



# Appeal Decision

Site visit made on 25 September 2006

**by Alison Roland BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State for  
Communities and Local Government**

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Date: 5 October 2006

**Appeal Ref: APP/X5210/A/06/2017093/NWF**

**8 St Marks Crescent, Primrose Hill, London, NW1 7TS.**

- 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 D Juttner against the decision of Camden London Borough Council.
- The application Ref: 2006/0952/P, dated 22 February 2006, was refused by notice dated 20 April 2006.
- The development proposed is change of use from 3 flats to single dwelling.

## Decision

1. I dismiss the appeal.

## Reasons

2. The appellant maintains that the flats are substandard because they are not self contained and share a staircase. However, I am not persuaded that this factor justifies the loss of the units and the appellant concedes that it would be possible to provide a segregated access. It is clear that Policy H3 seeks to resist the unjustified loss of residential units and the explanatory text suggests that the exception relating to the amalgamation of substandard units, is related to achieving residential space standards, although I accept that accommodation can be substandard for other reasons. In this respect, it seems to me that the units are satisfactory in terms of room sizes and placement and indeed, larger than many. I also consider they would remain so even if a segregated access was installed. The fact that they are single bed units does not lessen in my mind, their contribution to the housing stock.
3. In addition, the evidence suggests that the premises have only been marketed for a limited period and the email from the Estate Agent concedes that if family accommodation is precluded, it is likely the property will be refurbished and sold for apartments. I also do not consider it has been clearly demonstrated that the local area is saturated with flats or indeed, that there is an overriding shortage of family accommodation.
4. I appreciate that the proposal would reinstate the proportions of what was in all probability, originally designed as a family house (with or without basement flat) and would reinstate some original architectural detailing, but I do not consider that any benefit in this regard would outweigh the loss of the flats. I also appreciate that on street parking is controlled, but there is no evidence to suggest that this has impaired the functionality of the flats and indeed many occupiers of such properties do not own cars. I accept that many properties in the street appear to be family dwellings with basement flats, but this may well be a historic situation and I must determine the appeal on its planning merits having regard to up to date development plan

policy. In addition, although the proposal may contribute to the aims and objectives of other Policies in the UDP, I consider that the overriding Policy in this case is H3.

5. For these reasons, given the imperative to increase the amount of housing in the Borough, I consider that the loss of the existing units is unjustified and that the proposal would thus conflict with Policy H3 of the Unitary Development Plan adopted in June 2006.

*ALISON ROLAND*

INSPECTOR