

LOCATION: 61 Holdenhurst Avenue, London, N12 0HY

REFERENCE: F/00832/12

Received: 02 March 2012

Accepted: 06 March 2012

WARD(S): Woodhouse

Expiry: 01 May 2012

Final Revisions:

APPLICANT: Ms C McGregor

PROPOSAL: Partial change of use from residential to podiatry surgery.
Single storey side/rear extension.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Design and Access statement; 12780/01.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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. A single practitioner shall operate from the premises.

Reason:

To protect the amenity of neighbouring occupiers.

4. The use hereby permitted shall not be open to customers before 9am or after 3pm on weekdays or before 9am or after 1pm on Saturdays and shall be closed on Sundays and Public/Bank holidays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

5. The premises shall be used for podiatry surgery and no other purpose (including any other purpose in Class D1 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. 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 the surrounding area.

7. 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, other than those expressly authorised by this permission, shall be placed at any time on the extension hereby approved.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows:

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D5, H27, M11, M14, CS1, CS10, EMP3

Core Strategy (Examination in Public version) 2012: CS1, CS5

Development Management Policies (Examination in Public version)2012: DM01, DM02, DM13, DM14

ii) The proposal is acceptable for the following reason(s): The proposed extensions would be a proportionate addition to the dwellinghouse. They would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers. The proposed change of use would not result in the loss of residential floorspace and as conditioned would not impact detrimentally on the residential amenity of future occupiers.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, D1, D2, D5, H27, CS1, CS10, EMP3

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS1, CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM13, DM14

Relevant Planning History:

F/01232/12 at 19 Claverley Grove - Change of use from business to residential use - APPROVED 28/05/2012

Consultations and Views Expressed:

Neighbours Consulted:	43	Replies:	14
Neighbours Wishing To Speak	1		

7 objections and 6 letters of support have been received.

A petition with 22 signatures against the proposals has also been received.

The letters of support can be summarised as follows:

- Support proposals; there should be no increase in traffic as patients treated one at a time and not in large groups.
- No disruption experienced by neighbours

The objections raised may be summarised as follows:

- Concerns that partial change of use of building may influence or affect other applications for change of use in the future at other sites in the street.
- Concerns proposals will create increased pressure on car parking in the street
- Commercial use will impact negatively on surrounding area which is purely residential
- Concerns about increased comings and goings causing disturbance and conflict as a result of the proposed development

- Object to principle of change of use from residential to non residential use
- Concerns of increased traffic flow as a result of the proposals
- Concerns about impact on residential amenity
- No evidence provided to show there is a need for the surgery in this location or that this service cannot be met somewhere else.
- Concerns about increased comings and goings as a result of the proposals
- Scheme is a threat to the residential character of the street
- Building not suitable for surgery
- Concerns about security

Date of Site Notice: 15 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a semi-detached house on Holdenhurst Avenue where there are no specific planning restrictions.

Proposal:

The proposals consist of the change of use of a front room (approximately 13m²) in a residential house to a podiatry surgery with a single practitioner opened between 9am and 3pm Monday to Fridays and two Saturdays a month between 9am and 1pm. The surgery would be accessed both internally and externally (to the side of the house).

A single storey side/rear extension is also proposed projecting 3.5 metres in depth and set 1 metre away from the side boundary.

The applicant has supplied a supporting statement stating that explains that the use has been operating for 35 years from Claverley Grove and that the relocation is required because their current lease will expire in October 2012.

Planning permission has recently been granted at 19 Claverley Grove (F/01232/12) to revert back to a house.

Planning Considerations:

Partial change of use:

Policy H3 of the UDP relates specifically to the loss of residential uses and states that planning permission will not be granted for changes of use from residential to other uses

It is acknowledged that as part of the proposal a new extension is proposed to the rear of the site with a footprint larger than the area concerned by the proposed change of use. The proposals would therefore not result in the loss of any residential

floorspace and would comply with policy H3. Notwithstanding the additional floorspace provided in the extension, it should be noted that as a result of the move from Claverley Grove, there will be no loss of residential floorspace overall in the Borough.

Council policy CS10 says that health care facilities should be located in areas that are accessible by public transport. In close proximity to Finchley Central with good bus links running along Ballards Lane within walking distance, the site is an accessible location thus meeting council policy requirements.

The use will rely on on-street parking along Holdenhurst Avenue which has no restrictions. The London Plan states that in areas of good transport accessibility allow for reduced car parking provision in areas of good accessibility according to local circumstances. Given the transport links and the very small nature of the proposed operation, the application is considered acceptable.

The small proposed change of use from residential accommodation to a podiatry surgery is considered an acceptable change to the property and would meet the design considerations listed within the aforementioned policies. The surgery would be accessed both independently from the side of the property and via a door within the existing hall of the house. The residential accommodation would remain entirely self-contained. This will ensure that there is a complete separation between the residential and dental accommodation and the separate front door has been retained.

The proposed use would be operated between 9am and 3pm Monday to Friday and 9am to 1pm on two Saturdays each month. It would be closed at other times. Conditions have been attached relating to restrict those hours of use.

A since practitioner would operate from the premises and this is also controlled by way of condition to ensure that the development does not result in any noise and disturbance to the occupiers of the neighbouring residential properties.

Overall, the use is not considered to significantly impact on the residential amenity of neighbouring occupiers. It should be noted that there are no records of noise complaints received at the existing surgery on Claverley Grove which is a similar setting to the application site.

Extensions:

The main issue in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

General Policy GBEnv1 aims to maintain and improve the character and quality of the environment.

Policies D1 and D2 aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Part of policy D5 requires new development to safeguard outlook and light of neighbouring residential occupiers

Policy H27 states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the streetscene and have no significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

The proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

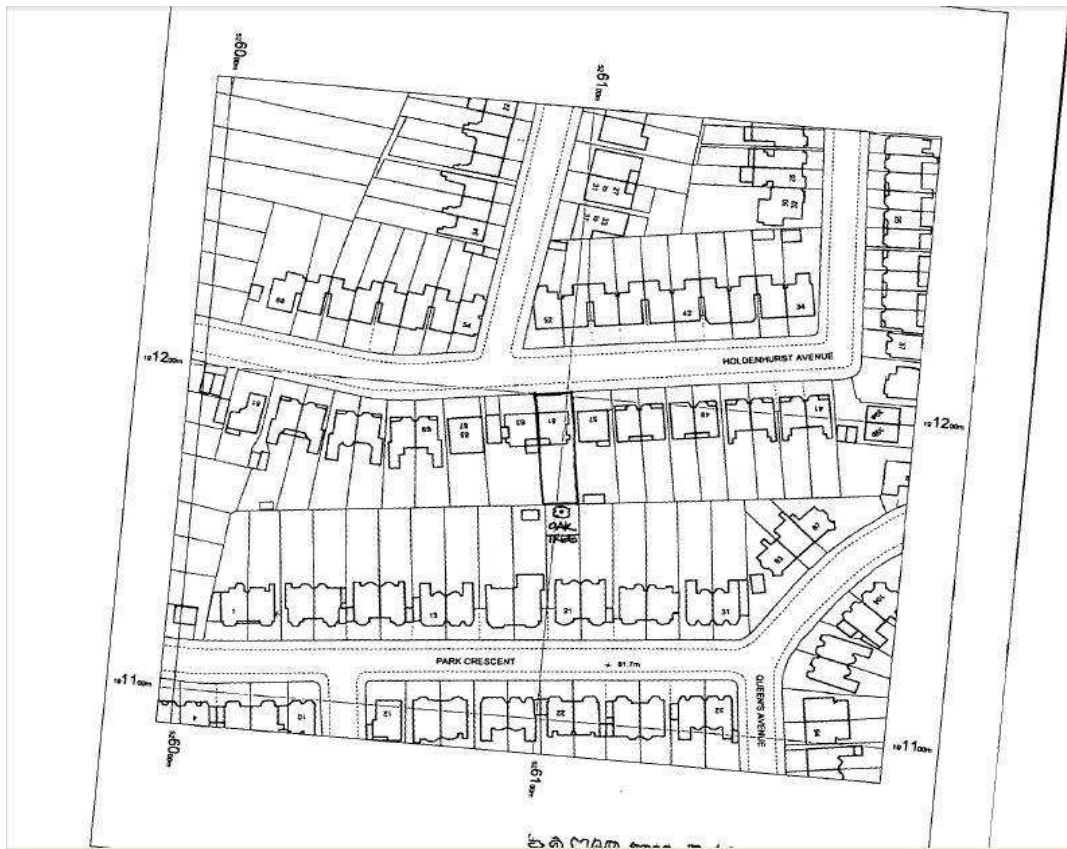
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposed extensions would be a proportionate addition to the dwellinghouse. They would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers. The proposed change of use would not result in the loss of residential floorspace and as conditioned would not impact detrimentally on the residential amenity of future occupiers. **APPROVAL** is recommended.

SITE LOCATION PLAN: 61 Holdenhurst Avenue, London, N12 0HY

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