

**Location**                    **107 Station Road London NW4 4NT**

**Reference:**                **15/07483/FUL**                    Received: 8th December 2015  
Accepted: 13th January 2016

Ward:                        West Hendon                        Expiry 9th March 2016

Applicant:                Mr & Mrs Raffiuddin & Shahida Peracha

Proposal:                Change of Use from C3 (Dwellinghouse) to C2 (Residential institutions). Part two-storey, part first floor side and single storey rear extension. Installation of seven rooflights to all elevations.

**Recommendation: Approve subject to conditions**

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 15-SR-04 Rev:A; 15-SR-05 Rev:B; 15-SR-06 Rev:B; 15-SR-07 Rev:B; Design and Access Statement.

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     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.

- 3     The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4     Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing No. 109 Station Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 5 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing No. 109 Station Road.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

### **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.

### **Officer's Assessment**

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#### **1. Site Description**

The application site is located on the western side of Station Road, located within the West Hendon ward. The property is a detached two storey building formerly a dwelling house. It adjoins another property also in use as a care home for people with mental health care needs. The building is already in use as a care home. The property is not in a conservation area and is not listed. Parking is available on both the forecourt and by way of a garage.

#### **2. Site History**

Reference: 15/05897/FUL

Address: 105 -107 Station Road London NW4 4NT

Decision: Withdrawn

Decision Date: 30 Oct 2015

Description: Single storey rear extension with flat roof following demolition of office and store room. Two storey side extension with 2no windows to rear, 1no to front elevation, 1no to ground floor, 3no to side elevation. Roof extension involving 2no rooflights to front and 1no rooflights to rear elevation (CHANGE OF REFERENCE NUMBER)

Reference: H/01965/11

Address: 105 -107 Station Road London NW4 4NT

Decision: Lawful

Decision Date: 17 Jun 2011

Description: Use of dwelling house as residential care home for no more than 4 residents.

### **3. Proposal**

This application involves change of use from C3 (Dwellinghouse) to C2 (Residential institutions). It should be noted that the premises has been in use as C2 for no more than 4 residents for a continuous period of more than 10 years and this application seeks permissions for a change of use together with extensions to provide additional accommodation for 4 residents; currently there are 4 residents at the premises and the proposal would provide accomodation for a total of 8 residents. It should be noted that the proposal was amended since the original submission to reduce the number of additional rooms from 7 to the now proposed 4; bedrooms 9, 10 and 11 proposed on the second floor were omitted to facilitate this amendment.

Extension works are also proposed which would include a part two-storey and part first floor side extension and a single storey rear extension. Extensions to roof are also proposed to include a new crown roof with 7no roof lights to front, side and rear elevations to provide additional accommodation for residents.

The proposed two storey side extension would be 3m wide at the front, and would have a depth of 12.5m, adjacent to the boundary with No. 109 Station Road. The extension would project rearwards of the rear elevation of the host property for 3.8m. The roof of the proposed part two storey, part first floor extension above garage extension would be hipped and would have a ridge height of 8.5m (5.5m to eaves) and is set down from the height of the main dwelling roof by 0.4.

The side extension is set back from the front elevation of the host dwelling by 1.2m.

The single storey rear extension proposed would have a depth of 4m and would have a flat roof which would be 2.8m high. This extension would be sited towards the boundary with No.105 Station Road.

The proposal would see the premises laid out as follows:

#### *Ground Floor*

Tv room  
Office  
Kitchen  
Bedroom 1  
Bedroom 2 with en suite bathroom

#### *First Floor*

Bedrooms 3, 4, 5 and 6 with a shared bathroom  
Bedroom 7 and 8 each with an en suite bathroom

### **4. Public Consultation**

Consultation letters were sent to 55 neighbouring properties. 14no objections have been received, and the comments and concerns received are summarized as follows:

- Impact on residential amenity.
- Impact on the character and appearance of the area.
- Currently disturbance form residents at 105 Station Road, and this will be made worse.
- Safety of future due to location of site.
- Terracing effect caused by extensions.

- Impact on outlook.
- Overdevelopment.
- Intensify the use of the site.
- Poor amenity standard for future residents.
- Lack of communal space.
- Concerns with noise and rubbish.
- Loss of a family home.
- Scale of the proposal would make it difficult to manage.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### 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 March 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.

Particular regard is had to Policy 3.4; 4.1; 4.4.

#### Barnet's Local Plan (2012)

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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, CS4, CS5, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM09.

## Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Residential Design Guidance SPD (adopted April 2013)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

- Notes that the conversion of existing dwellings into flats can have a cumulative impact on environmental quality and the character of established residential areas. Conversions can harm the character of areas by increasing activity, with increasing activity resulting in more people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries.

- Conversion proposals are likely to be resisted in areas of low density where predominantly there are single family occupation houses.

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle
- Impact on the character and appearance of the street scene and general locality
- Impact on the amenities of neighbouring occupiers
- Standard of accommodation for future occupiers

### **5.3 Assessment of proposals**

#### Principle

The development proposed is to expand the existing care facility, from a 4 bedroom unit to an additional 4 bedroom unit making a total of 8 units. Extension works are proposed to facilitate the additional bedrooms and reconfiguration of the existing layout. As mentioned earlier in this report, the original proposal was for an additional 7 bedrooms making a total of 11 units; this was amended following officer concerns that the increased noise disturbance generated by the additional units, combined with the sensitive nature of the use of the premises, would be detrimental to the amenities of neighbouring residential occupiers.

An application for a lawful development certificate was submitted under application reference H/01965/11 which related to the conversion of 105-107 Station Road as a C2 (Residential Institution). Nevertheless, the current use of the site cannot rely on this Certificate given the discrepancy between the development and the actual operations. As such, the principle of the use has not yet been fully assessed.

The proposals involve the change of use of the property to a care home (C2 use). Policy states that an identified need must be provided for such uses as there is an oversupply of care homes in Barnet.

Trinity House is based at both 105 and 107 Station Road with the original care use beginning at 105 Station Road. The care home requires space to increase following referrals from the London Boroughs of Brent and the Barnet as well as the Hertfordshire Partnership Foundation Trust. However, it was found to be difficult to accept these referrals because of the lack of space within the units. Trinity House is registered and regulated by the Care Quality Commission. The care home is a registered Residential Care Home for Adults with Mental Health diagnosis. The Home provides 24 hours' care and support, the Home is geared towards providing rehabilitation and acquisition of daily living skills and resettlement in the community after a period of treatment in hospital settings. After a period of skills acquisition and wellness, the next stage is stepping down residents into supported living accommodations and then into private or council accommodation. Trinity House is a provider contracted by the London Borough of Barnet and as such, there is an established need for this form of provision within this location.

Policy DM07 seeks to protect housing, and any loss must be for a use which is of local importance and benefit, has need and other locations have been exhausted by their suitability. As such, the proposed development would not be contrary to this policy.

#### Impact on the character and appearance of the street scene and general locality

Concerns have been raised regarding the impact that the proposed extension works and the increase in the use of the site would have on the character and appearance of the area.

Taking into account the roof being set down from ridge of the main dwelling roof, and the side extension being set back from the front façade of the host building, it is considered that the proposed side extension would appear subservient to the bulk and mass of the host building. It is also considered that the proposed works would be of a design to complement the design of the host property and would be constructed of matching materials.

Additionally, as the use of the site as a C2 (Residential Institution) is established, it is not considered that the additional bedrooms would have a significant additional impact on the character and appearance of the area.

#### Impact on the amenities of neighbouring occupiers

Concerns have been raised with regards to the negative impact the proposal would have on the residential amenity of neighbours. It is officer opinion that the rearward projection of the proposed two storey extension would not have a significant adverse impact on the residential amenity of the neighbours to justify the refusal of the application.

The proposed single storey rear extension would largely be obscured by the proposed two storey rear extension, and it is considered that the impact that it would have on the residential amenity of neighbours would not be severe.

Concerns have also been raised regarding the increase in the intensification of the use of the site and concern that this would lead to an increase in noise and general disturbance. In relation to the noise from the site, it is considered that whilst there would be an increase in the level of activity at the site, the amendments made to the proposal would not have a significantly increased impact compared to the sites current use. On balance it is considered that the proposed extension works and the addition of more occupants would not have a severe impact on the residential amenity of neighbours - it is important to note that this is a C2 premises where the care would be provided within the premises and residents would not be leaving and coming back during the majority of time within care.

#### Standard of accommodation for future occupiers

Space standards for new development are outlined in Policy 3.5 (table 3.3) of the London Plan 2015 and also within Barnets Residential Design Guidance.

Upon review, the proposed bedrooms would provide sufficient space for future residents. The number of windows and rooflights outlined within the proposal will ensure that sufficient natural light would be afforded to the additional bedrooms.

On balance it is considered that the proposal would provide an acceptable level of amenity for future residents.

### **5.4 Response to Public Consultation**

The grounds for objection have been discussed within the body of this report.

### **6. 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.

### **7. 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.

