

Location **319 Watford Way London NW4 4TG**

Reference: **22/2889/FUL** Received: 30th May 2022
Accepted: 30th May 2022

Ward: Hendon Expiry: 25th July 2022

Case Officer: **Mansoor Cohen**

Applicant: Mr S Harris

Proposal: Change of use of the property from a single family dwelling (Class C3) to a 9 bedroom House in Multiple Occupation (HMO) (Sui Generis) for 9 people including first floor rear extension (Amended Description)

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Site location plan

22/104/1

22/104/2

22/104/3

22/104/4

22/104/5

22/104/6A

22/104/7

22/104/8

22/104/9

22/104/10

22/104/11

22/104/11A

22/104/12

A103

SI-100

SI-101

Planning Statement

Hybrid Parking Survey/Transport Statement, by Green Rhino Planning
Hanover Chase Properties Estate agents letter dated 19 May 2022
S H Properties Estate agents letter dated 18 May 2022
Winkworth Estate agents HMO Demand letter dated 19 May 2022

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 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (2012), the Sustainable Design and Construction SPD (2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan (2021)

5 a) Notwithstanding the approved plans, 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); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

6 a) Before the development hereby permitted is first occupied, cycle storage facilities for at least 9no cycles shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy T5 and Table 10.2 of The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7 Before the development hereby permitted is first occupied or the use first commences, the parking spaces shown on Drawing No. SI 100; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies T6.1 of the London Plan 2021.

- 8 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 (2016).

- 9 The House of Multiple Occupation hereby approved must be occupied by no more than 9no persons at any time.

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 2016).

- 10 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such 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 Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 11 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 wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 12 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 13 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 shall be placed at any time in the side elevations of the extension hereby approved, facing either No 317 or No 321 Watford Way

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 38-57 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. 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 separate approval should be sought for a HMO license via the HMO Team (Environmental Health).
- 3 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority (TfL) . Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition

- 4 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay.
- 5 If a concrete pump lorry is operated from the public highway, surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 6 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.

OFFICER'S ASSESSMENT

1. Site Description

The application site contains a semi-detached dwellinghouse situated to west side of Watford Way, No.319. The site benefits from a roof extension involving a hip to gable and sizeable rear dormer window carried out through permitted development rights.

The site has a PTAL rating of 1b which indicates poor accessibility to public transport.

The site is not within a conservation area, nor is it a listed building.

2. Site History

Reference: 21/1676/FUL

Address: 319 Watford Way, London, NW4 4TG

Decision: Approved subject to conditions

Decision Date: 2 September 2021

Description: Change of use of the property from a single family dwelling (Class C3) to a House in Multiple Occupation (HMO) (Class C4) for up to 7no. people

Reference: 22/0154/192

Address: 319 Watford Way, London, NW4 4TG

Decision: Lawful

Decision Date: 11 March 2022

Description: Roof extension involving hip to gable, rear dormer window, 1no front facing rooflight and new side gable window

3. Proposal

The application seeks planning consent for the 'Change of use of the property from a single family dwelling (Class C3) to a 9 bedroom House in Multiple Occupation (HMO) (Sui Generis) for 9 people including first floor rear extension'.

The application site benefits from an extant permission (21/1676/FUL) for its conversion into a 7 person C4 HMO.

The first floor rear extension would measure a depth of 3.3m, a width of 3.3m and would stand with a set down hipped roof measuring a maximum height of 6.4 when measured from ground level.

4. Public Consultation

A site notice was erected on 09.06.2022.

Consultation letters were sent to 72 neighbouring properties. 25 letters of objection were received summarised as follows:

- concerns of drainage
- concerns of parking, congestion and safety
- concerns of refuse provision and increased litter, waste and flytipping
- out of character and overdevelopment of the site
- extension will be overbearing, visually obtrusive and result in a loss of outlook, loss of light and sense of enclosure
- loss of privacy and overlooking
- Council has duty under Human Rights Act for a person to have peaceful enjoyment of their home
- site subject to enforcement action
- over-intensification of the site
- noise and disturbance concerns by use
- proliferation of HMOs in the area
- Previous permission had a limitation of 7no. occupiers
- tree impact concerns
- room stacking and sound proofing concerns
- concerns over ventilation requirements of bathrooms
- fire safety concerns
- structural safety concerns
- need for HMO has not been demonstrated
- loss of family housing

Internal consultees

HMO Licensing Team:

On the basis of the information provided in the proposed plans and Planning Design & Access Statement, we would not have any objection to the level of occupation as per the planning application.

Highways - no objections subject to conditions

London Fire Brigade - no comments received.

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 updated on 20 July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. 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 2021

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 2050. 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.

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

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, DM04, DM08, DM09, DM17.

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Draft Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

- o Sustainable Design and Construction SPD (adopted October 2016)
- o Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.
- o Residential Design Guidance SPD (adopted October 2016)
- o Adopted Standards for Houses in Multiple Occupation (2016).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of an HMO in this location;
- The impact on the appearance and character of the area;
- The impact on the amenities of neighbouring occupiers;
- Whether the proposal provides satisfactory living accommodation for future occupiers;
- Parking and Highways.

5.3 Assessment of proposals

- The principle of HMO's in this location:

Core strategy policy CS4 aims to maximise housing choice by providing a range of sizes and types of accommodation that can meet aspirations and increase access to affordable and decent new homes. Barnet's growing and increasingly diverse population has a range of needs that requires a variety of sizes of accommodation. HMO's are recognised as an important source of low cost, private sector housing for students, those on low incomes and those seeking temporary accommodation.

The principle of an HMO in this location is established by virtue of the extant permission (21/1676/FUL) which consented a C4 HMO for 7 persons. Within the consented scheme, 3 letters from independent local estate agents substantiated the need for HMO's in this location with an acute shortage of supply. Updated letters within this submission from these estate agents have been provided to re-substantiate the need for HMOs in the locality. The application site is also within short walking distance to Middlesex University and it is noted that a number of HMO consents have been granted along Watford Way.

As such and as previously, the principle of an HMO in this location is considered acceptable.

- The impact on the appearance and character of the area:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposal incorporates a first floor rear extension which would measure a maximum depth of 3.3m from the original rear wall of the building. This only marginally exceeds the 3m depth stipulated by Residential Design Guidance. Furthermore, the properties to the immediate south consist of recessed building footprint, the proposed first floor extension would approximately align with the rear elevation of these neighbouring properties and therefore maintain a uniform rear building line.

Additionally, its significant set down from the ridge of the main roof and relatively narrow width would ensure it would feature as a proportionate and subordinate addition to the dwelling. It is noted that neighbouring dwellings also benefit from similar enlargements and therefore it is not considered that in cumulation with existing extensions the proposal would be deemed as disproportionate or an overdevelopment of the site.

In respect of the HMO, the proposal would provide an HMO consisting of 9 single person bedrooms. This represents an increase of 2no. persons/bedrooms above the extant permission. It is not considered that the marginal increase in occupancy would alter the functionality of the site to an extent that would harm the character of the area. It is highlighted, that this section of Watford Way although predominantly residential in character, is mixed in typology consisting of detached and semi detached single family dwellings, purpose built flatted development and properties which have been subdivided into flats or HMOs. Based on the mixed character of the area and the nature of Watford Way which consists of a busy ambient environment, it is not deemed that the introduction of a HMO (as previously considered) would harmfully alter the character of this section of Watford Road.

- The impact on the amenities of neighbouring occupiers:

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan) in respect of the protection of the amenities of neighbouring occupiers.

The proposed first floor rear extension would project for a depth of approximately 2.4m from the existing bay window and would be set some 3m away from the adjoining neighbour no.321 Watford Way, the significant separation distance would ensure this element would not result in an overbearing appearance, loss of outlook, sense of enclosure or significant overshadowing.

To the side facing no. 317, given the recessed footprint of this neighbouring building the proposed extension would not extend beyond the rear elevation of no.317. As such, no harm would arise in terms of outlook or a sense of enclosure.

The proposal would not facilitate any new windows within the flank elevations that would raise any additional concerns of overlooking or loss of privacy. It is noted that the existing relationship results in a level of mutual overlooking by way of facing flank windows at ground

floor level. The proposal would not alter this existing relationship and is comparable to the extant scheme. As such, officers do not raise concerns in this respect.

The proposal would result in an intensification of the site consisting of up to 9 occupants, however this represents a modest uplift in 2 persons from the extant permission. Furthermore, given the mixed character of the area and the high ambient noise levels along Watford Way, it is not considered that any arising levels of intensification would result in significant noise and disturbance to neighbouring occupiers. In addition, a condition will be imposed to limit the occupation to a maximum of 9 persons at any time.

- Whether the proposal provides satisfactory living accommodation for future occupiers:

The Council's HMO Licensing team who have been consulted in regards to this application commented that subject to the restriction of one person per bedroom with only communal kitchen space, they would have no objection to the proposal.

The Council's Adopted Standards for HMO stipulates minimum standards for rooms.

The adopted HMO standards stipulates the minimum room floor area required where the kitchen is in a separate room as is the case for the subject site; For 1 person it is 10m² (8.5m²) and for 2 people the requirement is 14m² (12.5m²).

The proposal consists of the following:

- Bedroom 1 (ground floor) - 1 Bedroom/ 1 person - 12.5m²
- Bedroom 2 (ground floor) - 1 Bedroom/ 1 person - 12m²
- Bedroom 3 (ground floor) - 1 Bedroom/ 1 person - 12m²
- Bedroom 4 (first floor) - 1 Bedroom/ 1 person - 10m²
- Bedroom 5 (first floor) - 1 Bedroom/ 1 person - 10m²
- Bedroom 6 (first floor) - 1 Bedroom/ 1 person - 12m²
- Bedroom 7 (loft floor) - 1 Bedroom/ 1 person - 9.9m²
- Bedroom 8 (loft floor) - 1 Bedroom/ 1 person - 10m²
- Bedroom 9 (loft floor) - 1 Bedroom/ 1 person - 10m²

Adopted HMO standards states "Where there are five or more occupiers each separate household shall, where practicable, be provided with a wash hand basin".

All rooms would meet the minimum space standards required. With the exception of the loft level bedrooms which would benefit from a communal bathroom, all other rooms would feature en-suite facilities.

The adopted standards state kitchens for communal use may be provided for a maximum of five persons and no less than 6m². Depending upon the circumstances it may be possible to have two sets of kitchen facilities in the same kitchen. In such an instance, no more than two sets of facilities (each provided for a maximum of five persons) shall be provided in any one shared kitchen and in such an instance the kitchen must have a floor area of not less than 12m².

The proposal would provide a kitchen at ground floor level and first floor level each with a floor area of approximately 15sqm and therefore would exceed the minimum standard required.

Outlook/Light:

Bedrooms 1 to 8 and kitchen spaces would benefit from a good level of outlook and light, whilst it is noted that bedroom 9 would only be served by rooflights, given the layout of this room and the size and positioning of the two rooflights on balance this would be acceptably.

Amenity:

Whilst there are no prescribed standards for outdoor amenity space for HMO's, the proposal would provide private outdoor amenity space for two of the ground floor bedrooms and the remaining sizeable garden space would feature as communal amenity space. Details of the subdivision of the garden would be secured through a condition. The site also lies in close proximity to Sunny Hill Park which can be accessed via the adjacent pedestrian subway connecting both sides of Watford Way.

- Impact on parking and highways:

The site fronts directly onto Watford Way (A41). The site is not in a CPZ and it lies in an area with a PTAL score of 1b (poor). However, there are 2 bus routes (113, 186) which can be accessed from stops within 5 minutes walking distance from the site. The site would also have use of the pedestrian subway located directly outside the subject site and thereby providing connectivity to the adjacent site of Watford Way.

The change of use from the existing family dwelling to a 9 bed (HMO) will attract a maximum parking provision of between 0-9 spaces based on Policy DM17. Given the site's poor PTAL score of 1b, Highways would recommend the provision of 8 spaces. The planning statement indicates that 3 car parking spaces will be provided on the existing front forecourt and swept path analysis has been provided to demonstrate this can be accommodated. It is noted that the parking provision aligns with the extant scheme. Highway officers consider this to be acceptable.

A parking survey has accompanied the application showing an average parking stress of 60% which falls well below the 90% threshold. This equates to an average of 57 available spaces. As such, it is accepted that any potential overspill could easily be accommodated on street without resulting in congestion or harm to the highway network.

Refuse/recycling:

The plans indicate a refuse store to be located within the front curtilage of the site and this arrangement does not differ to the previous consented scheme, however the increase in occupancy may require additional bin space. Notwithstanding this, the spacious site benefits from ample space to accommodate the required provision and therefore it is considered acceptable to secure these details via a condition, which will detail store and bin provision as well as a refuse collection point.

Subject to these details, it is not considered that the proposal will result in waste concerns.

5.4 Response to Public Consultation

Mainly addressed in the report.

-concerns of drainage

The site lies within Flood Zone 1 which means there is a low risk of flooding. A condition will be placed to minimise water consumption in line with the optional requirement of building regulations. In addition, there is nothing before the LPA to substantiate concerns of sewage and drainage.

-Concerns of parking, congestion and safety

This has been reviewed by the councils highway officer who has not raised any concerns.

-Council has duty under Human Rights Act for a person to have peaceful enjoyment of their home

The proposal has been considered to have an acceptable impact on the amenities of neighbouring occupiers, as such this it would not breach the requirements of the Humans Rights Act.

-Site subject to enforcement action

The enforcement case (ENF/0697/22) has been closed as off 21/06/2022 - the loft extension was considered to be built in accordance with the plans.

-proliferation of HMOs in the area

The application has been assessed on its own merits, it is not considered that there is an over concentration of HMOs in the immediate vicinity.

-Previous permission had a limitation of 7no. occupiers

The uplift in occupancy has been duly assessed and considered acceptable.

-tree impact concerns

There are no trees with a tree preservation order, nor any trees of special amenity value. In any event, the proposed development would not impact any trees.

-Room stacking and sound proofing concerns

Stacking is broadly like for like and sound insulation certificates will be imposed by way of condition to mitigate any noise transfer.

-Concerns over ventilation requirements of bathrooms; Structural safety concerns

These are not a material planning considerations.

-Fire safety concerns

This will largely be governed by the HMO licensing team and Building Regulations, however it is noted that a fire statement (in response to Policy D12(A) of the London Plan) has been provided.

-Need for HMO has not been demonstrated; loss of family housing

By virtue of the extant scheme, the principle of the HMO is acceptable and supporting evidence (as previously) has been provided to demonstrate need.

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.

