

LOCATION: 110 Ashurst Road, London, N12 9AB

REFERENCE: F/03527/12

Received: 15 September 2012

Accepted: 09 October 2012

WARD(S): Woodhouse

Expiry: 04 December 2012

**Final
Revisions:**

APPLICANT: Mr Amir Adar

PROPOSAL: Conversion of existing family dwelling into 2 self contained units.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Plans 1:100

Proposed Plans 1:100

Proposed Elevations 1:100

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3. Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

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).

4. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

5. Prior to the 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 policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

6. Before the development hereby permitted is occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

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 Core Strategy (2012) and Development Management Policies DPD (2012). In particular the following policies are relevant:

National Policy:

National Planning Policy Framework

London Plan (2011)

Local Development Framework:

Core Strategy (Adopted) 2012 – CS NPPF, CS 1, CS5, CS10, CS11.

Development Management Policies (Adopted) 2012 – DM01, DM02, DM03, DM04, DM08, DM17

- ii) The proposal is acceptable for the following reason(s): -

Having taken all material considerations into account, it is considered that the proposal would provide much needed residential units that have internal

arrangements that are adequate for future occupiers. The design of the extension is considered to be sympathetic to the characteristics of the surrounding area and there would be no harmful impact on residential amenity.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

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

2. 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 Council of 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 email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

3. Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP.
4. This application is subject to a s106 agreement which will provide for financial contributions towards education, health and library facilities, and the associated monitoring costs.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 27th March 2012. This is a key part of the Governments reform to make the planning system less complex and more accessible and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

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".

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 Mayors London Plan July 2011

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.

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 (Adopted) September 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF, CS 1, CS5, CS10, CS11.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy.

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

The documents below are currently at the draft stage and are material considerations:

draft Residential Design Guidance (Nov 2012)

draft Sustainable Design and Construction (Nov 2012)

Relevant Planning History:

Site history for current landparcel :

103417 - 110 Ashurst Road, London, N12 9AB

Case Reference: **F/03527/12**

Application:	Planning	Number:	F/03527/12
Validated:	09/10/2012	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	James Stone
Description:	Conversion of existing family dwelling into 2 self contained units.		

Additional Planning applications with same Location Address:

Relevant site history:

Permission was approved at appeal under ref: F/00202/12 for the conversion of a dwelling to two flats at 50 Ashurst Road.

Consultations and Views Expressed:

Neighbours Consulted: 14 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Conversion to flats is out of character for this road
- Lack of parking
- Impact on residential amenity of the area
- Loss of large family dwelling
- Minimum space standards
- Provision of refuse/recycling facilities
- Financial contributions towards infrastructure provision
- The property has been converted into 6 self-contained units and so the description as an existing family dwelling is not accurate. A side door has been installed as part of the conversion.

Internal /Other Consultations:

Highways have no objections to the proposal.

Date of Site Notice: 18 October 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site consists of a two-storey end terrace dwelling on the eastern side of Ashurst Road.

Proposal:

The application seeks permission to convert the property to two one-bed flats. There would be no external alterations to the existing building.

Planning Considerations:

Policy 3.3 of The London Plan recognises the pressing need for more homes in London whilst Policy 3.4 states that development should optimise housing output.

The principle of flatted residential accommodation of the density proposed is considered acceptable subject to compliance with other relevant policies of the Local Plan.

Amenity/Character:

Whilst the Government is committed to maximizing the re-use of previously developed land, new housing development, whatever the scale, should not be viewed in isolation. Higher densities should not be achieved at the expense of good quality design or the amenity of the surrounding area. The NPPF states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." This is reinforced by Policies CS 5, DM01 and DM02 of the Local Plan which advocates that the design and layout of proposals should be of a high standard which complements the character of the existing development in the vicinity of the site and maintains a harmonious street scene.

With regard to the character of the area it should be noted that a recent appeal for the conversion of 50 Ashurst Road (ref: F/00202/12) to two flats was upheld by the planning inspectorate. The inspector deemed that the conversion of a dwellinghouse into two flats would not necessarily generate significantly more trips, general activity or parking pressure than a single large household.

Amenity:

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours' amenity is unlikely to be supported.

Local Plan Policy DM01 seeks to ensure that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It

is therefore necessary for a judgement to be made by the decision maker with regard to these issues.

Matters of amenity must be considered in relation to the existing uses around the proposed extension as well as the valid planning permissions for changes of use and extensions.

Sound insulation, which could be secured by a condition, could adequately prevent harmful disturbance to the adjoining neighbour of 110 Ashurst Road. The rear garden of the property is large enough to absorb any increase in activity arising from the sub-division. The proposal would not have a harmful impact on the residential amenity of the area.

A planning condition will ensure that occupiers of both flats have access to private amenity space in the rear garden.

Highways:

The proposed conversion of the existing 4 bedroom dwelling without any parking provision into 2x1 bedroom units is proposed without any parking provision. However, considering that the existing 4 bedroom unit would have required 2 parking spaces and the proposed 2 units would also require provision of 2 parking spaces the proposed development is unlikely to have any additional detrimental impact on public highway. It should also be noted that there is on-street parking available on roads in the vicinity of the site. Therefore the proposal is acceptable on highway grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

- Planning permission was recently granted at appeal for the conversion of 50 Ashurst Road to 2 self contained flats and so conversion to flats is a characteristic of the road.
- There were no objections from the highways officer with regard to parking provision and highway safety.
- Sound insulation, which will be secured by a condition, will prevent any harmful disturbance to the adjoining neighbour. It should also be noted that the rear garden is considered large enough to absorb any increase in activity arising from the sub-division of the property. The proposal is not considered to generate disturbance to the extent that it would harm the character of the street.
- Although the proposal would result in the loss of a family dwelling this is considered to be offset by the creation of an additional unit.
- The conversion meets the minimum space standards as both flats would have a floor area of more than 50m².
- Planning conditions will ensure that details of refuse/recycling facilities are submitted to the council before the occupation of the flats.
- No financial contributions are required as part of the scheme.
- Council tax records show that the unit has been converted into several flats but they have not received planning permission and so the property is officially a family dwellinghouse. Permission would not have been required to install a door at ground floor level.

4. EQUALITIES AND DIVERSITY ISSUES

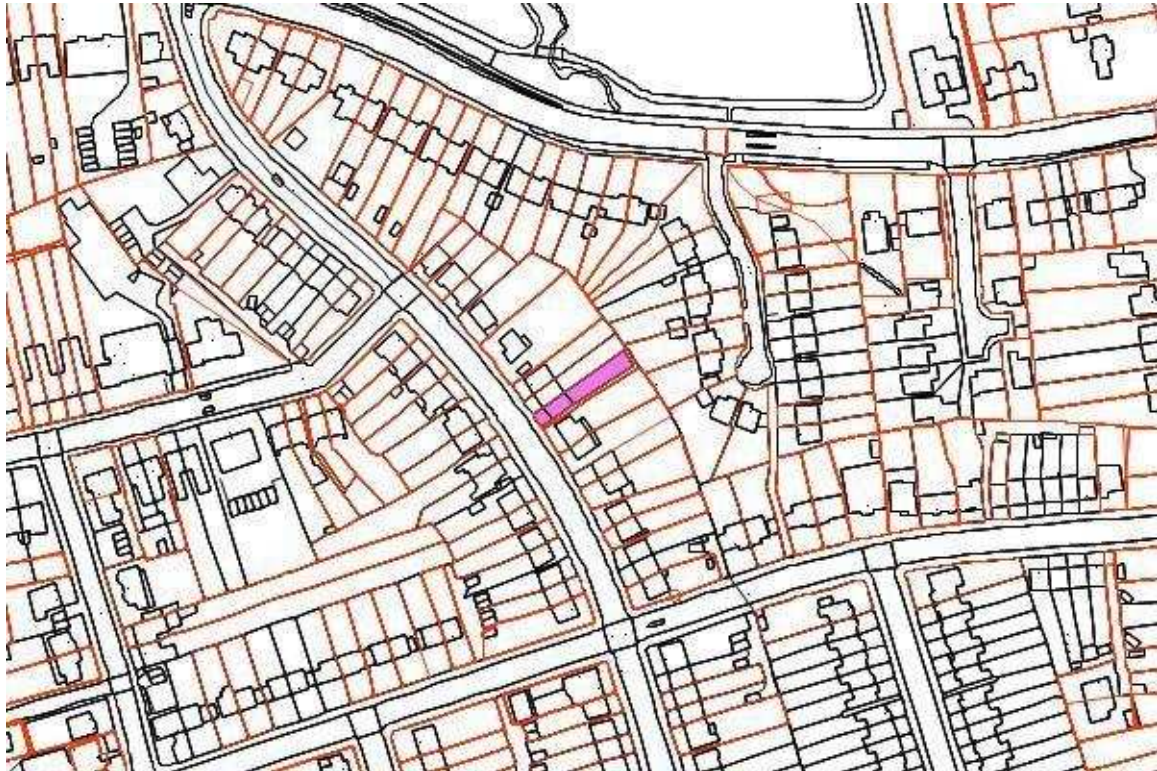
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

SITE LOCATION PLAN: 110 Ashurst Road, London, N12 9AB

REFERENCE: F/03527/12



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