

Delegated Report (Refusal)		Analysis sheet		Expiry Date:	04/11/21
				Consultation Expiry Date:	10/10/21
Officer			Application Number(s)		
Ewan Campbell			2021/3573/P		
Application Address			Drawing Numbers		
31 Agar Grove London NW1 9UG			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Conversion from one 3 bedroom flat and 4 bedsits to one 2 bedroom flat and three 1 bedroom flats.					
Recommendation(s):		Refuse Full Planning Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
		No. of responses	00	No. of objections	00
Adjoining Occupiers:		No comments			
Site Description					
The application is for Conversion from one 3 bedroom flat and 4 bedsits to one 2 bedroom flat and three 1 bedroom flats with associated internal alterations. There are no external alterations involved in the scheme. The site is located within Camden Square Conservation Area.					
Relevant History					
<u>Relevant planning records at the application site:</u>					
2012/0101/P An application for the entire property to change HMO use to C3 was submitted in 2012 then withdrawn. At that time the submitted plans showed that the property contained 8 bedsits.					

2013/5196/P An application for the entire property to change LG and G floors to 3-bed maisonette and reconfigure the 1st and 2nd floors as 4 x HMO units (described as a C4 HMO). This was granted in Nov 2013. It established the current layout with subject to some minor layout changes at LG and G floor levels.

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Policy D2 Heritage

Policy H7 Large and Small Homes

Policy H10 Housing with Shared Facilities

Camden Planning Guidance (CPG)

CPG Housing (January 2021)

Assessment

1 PROPOSAL

1.1 Conversion from one 3 bedroom flat and 4 bedsits to one 2 bedroom flat and three 1 bedroom flats.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Housing with Shared facilities
- Unit Mix

2.2

2.2.1 Local Plan policy H7 (Large and Small Homes) is aimed at maintaining the dwelling mix including self-contained flats, small HMO's (C4) and live work units. This policy applies wherever there is development that affects the mix of dwelling sizes, as is the case in this instance. Policy H10 (Housing with Shared Facilities) aims to ensure the provision is continued and the use will be protected and it will resist development the net loss of housing with shared facilities.

2.2.2 The site is located within Camden Square Conservation Area near to Camden Road located around Camden Square. The Square forms a centre piece of the planned development however the architecture is not uniform around the square. The green spaces and private gardens are important in providing a natural setting within a urban landscape.

2.2.3 Looking at the planning history condition 4 of 2013/5196/P explicitly removes the Permitted Development (PD) right for the upper floors to change from C4 to C3. This means that the currently the site is housing with shared facilities and should be assessed under policy H10. Supporting paragraph 3.268 of the 2017 Local Plan states that:

For most purposes we will treat small houses in multiple occupation (Use Class C4) in the same way as self-contained homes (Use Class C3), to reflect the freedom provided in legislation for changes between these two uses without a planning application. However... Where the freedom to change from Use Class C4 to Use Class C3 has been removed (e.g. by a planning condition) we will apply Policy H10 and resist the loss of small houses in multiple occupation.

In terms of the loss of housing with shared facilities there must be due demonstration that the accommodation is incapable meeting relevant standards, there is an adequate replacement and the development provides self-contained facilities. The development does not provide an adequate replacement as the conversion is just for 1 bedroom flats and according to current HMO standards the current unit meets the standards as the bedrooms exceed 11.0sqm. this means the proposal is contrary to policy H10 and is not acceptable from this perspective. Given the previous compromise, which conceded loss of 4 x HMO rooms to secure the 4 x HMO rooms on the upper floors, and the planning condition attached to 2013/5196/P, It can be concluded that the proposal is contrary to Policy H10.

2.2.4 In terms of policy H7, notwithstanding the proposals for the upper floors, the application would also replace a 3-bedroom maisonette with a 2-bed 3-person flat and a studio flat. Supporting paragraph 3.185 confirms that large homes are those with 3-beds or more, and small homes are studios, 1-beds and 2-beds.

2.2.5 The proposal removes a large home and replaces it with two small homes. This is contrary to Policy H7(b), which indicates that development – including conversions – should include a mix of large and small dwellings. Supporting paragraph 3.196 confirms the position stating:

Where a development is for the conversion of existing homes... the Council will seek to minimise the loss of market homes with 3 bedrooms, particularly where the 3-bedroom homes have access to outside space.

2.2.6 The proposed conversion losses a larger family sized home, and low cost shared housing, and does not provide the types of unit that compensate or meet the policy priorities described above and therefore the application is not acceptable.

2.3 Amenity

2.3.1 Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans.

2.3.2 In terms of the proposal, the proposal will result in an additional amount of units however not necessarily a different amount of persons. Whilst there will be more unrelated groups issues in relation to noise and disturbance are not considered significant. Furthermore because there are no extensions or external alterations issues relating to outlook, increased sense of enclosure or privacy are not considered significant.

2.3.3 Therefore the proposal complies with policy A1 of the 2017 Camden Local Plan and the Amenity CPG.

3 **RECOMMENDATION**

3.1 Refuse full planning permission for the following reasons:

- The proposed development would result in the loss of housing with shared facilities, which would reduce the supply of lower cost housing in the borough, contrary to Policy H10 (Housing with shared facilities) of the London Borough of Camden Local Plan 2017.
- The proposed development would result in the loss of larger three bedroom family sized home, contrary to Policy H7 (Large and Small Homes) of the London Borough of Camden Local Plan 2017.