

Location 13 Daniel Place London NW4 3PG

Reference: 23/2739/FUL Received: 22nd June 2023
Accepted: 28th June 2023

Ward: West Hendon Expiry 23rd August 2023

Case Officer: Daniel Wieder

Applicant: Mr C Deng

Proposal: Change of use of the property from a single family dwelling (C3) to a 5 bedroom House in Multiple Occupation (HMO) (Class C4) for 5 people including single storey rear infill extension. Associated amenity space and cycle parking

OFFICER'S RECOMMENDATION

Approve subject to s106

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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. - A contribution of £2738.94 is required towards the amendment of the Traffic order that regulates the Controlled Parking Zone, to restrict future occupiers from obtaining parking permits.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

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

202311.P.3001 Rev A Site Location Plan
202311.P.3002 Rev B Existing Block Plan
202311.P.3003 Rev C Proposed Block Plan
202311.P.201 Existing Elevations and Sections
202311.P.3101 Existing Floor Plans
202311.P.202 Proposed Elevations and Sections
202311.P.3102 Rev B Proposed Floor Plans
202311.P.3103 Proposed Outbuilding Floor Plan
Planning Statement REV B (17.10.2023)
Parking Survey (Traffic Surveys UK Ltd 13 Daniel Place Parking Report Sept 2023.TSUKDetails)

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 Prior to occupation of the development, cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: 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.

- 4 The use of the outbuilding 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 bedroom/ 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).

- 5 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); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 6 The House of Multiple Occupation hereby approved must be occupied by no more than 5 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 October 2016).

- 7 No cooking facilities, including hot plates, shall be installed in the bedrooms of the HMO hereby permitted.

Reason:

To ensure the units remain as HMO accommodation and not self-contained flats, and to protect the amenities of the future occupiers.

- 8 The subdivision of the amenity space shall be implemented in accordance with the details shown and approved under Proposed Block Plan 202311.P.3003 Rev C 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 October 2016).

RECOMMENDATION III:

1 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 25/05/2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of amending the Traffic Order to restrict CPZ permits from future occupiers. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 The applicant is advised that suitable absorbent materials should be installed in the outbuilding for its use as an ancillary domestic gym, to reduce reverberation noise if weights are dropped as well as also help reduce any amplified noise. If not done correctly, noise could possibly cause a nuisance and would be assessed and dealt with accordingly by the Environmental Health Team if complaints were received.

OFFICER'S ASSESSMENT

1. Site Description

The application site concerns a two-storey terraced dwelling located at the end of the cul-de-sac Daniel Place, within the ward of West Hendon.

There are no protected trees on site, nor does the application site lie within a conservation area or contain a locally or statutory listed building.

The site is located within Flood Zone One (low risk) and has a Public Transport Accessibility Level (PTAL) of 0.

Officers undertook a site visit to the site on the 2nd of August 2023.

2. Site History

Reference: 23/1471/192

Address: 13 Daniel Place, London, NW4 3PG

Decision: Lawful

Decision Date: 3 May 2023

Description: Roof extension involving rear dormer window with Juliette balcony and 2no. front facing rooflights.

It is prudent to note that the outbuilding at the rear of the garden has been subject to a number of planning enforcement complaints, investigations and notices in regard to its use as a self-contained residential unit.

An enforcement notice issued on the 25th of September 2006, ref: W15603/06/ENF required the cessation of the use of the outbuilding as a separate unit of accommodation and to permanently remove all kitchen and bathroom facilities from the outbuilding. A subsequent appeal against the notice, ref: APP/N5090/C/06/2027264 was dismissed and the notice upheld.

Notwithstanding the history of the site, the current proposed application to convert the premises into a 5 person HMO includes the use of the outbuilding as an ancillary space to the main dwellinghouse, and a condition will be attached to secure this.

In addition, the property benefits from a historic rear extension. Following an enforcement investigation in 2017, ref: ENF/01285/07/W, this was deemed likely to have complied with permitted development and would now be lawful by virtue of time.

3. Proposal

The application seeks the permission for the

- Change of use of the property from a single-family dwelling (C3) to a 5-bedroom House in Multiple Occupation (HMO) (Class C4) for 5 people

- Single storey rear infill extension.
- Associated amenity space, refuse and cycle parking

4. Public Consultation

Consultation letters were sent to 62 neighbouring properties. 6 comments have been received, comprising 5 objections and 1 supporting comment.

The objection received can be summarised as follows:

- Already an HMO next door which is harmful to the character of the area
- Significant concerns over existing HMO at No 13 in regard to refuse and parking, this will make it worse.
- Severe lack of parking and congestion in area as existing
- Disruption to the immediate community and families living on either side of the proposed development who will be adversely affected by noise, disruption, and dust during the construction/building works.
- Antisocial behaviour, security issues and noise issues arising from rental properties in this street formed primarily by family homes.
- 'Evidence' from Estate Agents would be biased.
- Clear glazed windows for a bedroom would result in overlooking.
- Oversized outbuilding in rear garden used as a self-contained unit without consent.

The supporting comment received can be summarised as follows:

- When inflation has shot through the ceiling along with rental costs and bills, the local councils should consider alternative accommodations for those who cannot afford to rent entire properties. Many professionals employed in Brent Cross Shopping Centre or local firms struggle to find housing matching their monthly budget. A few more well-managed HMOs will not harm anyone and will help minimise this problem.

A site notice was posted on the 06 July 2023.

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 first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, 20 July 2021 and 5 September 2023. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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, CS4, CS5, CS9, CS10, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM09, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

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 Local Plan (2012)

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

Residential Design Guidance SPD (adopted October 2016)

- 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, semidetached 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 the 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.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i. The principle of a large HMO in this location and whether there is an identified need
- 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 in accordance with the HMO standards
- v. Parking and highways
- vi. Refuse and recycling storage

5.3 Assessment of proposals

The principle of a large HMO in this location and its identified need

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular

character of the street in which the site is located and the scale and proportion of the houses.

As of 29 May 2016, planning permission is required anywhere in Barnet to convert a dwelling house (Use Class C3) to a small HMO (Use Class C4) where up to 6 unrelated people share basic amenities such as a kitchen or bathroom.

Larger HMOs are properties occupied by more than 6 unrelated individuals who share basic amenities such as a kitchen or bathroom facilities. They are classified as 'sui generis' (a use like no other) and always require planning permission.

Within the planning system a HMO can be either a house split into separate bedsits, a shared house or shared flat. The introduction of an Article 4 across the borough is recognition that HMOs need to be controlled and their proliferation can be harmful to a more permanent residential character. The use of the property by a large number of separate households is likely, on the basis of the criteria identified above, to change the character of the street and to undermine the more permanent residential nature afforded by single dwelling houses.

The proposal is for a 5 bed HMO for 5 people.

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. HMOs are recognised as an important source of low cost, private sector housing for students, those on low incomes and those seeking temporary accommodation. HMOs can involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of additional refuse facilities and more people movements and more deliveries, that can have an unacceptable impact on the established character of an area.

Policy DM01 of Barnet's adopted Local Plan (Development Management Policies) 2012 states that development proposals should be based on an understanding of local characteristics in order to ensure that local character is preserved.

Policy DM09 recognises proposals for new HMO will be encouraged provided that they meet an identified need. HMO are an important source of low cost, private sector housing for students, those on low incomes and those seeking temporary accommodation.

Policy DM09 advocates that proposals for new HMO's will be encouraged provided that:

- they meet an identified need;
- can demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area;
- are easily accessible by public transport, cycling and walking; and
- meet the relevant housing standards for a HMO.

Policy DM09 also requires HMOs to be located in town centres or close to transport nodes.

In evidencing the need for an HMO at this site, 3 letters from local estate agents have been submitted, alongside a Planning Statement, which detail the 'immense' demand for HMO accommodation in this area, far outstripping the supply, and the need for more HMO accommodation.

It is noted that the site has a poor PTAL rating of 0, however this appears to be a quirk of the PTAL rating specific to this particular location, not reflecting the relatively good level of accessibility, in particular by bike and on foot by way of the connecting footpaths and alleyways with surrounding roads. Though not in a Town Centre, the site is an approximately 5-minute walk to Brent Cross Shopping Centre, 10 minutes' walk from the Brent Cross Bus Station, and 13 minutes to both Hendon Central Underground and Hendon Mainline Rail Station (as measured on Google Maps).

The immediate neighbouring property, No 14, is a House of Multiple Occupation (made lawful by virtue of time) and No 17 was recently granted consent (ref: 19/6431/FUL) for the conversion into a House in Multiple Occupation (C4 use) for up to 5 people. The proposed conversion would thus not be harmful to or out of character with the surrounding area, nor with a condition restricting occupation to 5 persons, result in an intensification of use that would have an overly harmful impact on the character and amenities of the surrounding area.

Overall, the principle of the conversion of this single family dwellinghouse to a 5 person HMO, is considered to be in accordance with Policy DM09 and therefore would be acceptable.

The proposal includes the use of the existing rear garden outbuilding as an ancillary gym/recreational space for the occupiers of the HMO. This is considered to be acceptable, and a condition will be attached to ensure that it remains ancillary, occupied only in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Impact on the character of the area

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.124). Section 12 of the National Planning Policy Framework (2021) sets out guidance for 'achieving well-designed places'. Paragraph 130 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f)

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context, and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as CS NPPF, CS1, CS5, DM01 and DM02 and Policy D3 of the London Plan. Policy DM01 states that development proposals should have due regard for the character and pattern of in the local area and respect the appearance, scale, mass height and pattern of surrounding buildings, spaces and streets.

The Residential Design Guidance SPD states that extensions should normally be subordinate to the original property, 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.

The proposed alterations to the actual built form proposed as part of the application is relatively minor, comprising a small rear infill extension. In addition a new set of doors will be added on the existing rear elevation, to serve the cycle store area. These are considered to be acceptable in character and design.

Overall, it is found that the established character and appearance of the existing dwelling and surrounding area would not be affected, should this proposal receive approval; therefore, in this regard, it is in compliance with Policy DM01 of Barnet's Development Management Policies DPD.

Impact on the amenities of neighbours

Policy D3 of the 2021 London Plan seeks to deliver appropriate outlook, privacy and amenity through a design led approach.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for development. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) 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. The Residential Design Guidance SPD states that proposals should be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight. With regard to this application, the key concern is whether the proposal would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

Officers do not consider that the minor rear infill extension would give rise to any neighbouring impact.

The proposal would result in the single family 3-bedroom dwellinghouse being converted to a 5-bedroom 5 person HMO.

An HMO unit would create an increase in footfall and the intensification of use which could have a harmful impact on the character of the wider street scene. The level of activity resulting from groups of unconnected people, as would be the case with an HMO, would be likely to result in differing patterns of usage and behaviour as compared with residents living as single households who could be expected to share a lifestyle. In particular, there is likely to be more frequent comings and goings of residents and visitors and greater potential for increased noise and disturbance to local residents, the use of the limited garden/ outside area and parking on the surrounding road network.

Though the intensification of the site and level of activity will inevitably increase, it is not considered that difference between the existing use as a 3-bed house and its use as an HMO restricted to 5 persons would give rise to an overly deleterious amenity impact to neighbouring occupiers and would raise no objections in this regard.

Therefore, is not likely to result in noise and disturbance which would be detrimental to the living conditions of neighbouring occupiers as per the aims of Policies DM01 and DM09.

Concerns have been raised regarding the conversion of the first-floor bathroom into a bedroom, and the likely conversion of the recently installed obscure glazed window to a

clear window serving the bedroom resulting in overlooking to the neighbours' rear garden. It is not considered that changing this window to a clear glazed window would result in any worse degree of overlooking than exists already from the main first floor rear windows, as is common on narrow terraced housing.

In regard to the use of the outbuilding as an ancillary gym space for the occupiers of the main dwelling, noting its proximity to neighbouring properties and the potential noise implications of using this space, Environmental Health officers advise that the applicant should ensure that an absorbent flooring material is used to reduce reverberation noise if weights are dropped as well as also help reduce any amplified noise. If not done correctly, noise could possibly cause a nuisance and would be assessed and dealt with accordingly if complaints were received. A condition has been added to prevent the use as primary living accommodation/ self contained unit.

Whether the scheme complies with HMO standards

Space Standards:

Turning to the housing standards for HMOs, the Residential Design Guidance states at Para 15.6:

"Where the conversion of a single-family home into a small HMO or subdivision into flats is proposed the following should all be considered:

- The property should be large enough to be converted without the need for substantial additional extensions;
- There should normally be access to the rear garden for all flats;
- There should be adequate space off street to meet parking standards set out in DM17;
- There should be adequate space to provide suitable refuse storage in line with council guidance for architects; and
- Unit sizes should conform with the London Plan's minimum space standards set out in Appendix 2 of this SPD or for HMO the Councils adopted Housing Standards.

The Council's adopted Standards for Houses in Multiple Occupations (adopted 2016) provides guidance on the recommended standards and states that it is expected that all HMOs will comply with these standards where reasonable and practicable.

The Council's Environmental Health Officer was consulted throughout the lifetime of this application.

The proposed HMO as described and subject to any exemptions set out in Schedule 14 to the Housing Act 2004, is likely to require a licence from the Council. Subject to application, any licence conditions will be broadly in line with Barnet's HMO Standards <https://www.barnet.gov.uk/sites/default/files/2023-03/HMO-standards-Feb-22.pdf> and the LACORS 'Guidance on fire safety provisions for certain types of existing housing' <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

Fire safety and any other matters relating to building work will also need to accord with the current Building Regulations and an application/building notice to Building Control/or approved inspector should be made for this purpose.

Overall, the proposed HMO is considered to comply with the relevant Housing Standards and Policy DM09.

Highways and parking

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms);
- ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

The applicant is proposing to convert the existing into 5x bed HMO with the provision of no off-street parking spaces. Though no specific standards exist for HMO units, they are generally assessed as 1bed individual units, as occupants are likely to be individuals rather than a family sharing a dwelling who are likely to share vehicles, so 0-1 space required per unit.

Highways officers have reviewed the proposal and commented as follows:

The site lies within a PTAL 0 zone (poor transport accessibility), which means that there is poor public transport accessibility to and from the site. The site is located within a Controlled Parking Zone (GC1) which is in operation Mon-Fri between (11am-12pm).

In line with requirements set out on Policy DM17 of the Barnet Local Plan, the required off-street car parking provision for this proposal is 5 spaces. This is an increase of 4no. space requirement from the existing use.

No off-street parking is proposed. The applicant has submitted a Parking Survey, undertaken in accordance with the Lambeth Methodology, which demonstrates that the both the existing parking stress levels, and the levels with the addition of 4no cars parked, would remain below the acceptable threshold of parking stress (85%).

Highways officers have advised that the proposed development would be considered acceptable, subject to a legal agreement to exempt the occupiers of the proposed units from the schedule of addresses eligible for parking permits in the CPZ.

In regard to cycle parking the London Plan set out in Table 6.3 states that 1no. cycle parking space is required for a studio and 1no. bedroom unit, whilst 2no. cycle parking spaces are required all other dwellings. Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport. For a proposal such as this the required cycle parking provision is 5 spaces (1 per dwelling).

5-cycle spaces are proposed. This is considered acceptable, and a condition will be attached securing its provision.

Refuse and recycling storage

Bin stores should be designed to include storage for both refuse and recycling and be in compliance with policies as set out in the Sustainable Design and Construction SPD (section 2.12) and Barnet's "Provision of Household Recycling and Waste Service" guide.

2x recycling bins are provided in a refuse store at the front of the property, and 2 x refuse bins are provided in a refuse store at the rear. The planning statement confirms that these will be brought forward to the public highway on collection day.

This is considered to be acceptable. A condition has been recommended to request the submission of details in relation to the dimensions, design and materials of the proposed refuse stores, to ensure they do not have a visually harmful impact on the area.

5.4 Response to Public Consultation

- The main planning considerations have been addressed within the body of the report.
- Highways officers have reviewed the proposal and confirmed following a parking survey and subject to a S106 restricting CPZ permits to future occupiers the proposal is acceptable.
- The outbuilding will be conditioned to 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.
- The refuse provision has been considered and is acceptable in accordance with standards
- Alleged anti-social behaviour from rental properties is not a valid planning consideration

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.

Site Location Plan:

