

**Planning Statement:**  
**The retention and relocation Multiple Occupation units at**  
**63 Eton Avenue London NW3 3ET**

Prepared on behalf of Mr. and Mrs. Anand

By

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8<sup>th</sup> March 2004

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## **1.0 Introduction**

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- 1.1 This report has been submitted in the context of the planning application and application for listed building consent submitted by MMM Architects on behalf of Mr. and Mrs. Anand for the conversion and extension of 63 Eton Avenue.
- 1.2 As part of these applications, this report refers to the relocation of the existing residential units within the proposed conversion with particular reference to HMO units. The report demonstrates that the relocation of the units will not result in a loss of HMO in accordance with Policy HG17 of the London Borough of Camden Adopted UDP (March 2000). The objective of the application to alter the internal layout of the premise is to create a more practicable unit arrangement that will enable the relocation of the vacant family-sized self-contained flat from the 3<sup>rd</sup> floor (where it currently has no access to amenity space) to the basement and ground floor where it will have direct access to the rear garden.

## **2.0 Planning Context**

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- 2.1 This report has been prepared in the context of the London Borough of Camden Adopted UDP, particularly housing policies HG1, HG4, HG15 which relate to the retention of existing dwellings and the mix of unit types provided, and to Policy HG17 which relates specifically to HMO. Consideration has also been given to the London Borough of Camden Residential Supplementary Planning Guidance and to guidance contained in PPG4 (Housing) and The London Plan (Spatial Development Strategy for Greater London') published by the Mayor of London in February 2004.

### **3.0 Site Location and Planning History**

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- 3.1 The property is a four storey detached house with basement located at the western end of Eton Avenue in Belsize Park. It is within the Belsize Park Conservation Area and is a Grade II listed with red brick façade, gabled roof and sash windows. Eton Avenue is a predominately residential street, characterised by large three storey detached houses with basements and attics, many of which have been converted into flats.
- 3.2 There is no record of a planning history affecting the residential property. The building currently comprises of a total of 13 residential units of which 6 are self contained flats and 7 are rooms with shared bathroom facilities. Of the 7 rooms with shared bathroom facilities, one is located in the basement, two on the ground floor and four on the 2<sup>nd</sup> floor. The building is accessed via a main door on the Eton Avenue elevation. Flats are accessed via a communal hallway and staircase. Only one self-contained flat located in the basement (flat 13) has access to the garden, although no unit has prescribed access rights.
- 3.3 The Electoral register shows that at no time since 1994 have more than 13 units been occupied. Records show that since 2002 only six of the units at the property have been occupied. At present there is one tenant occupying a unit in the basement, two tenants on the ground floor, the owner-occupier in the self-contained flat on the first floor and two tenants on the 2<sup>nd</sup> floor. The third floor has been vacant since 2002.
- 3.4 Mr. Gillan, owner of 63 Eton Avenue between 1985 and 1999, has confirmed that the conversion of the 4 self-contained flats on lower ground and ground floor took place over four years ago. Following telephone consultation and a site visit with Camden Council planning case officer Philip Jones, the Council has indicated that given the units on in the basement and on the ground floor have been self-contained for over four years they would now be considered legally self-contained.
- 3.5 Mr. Gillan has also confirmed that internal alterations were carried out in 1994 and completed in 1995 to convert the 3<sup>rd</sup> floor into a self-contained maisonette. This was occupied by Mr. Gillan and his family until 1997 when it was subsequently leased as a self-contained unit. Council Tax records dating back over five years designate the 3<sup>rd</sup> floor of the property as a self-contained flat for council tax purposes and the Electoral Register records show the third floor was occupied as a single unit by three people until 2002. It has since been vacant.

- 3.6 In a letter to Mr. Anand dated 6<sup>th</sup> October 1999 the London Borough of Camden Environmental Department classified the 7 rooms with shared bathroom facilities in the basement and on the ground and 2<sup>nd</sup> floor as "likely" to have Housing in Multiple Occupation (HMO) status.
- 3.7 The London Borough of Camden served a Contravention Notice of a breach of planning control on the 23<sup>rd</sup> May 2000 for the alleged unauthorised change of use of use from a house in multiple occupation to self-contained flats. Works ceased and enforcement action was not taken by the Council.
- 3.8 Whilst the lack of planning history and inconclusive housing records have left some ambiguity regarding the permitted internal layout and the true status of the units, the applicant is reluctant to spend the next period in the legal process apparently necessary to prove that position and, on this basis, they have agreed to accepted the Council's view that the 7 rooms located in the basement, ground and 2<sup>nd</sup> floor are to have HMO status and are subject to protection under Policy HG17 of the Camden Adopted UDP.
- 3.9 Figure (A) summarises the existing occupancy and unit type at 63 Eaton Avenue by flat number:

| Level           | Flat number         | Occupation/unit type   |
|-----------------|---------------------|--|
| 3 <sup>rd</sup> | Self-contained flat | Registered for Council tax purposes as a self-contained maisonette. Occupied from 1995 to 2002. Since vacant |
| 2 <sup>nd</sup> | Room 1              | Unclear occupation history.<br>Applicant has accepted Council's view that they are HMO                       |
|                 | Room 2              |  |
|                 | Room 3              |  |
|                 | Room 4              |  |
| 1 <sup>st</sup> | Self-contained flat | Family-sized unit occupied by owner & family   |
| Ground          | Flat 1              | Registered tenancy   |
|                 | Flat 2              | Self-contained on Assured Shorthold Tenancy  |
|                 | Flat 3              | Registered tenancy   |
| Basement        | Flat 13             | Self-contained over for 4 yrs  |
|                 | Flat 14             | Registered tenancy   |
|                 | Flat 15             | Self-contained for over 4 yrs  |
|                 | Flat 16             | Self-contained for over 4 yrs  |

FIGURE (A): Summary of the occupancy and unit type for 63 Eaton Avenue

#### 4.0 Proposed relocation of the Multiple Occupation units

- 4.1 The proposal is to relocate the 3 HMO units and one self-contained studio from their current location in the basement and ground floor, to the vacant 3<sup>rd</sup> floor. The 4 HMO units on the 2<sup>nd</sup> floor will be retained as existing. Figures (B) and (C) below shows the 7 existing HMO are to be retained, in accordance with the Policy HG17 of the Camden Adopted UDP and advice given by the Camden Planning Officers.

| EXISTING                | Type of Unit                      |                                  |          |
|-------------------------|-----------------------------------|----------------------------------|----------|
|                         | Self Contained studio/1-bed flats | Self contained family-sized unit | HMO      |
| Lower Ground            | 3                                 |                                  | 1        |
| Ground                  | 1                                 |                                  | 2        |
| 1st Floor               |                                   | 1                                |          |
| 2nd Floor               |                                   |                                  | 4        |
| 3rd Floor               |                                   | 1                                |          |
| <b>Total no. of HMO</b> |                                   |                                  | <b>7</b> |

FIGURE (B): Number and location of HMO dwellings as existing

| PROPOSED                | Type of Unit                      |                                  |          |
|-------------------------|-----------------------------------|----------------------------------|----------|
|                         | Self Contained studio/1-bed flats | Self contained family-sized unit | HMO      |
| Lower Ground            |                                   | 1<br>(split level)               |          |
| Ground                  |                                   |                                  |          |
| 1st Floor               |                                   | 1                                |          |
| 2nd Floor               |                                   |                                  | 4        |
| 3rd Floor               | 1                                 |                                  | 3        |
| <b>Total no. of HMO</b> |                                   |                                  | <b>7</b> |

FIGURE (C): Proposed number and location of HMO units

- 4.2 The two-bedroom flat on the 1<sup>st</sup> floor will be retained as existing. The vacant four bedroom maisonette currently located on the 3<sup>rd</sup> floor would be relocated to the ground and lower ground floors to provide a family-sized unit. This family unit would have access to rear garden, as recommended in Policy HG13 and HG19 (a) of the Camden Adopted UDP.
- 4.3 The property would remain wholly in residential use and would not result in a net loss of residential floorspace, in accordance with Policy HG1 of the Camden Adopted UDP. The relocation would in fact bring the currently vacant 3<sup>rd</sup> floor back into use and would bring the family-sized unit – empty since 2002 - back into occupation. This is consistent with the aims of Policy HG15 of the Camden UDP which seeks to increase and improve the provision of a variety of housing types and size, "particularly family housing" (Para.6.59). The newly relocated units would conform to planning density and residential standards as specified Policy HG10 and DS2 of the Camden UDP and SPG guidance.



## **5.0 Summary**

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- 5.1 As part of the planning application and Listed Building Consent for 63 Eton Avenue it is proposed that:
- (i) The 3 HMO units currently located on the ground and lower ground floors are relocated to 3<sup>rd</sup> floor of the premise;
  - (ii) The self-contained family-sized dwelling on the 3<sup>rd</sup> floor is to be relocated to the lower ground and ground floor level to create a split-level maisonette; and
  - (iii) The self-contained studio on the ground floor is to be relocated to the 3<sup>rd</sup> floor.
- 5.2 Whilst there is insufficient evidence to determine the true status of the 4 residential units on the 2<sup>nd</sup> floor, the applicant has accepted Camden Council's view that the units are to be classified for planning purposes as HMO. These will remain located on the 2<sup>nd</sup> floor as existing.
- 5.3 The repositioning of the units will enable the family-sized unit currently vacant on the 3<sup>rd</sup> floor with no access to amenity space, to be relocated to the lower ground and ground floor to create a split level family-sized maisonette with access to the garden. This will be occupied by the owner of the building and his family, which includes young children. This is in accordance with Policies HG19 and HG20 of the Camden UDP which relate to the mix of units in conversions. These policies seek to provide *"at least one large sized unit with, wherever possible, direct access to private amenity space"*.

## **6.0 Conclusion**

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- 6.1 The relocation of the units will not adversely impact the mix of dwelling type. In accordance with Policy HG18 and HG20 of the Camden UDP and Policy 3A.4 Paragraph 3.18 of the Mayor's London Plan 2004.
- 6.2 The 7 Multiple Occupation units will be retained as requested by Camden Council and in accordance with Policy HG17 of the Camden UDP.
- 6.3 In accordance with Policy HG1 the proposal will not result in a net loss of residential floorspace. Rearranging the units will in fact increase the number of units in occupation by bringing the vacant space on the 3<sup>rd</sup> floor back into use.
- 6.4 Occupants of the self-contained studio and HMO units relocated to the 3<sup>rd</sup> floor would enjoy new enhanced facilities and the family occupying the ground floor maisonette would enjoy access to private amenity space.