



Appeal Decision

Site visit made on 10 June 2013

by John Felgate, BA (Hons) MA MRTPI

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

Decision date: 4 July 2013

Appeal Ref: APP/X5210/A/13/2191564

25 Lancaster Grove, Belsize Park, London NW3 4EX

- 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 Mr David James against the decision of the Council of the London Borough of Camden.
 - The application Ref 2012/2698/P, dated 23 May 2012, was refused by notice dated 24 July 2012.
 - The development proposed is change of use from 6 self-contained flats to a single dwelling.
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Decision

1. The appeal is dismissed.

Background

2. The appeal property is currently used as 6 residential units, comprising four 1-bedroom or studio flats, plus one 2-bedroom flat, and a 4-bedroom maisonette. The lawfulness of this existing subdivision is not challenged by the Council. The development now proposed would convert the whole building into a single dwelling with 8 bedrooms.

Main issues

3. From the submissions before me, the main issues in the appeal are:
 - Whether the net reduction in the number of residential units in the building would be acceptable, in the light of the relevant policies relating to housing needs and supply in the Borough of Camden;
 - Whether the development would adversely affect the range of different housing types and sizes in the area, having regard to the relevant policies relating to housing mix and inclusivity.

Reasons for decision

Net reduction in units

4. Policy DP2¹ seeks to make full use of Camden's housing capacity, to maximise the supply of homes, and to minimise any loss of housing. Developments that would involve a net loss of two or more existing units are normally to be resisted. Policy CS6² contains similar provisions with regard to maximising housing supply and minimising any losses. The latter policy also sets out the

¹ In the Camden Borough Development Policies DPD, adopted November 2010

² In the Camden Borough Core Strategy, adopted November 2010

Borough's housing target, derived from the London Plan adopted in 2008. Since then, the London Plan has been replaced by the new version adopted in July 2011, in which the Borough's housing target is increased from 595 to 665 per annum. The aim is for this target to be met or exceeded. These policies are in line with paragraph 47 of the National Planning Policy Framework (the NPPF), which seeks to boost the supply of housing in all areas.

5. In the present case, the proposed development would involve a reduction from the existing 6 residential units, to a single dwelling. The consequent net loss of 5 units would be clearly contrary to the aim of maximising the Borough's housing capacity. The scheme would therefore conflict with Policies DP2 and CS6.
6. I appreciate that housing provision in the Borough is currently running comfortably ahead of even the increased target figure set in 2011. However, the relevant policies make it clear that the aim is not just to meet the target, but to maximise the Borough's capacity. I can see no reason to doubt that this approach is justified in this part of inner London. Avoiding the loss of existing dwellings is an important part of this strategy. Whilst 5 units may be a relatively small number on its own, that is an argument that could easily be repeated in other cases. Cumulatively, such developments could significantly undermine the aim of maximising housing provision.
7. It is true that Policy DP2 allows for some exceptions, including schemes with a net loss of only one dwelling. But the scale of the loss in the present proposal is of a quite different order. An exception is also permissible where the development would create a larger dwelling in an area with a relative shortage of such properties. But Belsize Ward is not one of those identified as such in the CS, and I can see nothing in the evidence before me to suggest that it should be. Although the census data on which the CS was based is now some years old, no more recent information seems to be available, and there is nothing to suggest that the position in Belsize has changed significantly.
8. I note the appellant's view that the Government's recently announced changes with regard to immigration and housing benefits could potentially affect the demand for housing in London. But those effects have not yet been quantified or examined through the plan-making process. In the meantime, the policies of the adopted CS and London Plan remain in place. Under the relevant planning legislation, my decision must accord with those policies unless material considerations indicate otherwise.
9. For the above reasons, I conclude that the loss of five of the existing residential units, as proposed, would conflict unacceptably with the aims of Policies DP2 and CS6 to maximise the supply of housing.

Mix of dwelling sizes

10. In addition to the matters set out above, Policy CS6 also states the Council's aim to minimise social polarisation and create mixed and inclusive communities by, amongst other things, seeking a diverse range of housing types and sizes. Policy DP5 also seeks the same ends, and in particular requires development to have regard for the order of priorities given to varying sizes of units in the 'Dwelling Size Priorities Table'. These policies are supported by paragraph 50 of the NPPF, which states that authorities should plan for a mix of housing based on current and future demographic and market trends, and the needs of

different groups in the community, and should identify the size, type and tenure ranges required, reflecting local demand.

11. I understand the Council's view that the existing mix of unit sizes at the appeal site is better suited to fostering inclusivity than the single large dwelling now proposed. However, the Table gives a significantly higher priority to dwellings with 4 or more bedrooms than to 1-bedroom units. And although Belsize is not one of those wards with a particularly low percentage of family dwellings, neither is the figure so high that one more would unbalance its social mix.
12. In the circumstances, I conclude that the proposed development would not have any significant adverse effect on the range of dwelling sizes and types in the area. As such, it would not conflict with the relevant provisions of Policies CS6 or DP5 with regard to maintaining the area's social balance and inclusivity.

Other matters

13. I accept that returning the appeal property to its original use would be of some benefit to the character of the CA. But that benefit would be small, because no external alterations are proposed. And in any event, the building's contribution to the CA is already a positive one.
14. I agree that single family occupation would be likely to give rise to less demand for car parking than the present use. However, the difference would not necessarily be as marked as suggested by the appellant, especially given the site's easy access to bus and tube services. I accept that this consideration carries some weight, but in my view not so much as to outweigh the development's effects on the supply of housing.
15. Although the site is in a good location for sustainable development, the scheme now proposed would not be particularly sustainable, because it would make relatively inefficient use of the land, compared to the existing use.

Conclusions

16. The proposed development would reduce the supply of housing in the Borough, contrary to the aims of Policies DP2 and CS6. Given the emphasis that the NPPF puts on boosting housing supply and meeting housing needs, it seems to me that this consideration must carry substantial weight. By comparison, the potential benefits to the CA and to car parking would be minor, and the effects on the area's housing mix and social inclusivity would be broadly neutral. The adverse effect on housing supply is therefore the decisive factor.
17. I have taken into account all the other matters raised, but none changes this conclusion. The appeal is therefore dismissed.

John Felgate

INSPECTOR