

Location 2-3 And 3C Clyde Villas Hadley Green Road Barnet EN5 5PP

Reference: 23/4307/FUL Received: 6th October 2023

Accepted: 6th October 2023

Ward: High Barnet Expiry 1st December 2023

Case Officer: Dominic Duffin

Applicant: M Ahmed

Proposal: Conversion of the existing flats to provide a supported housing scheme for adults recovering from mental illness (Use Class C2) comprising 12 No. bedsits as transitional accommodation, together with communal facilities, as well as an office and bedroom accommodation for staff. Alterations to the fenestration of the building on the side elevation with the removal/remodelling of some openings

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. 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. 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. Amendment to the Traffic Management Order;

A contribution of £2,392.01 towards the amendment of the Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing CPZ parking permits.

4. Meeting the Council's costs of monitoring the planning obligation

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

Site Location Plan - S1

Block Plan - B1

Existing Lower Ground/Ground Floor Plan - 3332/1 Rev A

Existing First/Second Floor Plan - 3332/2 Rev A

Existing Third Floor/Roof Floor Plan - 3332/3 Rev A

Existing Front/Side Elevation - 3332/4

Existing Rear/Side Elevation - 3332/5

Proposed Lower Ground/Garden Layout - 3332/15 Rev D

Proposed Ground/First/Second Floor Plan - 3332/16 Rev D

Proposed Third Floor/Roof Plan - 3332/17 Rev D

Proposed Front/Side Elevation - 3332/18 Rev D

Proposed Rear/Side Elevation - 3332/19 Rev D

Design & Access Statement for 2-3 & 3C Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

APPENDICES

Letter from Mr Mostak Ahmed, the Managing Director of Maison Moti.

Supporting letter from Ellie Chesterton

Supporting letter from Hertfordshire Partnership NHS Foundation Trust

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 a) The premises shall not be used other than for the purpose of supported transitional accommodation for clients with mental health problems and for no other purpose whatsoever, including any other purpose within Use Class C2 notwithstanding the provisions of 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).

b) Should the use identified at Part A cease to operate, the property shall revert to its lawful use as 4 no. residential flats, and be reconfigured in accordance with the following approved plans;

Existing Lower Ground/Ground Floor Plan - 3332/1 Rev A

Existing First/Second Floor Plan - 3332/2 Rev A

Existing Third Floor/Roof Floor Plan - 3332/3 Rev A

Reason: The units are only suitable as transitional C2 temporary accommodation and would not be suitable as C3 accommodation, and to ensure the development continues to provide accommodation in relation to a specific identified Barnet need in accordance with Policies DM02, DM07 of the Development Management Policies DPD (adopted September 2012) and Policies D6 and H12 of the London Plan 2021.

- 4 Barnet Council shall have 100% nominations rights for 85 days (12 weeks) whilst the service is mobilising and until it achieves 100% occupancy.

Thereafter Barnet Council shall retain 100% nomination rights in the first instance for any new void.

On day 57 of any new void, if Barnet Council has not been able to nominate, the provider may accept a nomination from another local authority.

In the event a void is let after day 57 to another local authority, then the provider shall inform the relevant commissioning team at Barnet Council of this detail. In the event a void occurs that has previously been secured by another local authority then Barnet Council shall automatically secure the nomination right for the first 57 days.

The provider shall inform Barnet Council's commissioning team via an availability notice of all voids, giving Barnet Council 58 days to nominate from the date of the availability notice.

Reason: To ensure the development continues to provide accommodation in relation to a specific identified Barnet need in accordance with Policy DM07 of the Development Management Policies DPD (adopted September 2012) and Policy H12 of the London Plan 2021.

- 5 No more than 12 persons shall reside within the premises at any one time.

Reason: To ensure that any intensification in the use of premises does not result in substandard form of accommodation for the C2 use and that it would not result in a harmful impact on neighbouring amenity, in accordance with Policies DM01 and DM03 of the Development Management Policies DPD (adopted September 2012).

- 6 The communal room, office, staff overnight room, and treatment room hereby approved shall not be used other than for purposes ancillary to the use of the building as a residential institution for twelve persons requiring transitional supported accommodation.

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D6 of the London Plan 2021.

- 7 The outbuildings hereby approved shall not be used other than as meeting rooms/activity space for use by residents ancillary to the use of the transitional supported accommodation provided within the main building, and shall not be used for any other purpose. No business or industry shall be carried out therein, nor shall this building be used for additional living accommodation or be sold, let or occupied separately from the main buildings.

Reason: To ensure that any intensification in the use of premises does not result in substandard form of accommodation for the C2 use and that it would not result in a harmful impact on neighbouring amenity, in accordance with Policies DM01 and DM03 of the Development Management Policies DPD (adopted September 2012).

- 8 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any construction work on the building is commenced.

-New windows should be in timber to match the existing

-The infilling of existing door and window openings should be finished to match the white-painted rendered finish of the adjoining elevation(s).

The work shall be carried out in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the Locally Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 9 Prior to first occupation of the development, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall set out, inter alia, processes for minimising the risk of challenging or disruptive behaviour by residents, including: prior assessment and eligibility criteria, responding to and recording any such behaviour; managing residents' access to and use of external amenity space; ensuring units are occupied on a temporary basis with a maximum tenancy duration of three years; managing the reception of visitors to the building. The building shall not be used other than in full accordance with the management plan.

Reason: To ensure the premises are managed so as to minimise any nuisance or adverse impacts on neighbouring residential amenity in accordance with Policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 10 a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to occupation, details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the approved development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: In the interest of highway safety 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.

- 11 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 14 (long stay) and 2 (short stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 12 a) No development or site works shall take place on site until a 'Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The 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 (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

RECOMMENDATION III:

- 1 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:

- 2 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 01 May 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 provide a legal agreement to mitigate the highways impacts of the proposed development through cpz permit restrictions and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to Policy T6.1 of the London Plan (2021), Policy CS9 of the Local Plan: Core Strategy DPD (2012) and Policy DM17 of the Local Plan: Development Management Policies DPD (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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. 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 submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.

- o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

OFFICER'S ASSESSMENT

1. Site Description

The site is located on Hadley Green Road, which is within the Monken Hadley Conservation Area. The application relates to No's 2-3 Clyde Villas, which along with No.1 are Locally Listed Buildings. No's 1 and 2 were built in 1871 with No.3 added at a later date. The site is outside, but in close proximity to, the Metropolitan Green Belt.

The site is served by a garden area to the rear, the front of the site is adjacent to the pavement with a stepped access to the front door. There is no parking associated with the site. The building has floorspace over five floors - lower ground, ground, first, second floor, with a small amount of space served by rooflights at attic level.

The plans indicate the site has been sub-divided to provide two flats (lower ground, ground floor level), with the rest of the building sub-divided into flats (see N07122C/05), with a significant number of bedrooms, and associated ancillary facilities - kitchens, W/C's. The applicant has advised that the building has been used as a mix of residential flats, but with lodgers occupying individual bedrooms. This is discussed in more detail below.

The application site is on the edge of Barnet Town Centre, which contains the typical range of town centre uses within easy reach. The immediate area contains a range of residential, community and commercial uses, more commercial in character to the south, within the town centre, increasingly residential to the north around the green; the adjoining site is in use as a car wash. No.1 Clyde Villas is in residential use. Located close to the edge of Hadley Green Common, with a pond opposite; the site has a relatively pleasant outlook.

The site fronts onto Hadley Green Road, it is in a residential area, has a PTAL of 2 (low) with 4 bus routes (383,384, 234, 326) that can be accessed from stops within 5 minutes walking distance of the site. The site is in a CPZ, Mon-Sat, 8am-6.30pm.

2. Site History

Reference: N07122C/05

Address: 2 Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

Decision: Lawful

Decision Date: 24.05.2005

Description: Retention of four self-contained flats.

Reference: 21/2842/FUL

Address: 2 Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

Decision: Withdrawn

Decision Date: 03.12.2021

Description: Conversion of existing flats into a 16 bedroom Assisted Living Support Centre for adults with learning difficulties including two-storey rear extension at basement and ground floor levels with associated lightwell and terrace. Single storey outbuilding following demolition of existing outbuildings. Alterations to hard and soft landscaping to rear garden.

Reference: 22/1921/FUL

Address: 2 Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

Decision: Withdrawn

Decision Date: 10.08.2022

Description: Conversion of existing flats into a 15 bedroom Assisted Living Support Centre for adults with learning difficulties including two-storey rear extension at basement and ground floor levels with associated lightwell and terrace. Single storey outbuilding following demolition of existing outbuildings. Alterations to hard and soft landscaping to rear garden.

Reference: 22/5268/FUL

Address: 2 Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

Decision: Withdrawn

Decision Date: 14.03.2023

Description: Conversion of the existing flats to provide a supported housing scheme for adults recovering from mental illness (Use Class C2) to provide 14 No. bedsits, together with communal facilities, as well as an office and bedroom accommodation for staff. Alterations to the fenestration of the building on the side elevation with the removal/remodelling of some openings.

Enforcement

Reference: ENF/0309/23

Address: 2 Clyde Villas, Hadley Green Road, Barnet, EN5 5PP

Decision: No Further Action (lawful)

Decision Date: 19.06.2023

Description: Site in use as an HMO.

3. Description of the Proposal

Consent is sought to change the use of the building to provide a supported housing scheme for transitional accommodation for adults recovering from mental illness (Use Class C2) to provide 13 No. bedsits, together with communal facilities, as well as an office and bedroom accommodation for staff. Alterations to the fenestration of the building on the side elevation with the removal/remodelling of some of the openings is also proposed.

The plans indicate that the units would include an en-suite and kitchen area, following an internal remodelling. Communal amenity space would be provided in the rear garden area, including a craft room. No parking is proposed.

4. Public Consultation

Consultation letters were sent to 74 neighbouring properties, and a site notice was displayed, with an advert placed in local newspapers - 45 replies were received, 45 in objection, and 1 neutral comment, making the following comments on the application scheme;

The objections received can be summarised as follows:

Design/Layout:

- The erosion of character by loss of gardens is warned against at para 2.3.8 of the Local Plan.
- This application represents the loss of important family accommodation
- The Council's planning policies (and those in the London Plan) seek to protect Class C3 dwelling houses. The application proposes a development which will result in the loss of a dwelling house, contrary to these planning policy documents
- This type of accommodation is not a priority in the area development plan and the property would be better used in its existing form of family homes
- The building is not large or of an appropriate shape to satisfactorily divide into 12 bedsits. The resulting accommodation would be very small with a detrimental effect on residents having to live there
- All the units have kitchens & en-suites and are to be let out on AST tenancy agreements so they should be considered self-contained flats, as such they fail to meet the minimum space requirement of 37m²
- This proposal represents an over development of the site & out of keeping with neighbouring residential properties & detrimental to the character & appearance of the conservation area
- The communal area does not make up for lack of space in the individual flats
- The basement flats which are below ground level must have poor views & reduced natural light. This will have a negative impact on the living conditions, wellbeing & recovery of the intended residents
- Can't believe we can even consider accommodating vulnerable people in such a proposed property arrangement.
- There is no provision for disabled residents, no step free access to the building, only one staircase & no lift
- The conversion into self-contained flats is out of character with the locality where all properties are single family residences
- The proposed level of internal and external communal space is inadequate for 12 No. residents

Highway/Parking:

- Concerned about insufficient parking spaces and cycle storage
- Concerned about traffic volume increase and congestion
- Concerned about insufficient public transport for the proposed residents
- The increase of occupants and vehicles will compound the congestion on this busy junction

- There is no off-street parking and spaces in the CPZ are limited so additional minibus, visitor and staff parking would add to this shortage
- There is no parking provision for staff, support vehicles or visitors
- 12 adults living in one property with visiting professionals and services will increase noise, traffic and deliveries - A Transport Statement should have been submitted with this application, rather than the anecdotal evidence presented by the applicant
- Under Policy DM17 the council requires developers to submit a full Transport Assessment where the proposed development is anticipated to have significant transport implications

Amenity:

- Concerned about noise impact on surrounding residents
- Concerned about the impact of noise & disturbance through our party wall
- The proposed use with a craft room & communal space by 12 residents & carers would lead to a significant increase in use & extra noise & disturbance to the immediate neighbours
- The proposed use will lead to significant increase in intensity of use & extra comings & goings from residents, staff, visitors & deliveries in this already congested area.
- Concerns about impact on the amenity of future residents from the adjoining car wash
- The proposals would result in a dangerous over-concentration of potentially problematic behaviour in and around one building.
- The communal room in the garden will cause noise and disturbance to the adjoining neighbours. -There is no control on where residents come from so potentially 12 people could be housed there, coming from outside the borough, putting even further burden on already overstretched local services
- Increase in noise pollution will be detrimental to my general welfare and wellbeing
- Changing this property into a commercial bedsit venture will be detrimental to the conservation area
- A Noise Assessment should have been submitted with the planning application.

Location/Facilities:

- It is unclear where rubbish bins would be located
- The refuse provision of 2 blue & 2 black bins is inadequate for 12 flats, this is 1 black bin less than currently used
- A Fire Statement should be provided to confirm that the means of escape is acceptable as it would appear that this is not in compliance with current fire regulations
- There is no fire escape and only one staircase, yet they are proposing to install 12 kitchens in a 5-storey house
- What is the proposed age of the adults or the extent of their medical conditions and how are the facilities supposed to support these varied medical conditions -There is no attempt to demonstrate the exact nature of the care being offered. This would be necessary to enable robust monitoring of activities on site and to avoid an unrestricted residential development being achieved by stealth
- There is no evidence that exemplary care will be achieved by this scheme
- Residents would be living, cooking and eating in cramped private rooms. This is not a design that's intended to support those with mental health needs

Conservation Area:

- This is a locally listed building within a conservation area, the proposed extensions are completely out of character and compromise the privacy of the neighbouring building.
- There is no front garden so the placement of all these large waste containers at the front

of the property for collection will result in an unsightly addition to the conservation area and further problems for pedestrians

-This is a conservation area and should not be overdeveloped

-The building, which is located in a sensitive conservation area, will be significantly altered and

this change of use will be out of keeping within this residential area

Need:

-Policy states that there should be a specific need for this type of facility and this has not been

proven, nor is the application being made by a competent operator of such a facility

-Mental health patients need a quiet controlled setting in which to recover, which is why the NHS has specialist units for them

-There is no mention in the scheme of provision for on site supervision of the patients which would be present in NHS units

-There is no evidence that Barnet or the local area is deficient of any care facilities

-It is likely to be occupied by people from other areas of London

-There is no substantial Management Plan or Care Plan in this application.

-There is no evidence that exemplary care will be achieved by this scheme

-This proposed development is neither necessary nor justified by local need

-The Local Plan for Barnet emphasises the importance of retaining existing residential accommodation and local amenity, particularly in a predominantly residential area where there is already an established need for family dwelling units

The comments that are neither objecting to or supporting the Planning Application can be summarised as follows:

-We would like to support a proposal of this kind, and our objections to the three previous applications (21/2842/FUL, 22/1921/FUL & 22/5268/FUL) have been largely met by nominating a care provider accredited by two local authorities; housing occupants with less severe care needs; reducing the number of flats; and providing a communal room within the main building. However, we still have some important reservations.

-Firstly, no effort appears to be made to make internal or external spaces more accessible.

-Secondly, as a building on Barnet Council's Local List, we would expect an assessment of the impact of any changes on the existing fabric

-Finally, there should be a condition that, in the event of the care provider ceasing to manage the premises exclusively for users recovering from mental health illness, a fresh planning application would be required

Monken Hadley & Wood St Conservation Area Advisory Committee:

The Monken Hadley & Wood St Conservation Area Advisory Committee continues to have serious concerns about this application, and most of our comments on the previous applications still stand.

This is a very busy area on the High St, with the car wash and parking for the nearby restaurants.

As such, we do not believe this is the right place for adults recovering from mental illness.

There is no off-street parking to cater for visitors, deliveries etc, and the existing parking in the area is already well used.

Despite comments on the previous applications, there is still just one staircase in the property, which could be detrimental in the event of fire.

We are not convinced by the storage provision for the large commercial-sized bins which will be required at such a property.

If this application is approved, we ask for a condition to be imposed stating that if the premises ceases to be used for users recovering from mental health problems, a fresh application should be required

Comments from Theresa Villiers M.P:

Looking at the council's website I note that, to date, there are 44 objections to this latest proposal, many of which mirror the views expressed by my constituent.

While I do accept that there is a need for accommodation of this type, there are concerns about the accommodation to be provided in the property with some comments suggesting that the twelve units do not meet the minimum size requirements. The property is sited in an already congested area, with no off-street parking and poor access.

The proposed development is out of character with the surrounding area, which largely comprises single family homes. The conversion of the property to a Class C2 use, together with the intensification of use on the site, will be harmful to the character and appearance of the conservation area.

I would be grateful if the planning committee determining this application would take my constituents' views into account before reaching a decision. Please inform the committee that I object to the application and believe it should be refused.

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) is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. The latest version was adopted in December 2023.

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 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 DPD (2012): Policies CS NPPF, CS1, CS4, CS5, CS9, CS11.
- Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM06, DM07, DM09, DM15, DM17.

Barnet's Local Plan (Reg 24) 2021

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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.

Other Documents

- Residential Design Guidance SPD (adopted October 2016)
- Sustainable Design and Construction SPD (adopted October 2016)
- Monken Hadley Conservation Area Character Appraisal

5.2 Main issues for consideration

- Principle of Development;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Impact on the Amenity of Future Occupiers
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the openness of the Green Belt
- Other considerations - comments of consultees, third party representations, comments for local residents

5.3 Main issues for consideration

Principle of Development

This application is the latest in a number of proposals, detailed in the planning history above, to convert the building to a use falling within Use Class C2 as a supported housing scheme for adults recovering from mental illness. Under the last of these applications (22/5268/FUL), the applicant submitted drawings proposing the building be converted to provide 13 no bedsits, together with communal facilities, as well as an office and bedroom accommodation for staff. This application was subsequently withdrawn, following the advice of officers, and discussions were undertaken through the council's pre-application process.

Following the withdrawal of application 22/5268/FUL, a separate enforcement investigation was instigated (see Planning History above) as the property appeared to be in use as a House of Multiple Occupation (HMO) and as such there had been a material change of use.

The last known lawful use of the property was as four self-contained flats (two on the lower ground floor and two on the upper floors) as confirmed by Lawful Development Certificate application N07122C/05.

Under the enforcement investigation the owner of the property advised that he had always lived there with family members and lodgers. The two original properties are joined by a fire door on each floor which can be opened and closed to create separate units.

The Case Officer site visit in October 2022 confirmed multiple residents at the site and it does appear the residential use of the property has been fluid down the years. Ultimately, the enforcement investigation concluded that the use of the application site could not be considered an HMO for planning purposes, given the above. In respect of this, officers agreed a change to the description, and re-consulted neighbours on the new description of (removing reference to HMO);

Conversion of the existing flats to provide a supported housing scheme for adults recovering from mental illness (Use Class C2) to provide 12 No. bedsits as transitional accommodation, together with communal facilities, as well as an office and bedroom accommodation for staff. Alterations to the fenestration of the building on the side elevation with the removal/remodelling of some openings

The consequences of this is that Barnet Local Plan policy DM07 "Protecting housing in Barnet" is relevant, albeit it is clear that this application site has had multiple residential occupiers in recent times. These matters are discussed in the next section.

Loss of Dwellings/Need

Policy DM07 of the Local Plan seeks to ensure any loss of the existing housing stock, with the high demand for housing in the borough, is robustly justified. Policy DM09 seeks to protect and retain existing HMO's.

Policy DM07 states;

Loss of residential accommodation will not be permitted unless:

- a. the proposed use is for a local facility (children's nursery, educational or health use) provided that it is not detrimental to residential amenity and;
- b. where need can be demonstrated and;
- c. the demand for the proposed use cannot adequately be met elsewhere and is in line with other policies or;
- d. the location is no longer environmentally suitable and viable for residential use or;
- e. it involves identified regeneration areas with large scale demolition of housing and estates which provides for the net replacement of the total residential units.

Part A permits the loss of dwellings for local facilities , including health facilities, for which a need exists, that can't be met elsewhere and that the use will not be detrimental to residential amenity.

The proposed use of this site would provide a health facility and assist residents with challenging health demands to attain a level of independence with a view to fuller integration into society.

Core Strategy Policy CS4 "Providing quality homes and housing choice in Barnet" seeks to deliver a variety of housing related support options that maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults.

The NPPF at Section 5, para.62 "Delivering a sufficient supply of homes" states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

Policy H12 "Supported and specialised accommodation" of the London Plan 2021 states at "A" - "The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London's population, including disabled Londoners". Supported and specialised accommodation could include (at point 3 and 5 of the policy),

3) reablement accommodation (intensive short-term) for people who are ready to be discharged from hospital but who require additional support to be able to return safely to live independently at home, or to move into appropriate long-term accommodation

5) accommodation (short-term or long-term) for people with mental health issues who require intensive support

The planning application submission includes a letter for consideration from the council's Adult Services section stating that supported living, such as that carried out by Maison Moti (the applicant) is an integral part of the council offer to vulnerable adults in the borough and that there is an evidenced need for more capacity in Barnet, particularly for services that can support individuals with more complex mental health and behavioural needs. Maison Moti are on an Approved Provider List (APL) including to provide special mental health step-down support. Their services are rated Good by the Care Quality Commission. LBB have placed individuals in the care of Maison Moti including under the APL arrangements. Therefore, this proposal would meet an identified need, and this would be facilitated by a council approved provider.

Whilst the Adult Services have stated this does not mean that any need should necessarily be met on this particular site, they have identified an ongoing need for this type of accommodation. Converted dwellings, such as at the application site, are a common mode to deliver the service by Maison Moti, both within the London Borough of Barnet and across North London.

Notwithstanding the lawful use of the site, the property could be occupied by unlimited persons, occupying the individual flats. It is understood the owner is keen to dispose of this property, and is aged, and in need of full-time care. Given the location of a car wash, adjoining the site, securing long term tenancy might be difficult. Any occupation under a C2 use, would be temporary and could be conditioned accordingly. The use would also be conditioned such that it would revert to the previous lawful use if and when the proposed use should cease - preventing the site from developing into an alternative form of unduly intensive, sub-standard residential accommodation.

It is therefore considered the proposed development is for a health facility, which can justify the loss of a residential units, meets an identified need, and the use of residential units are part of an established business model to meet the need.

The general principle of the proposal complies with the requirements of DM07.

Residential Amenity as per DM07

With regards to residential amenity, and the amenities of the surrounding area, matters relating to the Locally Listed Building/Monken Hadley Conservation Area will be discussed later in this report, but there are no material changes to the fabric of the building. In terms of the amenities of the wider area, the site was already in multiple residential occupation, albeit a mix of family and lodgers, and there should be no material increase in noise or other disturbance above the existing use.

Local Plan policy outlines that schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the borough's residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook. Given this is the reuse of an existing building, it does not appear that there would be any adverse impacts, when considered from these perspectives.

It is the case that the proposal has attracted significant interest and objection, these representations include citing concerns about noise impacts on surrounding residents and the proposal being out of character in a neighbourhood of residential properties. It must also be stated that concerns were raised about the proposed use as a transitional property for people recovering from mental health issues.

In terms of potential noise or disturbance issues, any approved scheme would be subject to a management plan which could highlight ways to address potential concerns around disruption, and the approval would also be subject to occupation by nomination rights of Adult Services with a prior assessment and eligibility criteria. However, it is not considered this scheme, on the edge of the busy town centre, adjacent to a car wash, would cause serious undue disturbance, or loss of amenity to neighbouring residents. It is noted that the Environmental Health section of the council has been consulted and raise no objections.

Public areas outside the site would not be subject to the appellant's management, and noise and disturbance in these areas would need to be addressed by the Council or the Police. However, the availability of private outdoor amenity space, and indoor communal space, would leave future residents less likely to congregate outside in public areas, such as the paved area to the front, and this would be similar to the existing situation. There are no known amenity issues with the existing property. Officers consider there is no compelling evidence that the proposed use would have a greater impact on the area than the existing use, in this regard.

Sustainability

The owner intends to sell the property on, and the proposal is one option for a future use of what is a large residential property.

Therefore, the proposal would provide the new units on an existing site and consequently there are sustainable attributes to what is proposed. It is acknowledged that all levels of adopted planning policy require that Local Planning Authorities seek opportunities to use previously developed sites more effectively. The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. Section 11 of the NPPF "Making effective use of land" confirms at Paragraph 123, that planning policies and decisions should promote an effective use of previously developed land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living condition. Para 124 at C states planning policies and decisions should;

"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"

The opportunity exists to use the site more efficiently. It is accepted that there are some accessibility issues, the PTAL rating for the site is 2, which points to low levels of accessibility, but there are bus stops close to the site, and Barnet Town Centre, which has a tube station, and an array of goods and services, is a reasonable walking distance - albeit it is accepted that some residents may potentially have some mobility issues.

The increase in occupation is modest enough, and there are further socially sustainable benefits to providing accommodation for vulnerable adults facing health challenges on this

site, and notwithstanding the comments in this report weighing up the details of the proposal, the council can accept this proposal would be capable of constituting a sustainable form of development.

Proposed Use Class

One concern expressed during the planning application process was whether what was proposed was a C2 use, or a C3 use, and if the latter it was determined the application was for self-contained conventional C3 accommodation, and that the units were failing on a number of relevant policies and standards not least unit sizes and the quality of accommodation.

The council advised that owing to a lack of communal and treatment facilities the application was considered to fall more comfortably into a C3 use and as such was inappropriate. It was determined that increased communal/treatment facilities would be required, and any application would need to be subject to a nominations agreement with the council and a clear understanding that any accommodation would be transitional, to provide support in assisting individuals into full independent living, and in that respect their stay in any bedsits would be temporary.

The Use Classes Order defines a C2 use as being, inter alia, a use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwellinghouses)).

This use would not be carried out in a conventional care home facility but would be a transitional property as described above (typical stay is stated as 18-36 months). The applicant has informed the council that the level of care, and characteristics, of the future use provided would be as below;

A strict eligibility criteria to be met before a placement can be agreed. The provision of care is a prerequisite to the accommodation/ placement being offered. (all referrals for this provision will be from CCG's and/ or Social Services. They would have assessed the person as having the requisite degree of vulnerability and need before referring to us, not least because of the cost of the care and support service, which they will be funding. In addition, we will conduct our own very detailed assessments. Typically the person will have a diagnosis of an acute and enduring mental health condition, ie., schizophrenia, bipolar, personality disorder, have been discharged from hospital, need a level of monitoring to keep themselves and others safe, we will need to administer their medication and they will need 1:1 as well as shared staff support with a range of daily living activities, which can include personal care. The direct support will typically be for between 2-4 hours a day (if not more with some people) - In terms of conditions we anticipate that there will be something about the use of the accommodation being restricted to the proposed use and a s106 agreement with eligibility criteria, nomination rights to Barnet etc. - The location will be added to our existing registration with CQC to allow for the 'regulated activity' of personal care.

It can therefore be accepted that a level of care would be provided, as opposed to a C3 supported living scheme, where providers often do not provide any care or ongoing support to tenants, but include such things as alarm call systems, and an on-site presence, which do provide the support and peace of mind tenants and their families need in case of emergency.

In light of the above, the council are content to accept the proposed use, with an increased

provision of communal space and treatment facilities, can be accepted as a C2 use, such that the requirements of conventional C3 use would not apply. The issue of the quality of accommodation and the layout of the scheme has been touched upon, and this important material matter will be discussed in greater detail in the next section. However, the general principle of the scheme is acceptable.

Impact on the Amenity of Future Occupier

The units contain all the characteristics for independent living as per section 254 of the Housing Act 2004 - in that the units contain the three "Basic amenities" for independent living (a) a toilet, (b) personal washing facilities, or (c) cooking facilities, in which all three basic amenities are available for the exclusive use of its occupants. There are no communal cooking facilities within the proposal.

Given each unit size, which is well below 37 sq. m, the minimum size for a studio flat under London Plan 2021 standards, as above, only temporary occupation would be suitable. However, the units should still provide a good level of accommodation for future residents.

Under the previous proposal (22/5268/FUL) the council considered there was a need for an increase in internal communal amenity space, there seemed to be no dedicated space for on-site care, just the office at ground floor, and some of the units have a poor layout, level of outlook, particularly on the upper floors where windows are smaller. Despite the premises being aimed at transitional accommodation, there is still a requirement to ensure a suitable level of accommodation. It is appreciated that the residents would be required to live with a certain level of independence, but there were concerns the layout could lead to residents feeling isolated and living in unsuitable accommodation for their needs.

It is the case that this layout is a common layout, and mode of operation for other Maison Moti schemes.

The council are in no doubt the scheme would be brought forward by a reputable provider whose aim would be to ensure a high-quality development to aid with the rehabilitation of its future residents. However, given the layout of the building, and its Locally Listed status, this makes this a challenging site to develop for this particular use. This makes changes to the existing exterior, including adding to, or altering, the fenestration, inappropriate. Progressing up the building, some rooms are located in the roof and/or are served by small windows, in keeping with the historic nature of the design.

Officers previously advised that there was a requirement to include communal amenity space within the building, as one measure to provide a space within the building for socialising and peer support and to avoid potential isolation for vulnerable people. It is accepted the site is served by a reasonable garden area and outbuildings which could be used for further communal amenity space, which, having viewed on site, are in good condition and could be of viable use.

It is accepted that as the facility will be transitional and temporary there is not a requirement for the usual C3 characteristics on layout, window to floor ratio etc. However, Officers had expressed concerns about the quality of rooms at second and third floor level - essentially units 11, 13 and 14 on the original submission as they were, in the case of 11 and 13, fairly large rooms served by small window openings, or in the case of 14, entirely within the apex of the roof and only served by rooflights.

The room within the apex of the roof would now be used as a treatment room.

Whilst the room has limited outlook, it is accepted that it will only be for communal purposes, and it is accepted that outside communal space is another alternative, which would be particularly beneficial in spring/summer months. Furthermore, there is an abundance of public amenity space in the wider area and the town centre, and its facilities, are relatively nearby. Given the open-air expanses of the immediate area (Hadley Common, King George Fields) it makes this a more suitable area than most for people recovering from health issues.

It is noted that under the submitted plans there would be a staff room located at lower ground floor, with an office at ground floor and there is a dedicated space to administer treatment or cater for ongoing care in the building. The applicant did state that given the care packages provided, a treatment room, may prove surplus to requirements. However, this room would not be suitable for residential use and the application could be conditioned accordingly.

With regards to the layout of the proposed units, officers are mindful that this is not a C3 proposal, so any judgement is not as stringent, and any occupation will be transitional. Although there are lower ground floor rooms, the three no. proposed units are all served by window openings and the part sunken nature of the accommodation allows reasonable outlook, and would be acceptable, particularly for short to medium term stays. The rooms are all served by en-suites, with a dedicated cooking area. There is small room for overnight accommodation for staff on this floor and given this would be only to provide an ancillary space to staff staying overnight for supervision purposes, the standard of the staff accommodation is acceptable.

The ground floor units would provide suitable accommodation for transitional occupants, with a good quality communal space leading into further communal space within the rear garden area. The first-floor accommodation, benefits from good levels of outlook, particularly to the front, with bay style windows.

The second-floor accommodation has been touched upon above, the now rooms 6 and 11 are an elongated shape and window openings are relatively small. However, on balance, these rooms can be accepted as suitable as transitional accommodation.

With regards to the third floor, as above it is not considered suitable to have this room as living accommodation, and it is indicated as a treatment room. Whilst the room would be served by rooflights, the council have concerns about the quality of accommodation at third floor, particular given those in occupation will be dealing with mental health challenges. The outlook from rooflights so high up a building would in any case be very limited, and they would only serve to allow light into the room - the primary role of this type of fenestration. The council feel this room could only be used for some ancillary purpose, and the application will be conditioned accordingly.

The site visit under the original application was useful to get a feel for the building, and it is confined in layout, with perhaps a more purpose-built facility being better for the intended purpose. However, it is appreciated that there is a catalogue of reasons why this approach may be more viable. Officers are aware of other converted dwellings used to provide this type of accommodation, both within Barnet, and beyond. The provider is also reputable with significant experience of providing the services.

Although not a HMO application, the council HMO Licencing team advise that on the available information the layouts appear to comply with the standards as required for HMO Licencing and the proposed floor areas exceed the requirements of the adopted HMO Standards (Feb 2022).

To conclude, officers are aware that a C2 use should not be judged as a conventional C3 application, in terms of floorspace etc, and it is also understood that any occupation of the rooms would be short-term for mental health rehabilitation and undertaken by an established provider.

Adult Services confirm there is a need for this type of accommodation in the borough and are in support of this scheme - "This type of accommodation and support is very much needed and would fill a gap in our services". It is envisaged that Nomination Rights and a Management Plan could be secured through a Section 106 Agreement to ensure satisfactory management arrangements are put in place and that the facility provided would be for local Barnet residents. The facility could also be regulated through any contractual arrangements with Adult Social Services, and the national regulator, the Care Standards Commission.

In light of the above, the quality of accommodation for future residents is considered acceptable.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

As detailed above the site contains a Locally Listed Building and is also within the Monken Hadley Conservation Area. The council's listing description for Clyde Villas states;

"1 and 2 Clyde Villas are two semi-detached Victorian villas with basements built in 1871. Number 3 Clyde Villas is a modern addition but built in the style of Numbers 1 and 2. It is believed the two villas were built by Julia Hyde, owner of the Manor House which became derelict and was demolished in the 1930s to make way for the entrance to King George's Fields. The villas are white rendered brick with a grey slate gabled roof with two gable ends fronting Hadley Green Road which have decorative edging. The central chimney serving both villas has been retained. Both villas have retained the sash windows".

The adopted Conservation Area Character Appraisal notes;

"Monken Hadley has managed to retain its special green and leafy character, with so much open space, in sharp contrast with much of suburban London. Its winding lanes and scattered groups of native trees are set among a traditional English landscape of ancient commons, old hedgerows and open fields. Around 75% of the Conservation Area is protected by the Green Belt designation which has influenced the nature of development and conserved the rural environment".

The applicant confirms that the only external alterations to the property are the infilling of a window at lower ground floor on the left hand side of the building, the infilling of a dual height doors and windows spanning the lower ground and ground floors to the right hand side of the building (facing from the front) and the removal of the metal decking and railings to the rear of the building at ground floor and the replacement of the door with a window.

The council's Heritage Manager has reviewed the submission, and states that the proposed external alterations are relatively minimal and will not harm the building's character or appearance and thus no objection is raised. New windows should, however, be in timber to match the existing and details should be provided through an appropriate condition, if approval is granted. The infilling of existing door and window openings should be finished to match the white-painted rendered finish of the adjoining elevation(s). This can be stipulated by condition.

Highway Matters

Highways Comments:

The site fronts onto Hadley Green Road, it is in a residential area, has a PTAL of 2 (low) with 4 bus routes (383,384, 234, 326) that can be assessed from stops within 5 minutes walking distance of the site. The site is in a CPZ, Mon-Sat, 8am-6.30pm. There are yellow lines, residents permit holder bays and a pedestrian refuge in the vicinity of the site.

The proposed conversion of existing flats into a 12 bedroom supported housing centre for adults together with communal facilities, as well as an office and bedroom accommodation for staff will also provide no parking provision. The proposed site is in a CPZ, and up to 5 staff will be employed at the site but only 2-3 are likely to be on site at any one time and most of the residents are unlikely to own a car. Hence, Highways would accept a car free scheme provided the applicant is willing to enter into a s106 agreement to deny occupants/staff of the new dwellings the right to purchase CPZ permits. Visitor parking will be controlled by the existing CPZ restrictions.

The design and access statement states that the proposal is for a supported living facility for people recovering from mental illness but with no disabilities and mobility issues. The London plan requires a minimum of 1 long-stay cycle space per 5 staff and 1 short-stay cycle space per 20 beds for C2 (care homes). This equates to a minimum of 1 long stay and 1 short stay. However, Highways would recommend a minimum of 14 long stay spaces including 2 short stay are provided to encourage active travel. Cycle parking is shown in the rear garden on the ground floor plan but there is sufficient room in the rear garden for more cycle parking so Highways would request that this is conditioned. Cycle parking should be provided in a sheltered, secure and enclosed compound.

Existing refuse storage and collection arrangements are expected to remain unchanged but elevations/location of the proposed refuse store are requested and this can be secured by way of a planning condition.

The works will involve internal conversions and construction works and so a construction management plan is requested by way of a condition.

It is recommended that the site prepares a travel plan statement setting out steps to promote sustainable travel by visitors, staff and residents of the site. This is to be secured via a condition.

Highways would raise no objection to the proposal subject to the applicant agreeing to enter into a s106 agreement with the council to deny occupants of the development the

right to purchase CPZ permits as well as suitable conditions.

Officer comment: Given the size of this development, officers do not consider a travel plan to be necessary or to meet the tests for a planning condition/obligation.

Refuse/Recycling

The Refuse/Recycling team commented to state that the bin provision is based on other similar sized properties owned and run by Maison Moti.

It is not possible to use the larger paladin style bins due to the width of the side alley and as the property is locally listed it would not be appropriate to have these at the front of the property even if there was sufficient space, which there is not.

The applicant has revised the plan to increase the space for refuse storage to the rear of the site, following comments from the team, and as long as the bins will be moved to the front of the property on collection day by site representatives and returned straight after the collection and not left on the pavement at any time other than collection day then this waste plan is acceptable to the Refuse/Recycling team.

5.4 Response to representations received

It is considered the majority of points raised have been addressed within the report. The comments listed in the Public Consultation section above are discussed below.

Design/Layout:

- The erosion of character by loss of gardens is warned against at para 2.3.8 of the Local Plan.
 - This application represents the loss of important family accommodation
 - The Council's planning policies (and those in the London Plan) seek to protect Class C3 dwellinghouses. The application proposes a development which will result in the loss of a dwelling house, contrary to these planning policy documents
 - This type of accommodation is not a priority in the area development plan and the property would be better used in its existing form of family homes
 - The building is not large or of an appropriate shape to satisfactorily divide into 12 bedsits. The resulting accommodation would be very small with a detrimental effect on residents having to live there
 - All the units have kitchens & en-suites and are to be let out on AST tenancy agreements so they should be considered self-contained flats, as such they fail to meet the minimum space requirement of 37m²
- This proposal represents an over development of the site & out of keeping with neighbouring residential properties & detrimental to the character & appearance of the conservation area
- The communal area does not make up for lack of space in the individual flats
 - The basement flats which are below ground level must have poor views & reduced natural light. This will have a negative impact on the living conditions, wellbeing & recovery of the intended residents
 - Can't believe we can even consider accommodating vulnerable people in such a proposed property arrangement.
 - There is no provision for disabled residents, no step free access to the building, only one staircase & no lift

- The conversion into self-contained flats is out of character with the locality where all properties are single family residences
- The proposed level of internal and external communal space is inadequate for 12 No. residents

Officer Comment: As discussed above, local plan policy DM07 does permit the loss of dwellinghouse for, inter alia, health uses, it is considered a need has been demonstrated, the proposal is supported by the Adult Services team, and the delivery model is a common mode of providing this type of housing in the borough.

The standard of accommodation is considered suitable as a transitional arrangement to aid vulnerable adults back into full independence. The units are not considered bound by the London Plan requirements on units sizes for the reasons discussed above.

The accommodation is not for C3 accommodation, and is temporary accommodation, appointed through a nominations agreement.

The site is evidently in multiple residential use, will continue as such, with the conversion of existing rooms already within residential use, let out to lodgers. There is not a requirement to be fully disabled access.

The scheme would have no impact on the existing Locally Listed Building or on the wider character of the area. The council Heritage Manager raises no objections.

The property was already in multiple residential use, and the use is not out of character at a town centre location.

The property is considered suitable to support the transition to independent living, and the communal amenity space provided is considered acceptable.

This proposal does not result in the loss of residential garden, the garden would not be developed.

Highway/Parking:

- Concerned about insufficient parking spaces and cycle storage
- Concerned about traffic volume increase and congestion
- Concerned about insufficient public transport for the proposed residents
- The increase of occupants and vehicles will compound the congestion on this busy junction
- There is no off-street parking and spaces in the CPZ are limited so additional minibus, visitor and staff parking would add to this shortage
- There is no parking provision for staff, support vehicles or visitors
- 12 adults living in one property with visiting professionals and services will increase noise, traffic and deliveries - A Transport Statement should have been submitted with this application, rather than the anecdotal evidence presented by the applicant
- Under Policy DM17 the council requires developers to submit a full Transport Assessment where the proposed development is anticipated to have significant transport implications

Officer Comment: As discussed in the highways section above, the council highways Officers are content with the proposal subject to a Planning Obligation preventing residents/care workers from obtaining parking permits for the local CPZ.

Amenity:

- Concerned about noise impact on surrounding residents
- Concerned about the impact of noise & disturbance through our party wall
- The proposed use with a craft room & communal space by 12 residents & carers would lead to a significant increase in use & extra noise & disturbance to the immediate neighbours
- The proposed use will lead to significant increase in intensity of use & extra comings & goings from residents, staff, visitors & deliveries in this already congested area.
- Concerns about impact on the amenity of future residents from the adjoining car wash
- The proposals would result in a dangerous over-concentration of potentially problematic behaviour in and around one building.
- The communal room in the garden will cause noise and disturbance to the adjoining neighbours. -There is no control on where residents come from so potentially 12 people could be housed there, coming from outside the borough, putting even further burden on already overstretched local services
- Increase in noise pollution will be detrimental to my general welfare and wellbeing
- A Noise Assessment should have been submitted with the planning application.

Officer Comment: The council's Environmental Health Officer raises no objections to the scheme. As discussed in the amenity section above, it is not considered incumbent noise and disturbance would differ significantly from occupation as four flats with lodgers.

Location/Facilities:

- It is unclear where rubbish bins would be located
- The refuse provision of 2 blue & 2 black bins is inadequate for 12 flats, this is 1 black bin less than currently used
- A Fire Statement should be provided to confirm that the means of escape is acceptable as it would appear that this is not in compliance with current fire regulations
- There is no fire escape and only one staircase, yet they are proposing to install 12 kitchens in a 5-storey house
- What is the proposed age of the adults or the extent of their medical conditions and how are the facilities supposed to support these varied medical conditions -There is no attempt to demonstrate the exact nature of the care being offered. This would be necessary to enable robust monitoring of activities on site and to avoid an unrestricted residential development being achieved by stealth
- There is no evidence that exemplary care will be achieved by this scheme
- Residents would be living, cooking and eating in cramped private rooms. This is not a design that's intended to support those with mental health needs

Officer Comment: The revised refuse storage arrangements are accepted to the Refuse/Recycling team and considered acceptable.

The applicant has provided details of the level of care provided as part of the submission.

Planning Gateway 1 requires fire statements with planning applications for new or existing buildings of 18m or more in height, or those of seven or more storeys that contain either two or more dwellings or educational accommodation. However, this is not a "relevant building" and a Fire Statement is not required. Fire safety would be addressed at the Building Control stage, and given the scale of the proposal, the absence of a Fire Statement does not render the proposal unacceptable.

Conservation Area:

- This is a locally listed building within a conservation area, the proposed extensions are completely out of character and compromise the privacy of the neighbouring building.
- There is no front garden so the placement of all these large waste containers at the front of the property for collection will result in an unsightly addition to the conservation area and further problems for pedestrians
- This is a conservation area and should not be overdeveloped
- The building, which is located in a sensitive conservation area, will be significantly altered and this change of use will be out of keeping within this residential area
- Changing this property into a commercial bedsit venture will be detrimental to the conservation area

Officer Comment: The proposal makes no material changes to the building, and the change of use would have no adverse impacts on the character of this Locally Listed Building or the conservation area in which it resides.

Need:

- Policy states that there should be a specific need for this type of facility and this has not been proven, nor is the application being made by a competent operator of such a facility
- Mental health patients need a quiet controlled setting in which to recover, which is why the NHS has specialist units for them
- There is no mention in the scheme of provision for on site supervision of the patients which would be present in NHS units
- There is no evidence that Barnet or the local area is deficient of any care facilities
- It is likely to be occupied by people from other areas of London
- There is no substantial Management Plan or Care Plan in this application.
- There is no evidence that exemplary care will be achieved by this scheme
- This proposed development is neither necessary nor justified by local need
- The Local Plan for Barnet emphasises the importance of retaining existing residential accommodation and local amenity, particularly in a predominantly residential area where there is already an established need for family dwelling units

Officer Comment: There is an ongoing need for this type of facility in the district, as confirmed by the Adult Services section, and the subject property is a common means of meeting the need.

The comments that are neither objecting to or supporting the Planning Application can be summarised as follows:

- We would like to support a proposal of this kind, and our objections to the three previous applications (21/2842/FUL, 22/1921/FUL & 22/5268/FUL) have been largely met by nominating a care provider accredited by two local authorities; housing occupants with less severe care needs; reducing the number of flats; and providing a communal room within the main building. However, we still have some important reservations.
- Firstly, no effort appears to be made to make internal or external spaces more accessible.

-Secondly, as a building on Barnet Council's Local List, we would expect an assessment of the impact of any changes on the existing fabric

-Finally, there should be a condition that, in the event of the care provider ceasing to manage the premises exclusively for users recovering from mental health illness, a fresh planning application would be required.

Officer Comment: Comments noted for consideration.

Monken Hadley & Wood St Conservation Area Advisory Committee:

The Monken Hadley & Wood St Conservation Area Advisory Committee continues to have serious concerns about this application, and most of our comments on the previous applications still stand.

This is a very busy area on the High St, with the car wash and parking for the nearby restaurants.

As such, we do not believe this is the right place for adults recovering from mental illness.

There is no off-street parking to cater for visitors, deliveries etc, and the existing parking in the area is already well used.

Despite comments on the previous applications, there is still just one staircase in the property, which could be detrimental in the event of fire.

We are not convinced by the storage provision for the large commercial-sized bins which will be required at such a property.

If this application is approved, we ask for a condition to be imposed stating that if the premises ceases to be used for users recovering from mental health problems, a fresh application should be required.

Officer Comment: Comments discussed in preceding sections.

Comments from Theresa Villiers M.P:

Looking at the council's website I note that, to date, there are 44 objections to this latest proposal, many of which mirror the views expressed by my constituent.

While I do accept that there is a need for accommodation of this type, there are concerns about the accommodation to be provided in the property with some comments suggesting that the twelve units do not meet the minimum size requirements. The property is sited in an already congested area, with no off-street parking and poor access.

The proposed development is out of character with the surrounding area, which largely comprises single family homes. The conversion of the property to a Class C2 use, together with the intensification of use on the site, will be harmful to the character and appearance of the conservation area.

I would be grateful if the planning committee determining this application would take my constituents' views into account before reaching a decision. Please inform the committee that I object to the application and believe it should be refused.

Officer Comment: Comments discussed in preceding sections.

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.

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

7. Conclusion

For reasons given above, the loss of the dwellinghouses and their replacement with a C2 use to aid adults with mental health issues transition to a greater level of independence, for which there is an identified need within the Borough, is supported. The impacts on the amenity of adjoining neighbours would be limited, and the quality of accommodation is acceptable. It is therefore recommended consent is granted subject to conditions and a Planning Obligation to restrict parking permits.

