832/P5
Date: 14/9/92

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY RENFORD MULLEY
APPLICATION NO :- PL/9101036 F2/1/3

1. As you know 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 for the provision of living space and sanitary accommodation at 4 Ebbsfleet Road, London NW2. I have considered the written representations made by you and by the council. I inspected the site on Tuesday 18 August 1992.
2. The application form makes clear that you have applied for planning permission to retain development which has already been carried out. At my site inspection I saw that a single storey rear extension similar to the one shown on the plans accompanying the application had been erected. Additionally, the extended building had been converted into four separate units in accordance with layout shown on the application drawings. They all had separate internal entrances by means of doors which were lockable; the appellant had keys to allow me to enter them. All the units were furnished, had separate toilet facilities and appeared to be in independent use. The conversion of a single dwelling house into separate dwelling units requires planning permission. Accordingly I have dealt with this appeal on the basis of the retention of the single storey rear extension and the continuation of the use of a single dwelling house as four dwelling units (three one-bedroom flats and one studio flat). My consideration of this appeal is on the basis of Section 73A of the Town and Country Planning Act 1990, as amended.
3. From my inspection of the appeal site and its surroundings and from the written representations made, I am of the opinion that the main issues in this appeal are, firstly, whether the retention of the single storey rear extension would harm the amenities of adjoining residents by reason of loss of light; and whether the continuation of the use of the extended appeal premises as four dwelling units would be harmful to, secondly, the character of the area and, thirdly, the policy objective of retaining accommodation suitable for single family use for that purpose.
4. The appeal site is the curtilage of the eastern half of a pair of two storey semi-detached houses located on the north side of Ebbsfleet Road a short distance east of the A5, Cricklewood Broadway. The surrounding area is predominantly residential comprising similar semi-detached houses with small front gardens.

100%



RECYCLED PAPER

5. Policies HG1, HG8, HG9, HG13, HG26, HG29-34 and HG35 of the Borough Plan, adopted in 1987, seek to provide and retain a full range of family size dwellings and non self-contained flats. The policies of the draft Unitary Development Plan, approved for consultation purposes on 16 June 1992, have similar aims in accordance with the advice given by the government in Regional Planning Guidance Note 3 - Strategic Guidance for London. The council detail figures to show that a population increase has taken place in the Borough in the last ten years and that a key component of this growth is the increase in the number of young children.

6. You state that from 1979 the appeal premises have been in four units and that the development is only an update of existing units. In response the council state that no planning permission has been granted for the conversion of the premises. They refer to the following: their Land Use Survey Records which indicate that the premises were used as one single family unit in June 1977 and April 1986; the register of electors which shows two entries under the same family name (G & R Mulley) between 1969 and 1975; and the "Comprehensive Index" Cards based on rating records which describe the premises as one residential house. I conclude that there is insufficient evidence for me to give substantial weight to the claim that the existing use of the house is four dwelling units.

7. Dealing with the first main issue, the council has withdrawn their objection to the extension because it would obstruct the light to adjoining properties to the detriment of the amenities of the occupiers. They have no objection to the retention of the extension as built. In my opinion the extension is a well-designed scheme which is appropriate to the existing building in terms of scale, form and appearance; it would be well-screened from view from the street. There is an identical extension at No 6 and, in my opinion, the extension would not harm the general living conditions of the adjoining residents by reason of loss of daylight. The extension provides useful living accommodation which could be used by the occupiers of the property either in single occupation or in two units. Accordingly I intend to grant planning permission for the retention of the extension.

8. Turning now to the second issue, the character of the area derives mainly from the existing houses, most of which appear to be in use as single dwellings, or, based on the properties with "a" and "b" numbers and door bells which I saw at my site inspection, have been converted into two units. The level of activity, including the vehicular and pedestrian movements generated by the occupiers, visitors and tradespeople to service the four units, would be much greater than that associated with the occupation of the property as a family house. The continuation of the use would add to the existing parking problems of the area. At the time of my site visit all the roads in the surrounding area had long lines of parked vehicles along both sides of the road; I saw several examples of drivers having to reverse some distance to a gap to allow a vehicle travelling in the opposite direction to proceed. In my opinion the four units would create such an increase in activity that it would be an outwardly visible change. I conclude that the conversion has resulted in an excessive number of residential units being established in the appeal premises which is harmful to the character of the area.

9. With regard to the third issue, I consider that an important planning objective in London is to retain or provide satisfactory permanent dwellings to overcome the undisputed shortage of good quality housing. In my opinion the existing stock of residential accommodation has an important role to play in this aim and I have attached substantial weight to the planning policies referred to by the council. I consider that the appeal premises, in an area predominantly used for residential purposes, with its rear garden area are entirely suitable for family use, either as a single house or converted into

two units. None of the units have more than one bedroom so I have not attached substantial weight to your submission that the upstairs includes suitable accommodation for family occupation and was designed with that in mind. I consider that the proposal would lead to a small, but unacceptable loss of accommodation suitable for single family use and would cause demonstrable harm to the policy objective of the Borough Plan and the draft Unitary Development Plan to provide and retain properties for that purpose.

10. I have taken account of all the other matters in the representations but I am of the opinion that they do not outweigh the considerations that have led me to my decision.

11. For the above reasons, and in exercise of the powers transferred to me I hereby dismiss this appeal in respect of the continuation of the use of 4 Ebbsfleet Road, London NW2 as four dwelling units, but allow this appeal and grant planning permission for the retention of a single storey rear extension which has been erected at the property in accordance with the terms of the application No. PL/9101036, dated 30 September 1991, and the plans submitted therewith.

12. 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.

I am Sir
Your obedient Servant



R E Hurley CEng MICE MIHT
Inspector