



2nd January 2023

Vicky Williams

The Planning Inspectorate

3C Eagle Wing

Temple Quay House

2 The Square

Bristol BS1 6PN

Appeal Ref: APP/X5210/W/22/3303899

31 Agar Grove, London, NW1 9UG - Change of the lower and upper ground floor from 1x3 bed flat to a self-contained 1x2 bed flat and 1 x studio flat

Dear Ms Williams,

I write in response to the letter from Ewan Cambell, dated 13th December 2022, setting out additional comments for the Inspector to consider with regards to the above referenced appeal.

The letter begins with a summary of the proposal and a list of the relevant policies. The appellant broadly agrees with the list of policies cited, although it is unclear which part of the CPG on Amenity would be helpful to the determination of this appeal, as there is no objection on amenity grounds and it is not specifically referenced in the statement. Neither this document or Policy G1 (Delivery and Location of Growth) were referred to in the officer's delegated report. However, Policy G1 simply highlights the requirement for Camden to meet their housing targets and to make the most efficient use of a limited amount of land in Camden, so it considered to be supportive of the appellant's case in strategic terms.



Section 3 of the Council's letter sets out the main comments on the appellant's statement. The Council's comments are highlighted in bold italics below, with the appellant's response immediately following:

Paragraph 5.4 explains the statement that the Council will seek to protect 3 bedroom properties, especially amenity space, is not mentioned within the CPG and therefore can be considered fluid. However the quote of paragraph 3.196 is actually within policy H7 and therefore should be given weight when development directly affects this. Issues relating to this are also discussed within the Housing CPG as it states that We will take full account of guidance in the Local Plan dealing with large homes and child density (paragraphs 3.197 to 3.199).

The officer has misrepresented or misunderstood the point being made at Paragraph 5.4 of the appellant's statement, by reading it in isolation and ignoring the preceding paragraphs. The appellant is not declaring the policy to be fluid because "it is not mentioned in the CPG", but rather because Paragraph 3.192 of the Local Plan acknowledges it is fluid (i.e. it is changeable and difficult to predict). This Paragraph is directly copied below:

"3.192 Between 2001 and 2011 an increase in the proportion of one-person households in Camden and a reduction in average household sizes was consistently anticipated by population projections and failed to materialise. This mismatch between expectations and outcomes suggests that projections around dwelling size requirements are fraught with difficulties, especially in the context of rapidly rising housing costs. Consequently, any more detailed percentage aims for specific dwelling sizes will be provided in our supplementary planning document Camden Planning Guidance on housing where they can be rapidly reviewed to reflect changing circumstances".

Clearly, there is an acknowledgement here that requirements will change over time. The point made in the appeal statement was that the CPG on housing had the opportunity to provide new figures and strengthen the case but did not. Simply referring back to the Local Plan without providing more up-to-date evidence does not reinforce the Council's position. Furthermore, the paragraph's referred to (3.197 and 3.199) do not support the dwelling mix, they provide guidance on the provision of family housing in large developments. Specifically, they point out features that make certain types of large development suitable for Children to live in. The appeal proposal is not part of a large development and these paragraphs are not



relevant to the determination of the appeal, other than perhaps highlighting that the appeal site is not an ideal location for a family home. Nevertheless, the appellant's case does not rest solely on a family home being inappropriate in this location, but on there being a housing need for all types of units and equal priority for two bed and three bed units. In such circumstances, the provision of two units outweighs the need for a family unit, particularly in this location.

In response to paragraph 5.9, which claims that the Council has previously sought to resist the loss of the HMO on the upper floors on the basis of it providing low cost housing, whilst also seeking to retain a large three bed unit at the expense of a studio and two bed unit which would be available at lower cost, whilst it is appreciated the economic reasons for altering the dwelling size, this is not a material consideration and cannot be considered as part of the proposal. Studio apartments are considered lower on the priority list as explained in the officer report.

The officer claims that low cost housing is not a material consideration, despite the Council resisting the loss of a HMO on the basis of it providing low cost housing. Anything is capable of being a material consideration and in this context, the appellant stands by their point. It is noted that Studio apartments were lower priority at the time of preparation of the plan (2016 evidence base), but it is also noted that there was a need for all types of units at this time, which has certainly not gone away. Demographic trends and the ongoing cost-of-living crisis will only further increase demand for lower cost single person units.

In relation to paragraph 5.10, which speculates over what different conversions would get planning approval, converting the site into a two bed and studio was not the proposal and therefore cannot be assumed to have been approved Furthermore this was in 2013 where our policy structure was different and SMHA had not been released.

The appellant accepts the limitations of speculating this point but has provided the officer's report for the 2013 application so the Inspector is able to draw their own conclusions on the key issues assessed. Paragraph 2.9 of the appellants statement references the previous policy and highlights the fact that two bed dwellings were given a higher priority than three beds at that point in time, which would lead to the logical conclusion that a two bed would most likely have been accepted.

With paragraph 5.11, this proposal is claimed to provide investment into the area, it is hard to see how this can be evidenced or how this is material to the decision. The Conservation Area appraisal is also mentioned apparently supporting the argument that further intensification of a single site by providing more units would



lead to a less development. This argument appears incoherent as creating multiple smaller units provides more potential for occupant's wanting to extend the space. The larger the dwelling house reduces the need to extend.

The appellant undertook a full refurbishment of the property including new heating systems, better acoustic separation, fire doors, fire alarm systems and external painting and repairs. This can be evidenced from a site visit and is an investment in the property that will improve the living conditions for occupants and improve the look of the building from the street. It is an inarguable fact that there has been intensification of the use of the site, without the need for development that might impact on the Conservation Area. As such the argument presented is considered to be both coherent and valid. On the other hand, speculating about the potential for future extensions has no bearing on this proposal, particularly as any such proposals would require separate planning permissions.

I trust that the above is helpful to the Inspector in determining the case. In response to the letter from PINS of 21st December 2022, access will be provided to the property on Monday 9th January between 12pm and 2pm.

Should you have any queries in relation to any of the attached information, please do not hesitate to contact me.

Yours faithfully,

Ben Kelly MRTPI

Director

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