

**Location**                      **130-132 Audley Road London NW4 3HG**

**Reference:**                      **16/5875/FUL**                      Received: 8th September 2016  
Accepted: 8th September 2016

Ward:                              West Hendon                              Expiry 3rd November 2016

Applicant:                      Lorenzo Calzavara

Proposal:                      Conversion of a pair of semi-detached houses to 7 no. self-contained flats.  
Provision of amenity space, cycle and refuse storage. New boundary fence to rear elevation. Erection of dwarf wall with access points to front boundary. Addition of 1 no. window to side of existing rear dormer including installation of balcony. Alterations to fenestration at ground and first floor levels to both side elevations

**Recommendation:** Approve subject to conditions

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

Conversion Plan (received: 21/10/16)

- No. AULEY-MF001

Existing (received: 21/10/16)

- AULEY-E501 Rev A
- AULEY-E502 Rev A
- AULEY-E501 Rev A
- AULEY-E503 Rev A
- AULEY-E504 Rev A
- AULEY-L501 Rev A
- AULEY-P501 Rev A
- AULEY-P502 Rev A
- AULEY-P503 Rev A
- AULEY-E504 Rev A
- AULEY-S501 Rev A
- AULEY-S502 Rev A
- AULEY-S503 Rev A
- AULEY-S504 Rev A
- AULEY-O501 Rev A

Proposed (received: 21/10/16)

- AULEY-E601 Rev A
- AULEY-E602 Rev A
- AULEY-SE601 Rev A
- AULEY-E603 Rev A
- AULEY-E604 Rev A
- AULEY-L601 Rev A
- AULEY-P601 Rev A
- AULEY-P602 Rev A
- AULEY-P603 Rev A
- AULEY-P604 Rev A
- AULEY-S601 Rev A
- AULEY-S602 Rev A
- AULEY-S603 Rev A
- AULEY-S604 Rev A
- AULEY-O601 Rev A

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 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).

- 8 Before the building hereby permitted is first occupied the proposed windows at ground floor, first floor and roof level facing either neighbouring occupier 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).

- 9 The use of the outbuildings hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 10 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, ballustrades for roof terrace have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with

Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (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.
- 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.

## **Officer's Assessment**

### **1. Site Description**

The application relates to a pair of semi-detached single family dwelling houses.

Properties on Audley Road benefit from a commonality of scale and height with traditional features such as two storey gable ended front projections. To the rear they are also characterised by two storey outriggers approximately 4m in depth. Many properties also benefit from rear extensions and the application site is no different.

In this instance both houses benefit from two storey rear extensions, infilling the area between the two outriggers as well as two large dormer windows serving each property.

The property is not listed and does not lie within a conservation area.

### **2. Site History**

#### 130 and 132 Audley Road

Reference: 15/04354/FUL

Address: 130 & 132 Audley Road, London, NW4 3HG

Decision: Approved subject to conditions

Decision Date: 07.09.2015

Description: Part single, part two storey rear extension to 130 and 132 Audley Road. Conversion of 130 Audley Road from 2 no. self-contained flats to 1 no. house, replacement of 1 no. front door with 1 no. window

#### 130 Audley Road

Reference: 16/3288/192

Address: 130 Audley Road, London, NW4 3HG

Decision: Lawful

Decision Date: 7 June 2016

Description: Extension to roof including hip to gable end, rear dormer window and 2no roof lights to front elevation. Changes to windows to side and rear elevation. Removal of chimney and new outbuilding

#### 132 Audley Road

Reference: 16/3289/192

Address: 132 Audley Road, London, NW4 3HG

Decision: Lawful

Decision Date: 7 June 2016

Description: Extension to roof including hip to gable end, rear dormer window and 2no roof lights to front elevation. Changes to windows to the rear elevation. Removal of chimney and new outbuilding (AMENDED DESCRIPTION)

Reference: 15/01584/192

Address: 132 Audley Road, London, NW4 3HG

Decision: Lawful

Decision Date: 09.04.2015

Description: Removal of dual entrances and first floor kitchen to facilitate change of use from 2 no. flats into a single dwelling house

### **3. Proposal**

The proposal includes:

- Conversion of a pair of semi-detached houses to 7 no. self-contained flats
- Provision of amenity space, cycle and refuse storage
- New boundary fence to rear elevation
- Erection of dwarf wall and fence with access points to front boundary
- Addition of 1 no. window to side of existing rear dormer
- Installation of a recessed balcony within roof slope
- Alterations to fenestration at ground and first floor levels to both side elevations

### **4. Public Consultation**

Consultation letters were sent to 85 neighbouring properties.

23 letters of objection have been received.

Summary and comments below:

- A conversion in this location would harm to the character of the area
- The proposed extensions would harm the character of the area
- The creation of one front garden would harm the character of the area
- No off street parking would increase parking pressure
- 21 refuse bins situated in the front garden would harm the character of the area
- 21 bins would obstruct the pavement on collection day
- Outbuilding to the rear would harm the character of the area.
- Balcony would harm privacy of neighbours
- Issues with proposed density
- Insufficient amenity space provided
- The flats will be used as HMO's
- The concreting over of the front garden would harm the character of the area
- Gate in the fence of Vivian Avenue to access cycle storage would create a security risk

### **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 2016

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 :

Policy DM01 paragraph. H of Barnet's Development Management Policies DPD (2012) states that:

*Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.*

The applicant has provided a plan which highlights all the previously converted properties on Audley Road (no. AULEY-MF001). A search of council tax records and a site visit confirms its accuracy and demonstrates that Audley Road is characterised by a mixture of conversions and single family dwellinghouses.

Bearing this in mind the proposed conversion would indeed conform to Policy DM01 of Barnet's Development Management Policies DPD (2012) and considered acceptable.

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

Floor Area :

The following units are proposed:

G.01	1 bedroom 2 person	55m <sup>2</sup>
G.02	1 bedroom 2 person	63m <sup>2</sup>
G.03	2 bedroom 4 person	90m <sup>2</sup>
1.01	2 bedroom 4 person	66m <sup>2</sup>
1.02	1 bedroom 2 person	52m <sup>2</sup>
1.03	2 bedroom 4 person	77m <sup>2</sup>
2.01	2 bedroom 4 person	87m <sup>2</sup>

All units would exceed the minimum unit size requirements set out in the London Plan (2016).

#### Density

With regard to the London Plan 2016 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 4 (good). The site is approximately 0.0282 hectares in size and the development includes 7 self-contained flats. Calculations show that the proposed scheme's density is approximately 111 units per hectare and is consistent for the density range (45u/ha-260u/ha) for its context and the guidelines in the London Plan (2016).

Attention has been paid to several objections which relate to the proposed scheme being overly dense and as a result harmful to the character of the area. If the proposed density was towards the upper end or over the acceptable range sited above, this might have raised some concern. However the proposed density actually lies towards the lower end of the above scale demonstrating the site is more than capable of accommodating the proposed number of units.

Amenity Space:

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> 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)).

Units G.02 and G.03 located on the ground floor have been provided with a private garden. The other units would have access to a communal garden measuring 128m<sup>2</sup>. Plan no. AULEY-L601 Rev A includes a table showing the proposed number of habitable rooms as well as the corresponding amenity space requirement. This demonstrates that all units have been provided with amenity space which exceeds the above requirements thus providing future occupiers with a good standard of living.



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 (subject to compliance with the attached conditions).

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.

Some objections have been received resulting to overlooking and loss of privacy from the proposed balcony and new windows in the flank elevations.

Both these elements have been assessed separately below.

Balcony:

In response to objections received and advice from the advice of planners this element has been significantly reduced in depth. The plans have also been annotated (no. AULEY-E602 Rev A and AULEY-S601 Rev A) to show the relevant lines of site demonstrating the terrace create no issues relating to overlooking or a loss of privacy.

Side facing windows:

In response to objections received and at the advice of planners the internal arrangement of several units were revised and only non-habitable rooms benefit from primary windows within the side elevation. In order to avoid overlooking of neighbouring occupiers a condition has been included as part of this permission requiring all windows in the side elevations (above ground floor level) facing both neighbouring occupiers.

#### The Impact on the appearance and character of the area

##### Cycle and refuse storage

In some instances character issues can arise when relatively small front gardens of houses are dominated by refuse and cycle storage associated with conversions and applications in Barnet have previously been refused on these grounds alone.

In early discussions with the applicant this potential issue was raised and the necessary amendments were made. The number of refuse bins meet the requirements of Barnet's guidance ('Information for developers and architects: Provision of Household Waste & Recycling Service') on such matters.

For clarity Plan no. AULEY-P601 Rev A includes a table of which bins have been included.

In terms of appearance care has been made to obscure the bins from public view and are obscured from public view behind the proposed fence within a timber clad refuse store. A site visit confirmed that many properties on Audley Road benefit from front gardens often dominated by bins. The proposed scheme would therefore go some way to improving the character of the street.

With regard to cycle storage, this would be provided within an existing outbuilding to the rear and therefore considered acceptable.

#### Erection of dwarf wall and fence with access points to front boundary

The proposed dwarf wall with close board fencing above would be of a similar height to the neighbouring property at no. 134 Audley Road. A site visit also confirmed the presence of other similar boundary treatments serving other properties on the street.

#### Installation of balcony within roof slope

As highlighted above this has been set back from the rear elevation so as to obscure it from public view.

#### Parking and Highways

The location is between the shopping areas of West Hendon and Hendon Central with good access to bus, tube and rail routes with a PTAL of 5 good. The development will not provide off-street car parking. The location is within a CPZ that operates Mon-Fri 10-11am. A parking survey has been carried out and shows that there is a parking stress of 72% with the net increase in parking demand of 6 spaces.

This development will have an effect on parking on Audley Road but there is capacity available on street to accommodate the demand. The transport note states that cycle spaces will be provided with 1 space for one bed units and 2 spaces for two bed units in accordance with the London Plan but plans show 7 spaces. Details will be conditioned on cycle parking.

There is no objection to the application subject to compliance with the attached conditions.

### **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. Response to public consultation**

A conversion in this location would harm to the character of the area: Addressed in 'assessment of proposals' above.

The proposed extensions would harm the character of the area: Addressed in 'assessment of proposals' above.

No off street parking would increase parking pressure: Addressed in 'assessment of proposals' above.

21 refuse bins situated in the front garden would harm the character of the area: Addressed in 'assessment of proposals' above.

21 bins would obstruct the pavement on collection day: Addressed in 'assessment of proposals' above.

Outbuilding to the rear would harm the character of the area: The outbuildings are existing and conform to permitted development guidelines and therefore do not require planning permission. A condition has also been attached to prevent their use as self-contained flats.

Balcony would harm privacy of neighbours: Addressed in 'assessment of proposals' above.

Issues with proposed density: Addressed in 'assessment of proposals' above.

Insufficient amenity space provided: Addressed in 'assessment of proposals' above.

The flats will be used as HMO's: A condition has been included which would prevent the proposed units being used as HOM's. Barnet also has an Article 4 in place which prevents a change of use from single family dwellinghouse to C4 HMO without planning permission.

The concreting over of the front garden would harm the character of the area: Addressed in 'assessment of proposals' above.

Merging of two front gardens into one: Several objections relate to the unification of the front garden found on the original plans. To address this issue, the applicant has divided the front gardens in two and the associated soft landscaping would be secured through condition.

## **9. 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.

