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G3/6/68/8804056 [2877] Recd 25/5/90
 DISMISSED

LAW & ADMIN
 DEPARTMENT
 23 MAY 1990

WILL GAMDEN

FILE COPY

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 T/APP/X5210/A/89/140817/P4

Your reference
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Our reference
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Date 22 MAY 90

David Davis Esq FFB FFS MIPLA
 7 Manor Road
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Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
 APPEAL BY MR A D KHAN
 APPLICATION NO: PL/8804056/ - G3/6/68

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeal against the decision of the London Borough of Camden to refuse planning permission for the conversion into 3 self-contained flats of 86 Loveridge Road, London NW6. I have considered the written representations made by you and by the Council. I inspected the site on 20 February 1990.

2. From my inspection of the site and its surroundings and from the written representations, I consider the main issues in this case are firstly, having regard to the housing policies for the borough, the effect of the project on the locality in terms of the number of units, secondly, the effect of the project on the character of the area by reason of an increased floor area proposed and thirdly, the effect of the project on the amenity of the occupiers of 84 Loveridge Road in terms of daylighting.

3. The adopted Borough Plan sets out policies that encourage the retention of single family units and the fullest possible use of existing residential accommodation. In dividing the property into 3 units there would be, in my opinion, the loss of a large family unit of accommodation in that there would be an excessive number of smaller units being brought into existence at the expense of the existing family unit. The project would replace a large family house of 6 to 7 bedrooms. While the proposal would not, in my view, completely retain a single family home of a reasonable size as the first floor unit is much smaller than the family unit it replaces, there is, because of the first floor 3 bedroom unit, no real loss of a family unit and therefore I consider the harm to the locality in respect of this aspect is not so significant that planning permission should be withheld because of it, if other matters were satisfactory.

4. I turn now to the question of the effect on the character of the area due to an increased floor area. By increasing the floor area and the number of units, the project would bring into the area additional people and would, in my judgement, increase the density of the area which appears to be well over the 100 HRA cited as a guide in Policy HG21. While the simple imposition of density standards can be inappropriate if applied too rigidly, they are a useful guide as increases in density can cause problems such as the overlooking of services and a lack of enough amenity space in a particular site such as this. In my view the likely increase in the number of people would mean an increase in noise and disturbance that would affect the character of the area, which with its present mixture of family units and flats remains reasonably quiet. In addition to this, the Council,

in their statement, stated that there was serious congestion caused by on-street car-parking in Loveridge Road. This I confirmed at the time of my inspection and, in my judgement, these conditions are unlikely to be just a temporary phenomenon. Your client's proposals would tend to increase the demand for parking spaces and lead to a worsening of congestion. This has added weight to my conclusion that the project would be harmful to the character of the locality due to the increased floor area.

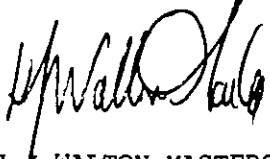
5. In considering the effect of your client's proposals on the amenity of his neighbours due to a potential loss of light, I have taken account of the proposed ground and first floor rear extension, together with the smaller second floor rear extension. The fact that your client's property is in the middle of a terrace means that any rear upper floor extension would tend to cut down daylight to neighbouring properties. The fact that the extension would stand well out from the terrace and is on the boundary to 84 Loveridge Road does mean that it would cut down the daylight coming into the rear of that property. As it is both a first and second floor extension I consider the loss of daylight would be harmful. Therefore I find that your client's proposals would be harmful to the amenity of the occupiers of 84 Loveridge Road by reason of potential loss of daylight.

6. I conclude that your client's project, notwithstanding that there would not be a harmful loss of a family unit, would not be acceptable due to the increased floor area causing harm to the character of the locality and the loss of daylight to the adjoining property.

7. The Council have put forward alternatives to the scheme proposed. However you will appreciate I am unable to comment on alternative proposals. I have taken note of the other properties that have been converted into flats both in Loveridge Road and in the other Road your client showed me and the range of units proposed which could satisfy a demand, but I have identified issues that cause me to consider this case on the particular circumstances arising from the application. However, I have taken account of these and all the other matters raised in the representations, but they do not alter my conclusions on the planning issues involved.

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

I am Sir
Your obedient Servant



H. WALTON MASTERS FRICS
Inspector