

Location **91 Audley Road London NW4 3EU**

Reference: **16/0096/FUL** Received: 7th January 2016
Accepted: 13th January 2016

Ward: West Hendon Expiry 9th March 2016

Applicant: Mr David Malamatenious

Proposal: Conversion of single dwelling house into 3 no. self-contained flats and changes to rear fenestration.

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - No. RE2/9ONW43EU/15/1 (received: 13/01/16)
 - No. RE2/9ONW43EU/15/2 Rev B (received: 29/01/16).

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 3 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming

compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 4 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 5 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 6 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 7 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

Officer's Assessment

1. Site Description

The application relates to a semi-detached single family dwellinghouse.

There are no specific restrictions on site.

2. Site History

Reference: 15/00709/HSE

Address: 91 Audley Road, London, NW4 3EU

Decision: Approved subject to conditions

Decision Date: 21 May 2015

Description: `Single storey rear and side extension following demolition of existing outbuilding

Reference: W13986/05

Address: 91 Audley Road, London, NW4 3EU

Decision: Unlawful

Decision Date: 29 March 2005

Description: Alterations to roof including dormer window to rear roofslope and rear wing to facilitate a loft conversion.

Reference: W13986A/05

Address: 91 Audley Road, London, NW4 3EU

Decision: Lawful

Decision Date: 10 May 2005

Description: Alteration to roof including rear dormer window to facilitate a loft conversion.

3. Proposal

The proposal includes:

Conversion of single dwelling house into 3 no. self-contained flats and changes to rear fenestration.

4. Public Consultation

Consultation letters were sent to 117 neighbouring properties.

5 letters of objection have been received.

Summary and comments below:

- Overcrowding: The 3no proposed units would accommodate up to 4 people in total which is less than the existing house, suggesting there would be no overcrowding.
- Increase in on street parking pressure: Addressed in assessment of proposals.
- Works have already started on site: At the time of the site visit there were no changes taking place to the internal layout of the building.

- Impact on water pressure: Issues relating to water pressure would be considered by building control which is a separate process to planning. This issue has therefore been attributed limited weight in this instance
- Potential for unit to become an HMO: The application has been assessed against the proposed scheme which does not relate to the creation of HMO's. A condition has been included to prevent this change of use without planning permission.
- Overdevelopment: Addressed in 'assessment of proposals'.

5. Planning Considerations

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan July 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08 and DM17

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)
Sustainable Design and Construction SPD (adopted April 2013)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i. The principle of flats in this location
- ii. The Impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers
- iv. Whether the proposal provides satisfactory living accommodation for future occupiers.
- v. Parking and highways

5.3 Assessment of proposals

The principle of flats in this location :

This particular section of Audley Road is characterised by a mixture of single family dwellinghouses and conversions. A search of the council tax records shows the following properties have previously been converted to flats: no. 56, 57, 58, 60, 62, 64, 65, 67, 68, 74, 77, 78, 79, 81, 88, 90, 92, 93, 94, and 107.

Bearing these points in mind, the principle of one additional conversion in this location is considered acceptable.

Whether the proposal provides a satisfactory living environment for future occupiers:

Floor Area :

The following units are proposed:

Flat 1	1 bedroom 2 person	71.6m ²
Flat 2	1 person	45.5m ²
Flat 3	1 person	44.8m ²

All three units would exceed the minimum unit size requirements set out in the London Plan (2015).

Density

With regard to the London Plan 2015 and the Density Matrix found in Table 3.2, it is considered that the site can be defined as 'Urban' according to the London Plan definition and has a PTAL score of 3. The site is approximately 0.0156 hectares in size and the development includes 3 self-contained flats. Calculations show that the proposed scheme's density is approximately 187.0 units per hectare and this is slightly above the density range for its context and the guidelines (70-170units/hectare) in the London Plan.

Given the disparity is negligible and the fact other conversions in the street include three flats or more, the proposed density is considered to be appropriate for the area and therefore the Council has no objections on this matter.

Amenity Space:

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room (definition of a habitable room is set out in the glossary including the maximum size considered before a room is counted as two (20 sqm)).

While the ground floor unit has been provided with sufficient amenity space the 2no. 1 person (studio) units have not. There are however site specific material considerations to take into account. First, both units exceed the minimum unit sizes set out in the London Plan (2015) and this additional internal space is considered to compensate for the lack of outdoor amenity space. Second, the site is located within a short walk of local parks which are considered reasonable substitutes when read in conjunction with the oversized units highlighted above.

Internal Stacking:

Policy DM04 part d. states that proposals will be refused if it leads to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures. The stacking is considered acceptable and would limit noise transfer between flats.

Light/outlook:

All habitable rooms are considered to benefit from sufficient light and outlook to provide future occupiers with a good standard of living which meet the requirements set out in Barnet's Sustainable Design and Construction SPD (2012).

The impact on the amenities of neighbouring occupiers

As the road is characterised by a mixture of conversions and single family dwellinghouses the comings and goings associated with the proposed units are unlikely to cause significant noise and disturbance likely to harm the living conditions of neighbouring occupiers.

The Impact on the appearance and character of the area:

An additional door is proposed on the rear elevation to the ground floor flat. The relatively minor changes to the rear fenestration are considered acceptable.

Parking and Highways

The proposal is to convert the existing 6 bedroom unit to provide 3x1bedroom units. The existing dwelling does not have any parking provision and comprises a 6 bedroom house. The proposed 3x1bedroom units would need to provide 2 parking spaces to accord with the parking standards as set out in the Development Management Policy DM17 for a site which located in PTAL 3. However, no parking is proposed for the conversion. Taking into consideration the following.

-The proposal is for a conversion;

- o The site is located within a CPZ;
- o The site is within a walking distance of the town centre;
- o The site is located within a PTAL rating of 3

On balance the proposed development without any parking provision is acceptable on highway grounds.

7. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

8. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

