



Appeal Decision

Site visit made on 21 November 2017

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd December 2017

Appeal Ref: APP/N5090/W/17/3181467

46 Dunstan Road, Golders Green, London NW11 8AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Levy against the decision of the London Borough of Barnet.
 - The application Ref 17/0750/FUL, dated 12 December 2016, was refused on 19 April 2017.
 - The development proposed is demolition of existing single storey rear extensions, erection of single storey rear extension, front porch and subdivision of single dwellinghouse to provide three-bedroom ground floor flat and two bedroom first floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single storey rear extensions, erection of single storey rear extension, front porch and subdivision of single dwellinghouse to provide three-bedroom ground floor flat and two bedroom first floor flat at 46 Dunstan Road, Golders Green, London NW11 8AD in accordance with the terms of the application 17/0750/FUL, dated 12 December 2016 and subject to the conditions set out in the attached schedule.

Application for costs

2. An application for costs was made by Mr A Levy against the London Borough of Barnet. This application is the subject of a separate Decision.

Main Issues

3. The main issue is the effect of the conversion of the existing single dwellinghouse into two flats, in particular with regard to the effect upon the character of the area.

Reasons

4. Policy DM01 of Barnet's Development Management Policies Development Plan Document 2012 (DMP) states that the conversion of dwellings into flats and the loss of houses in roads characterised by houses will not normally be permitted or be appropriate.
5. Dunstan Road is predominantly characterised by houses, although there are some notable exceptions including purpose built flats to the east and a large building comprising a synagogue located on the opposite side of the road to the

- appeal site. In my view these buildings contribute to the overall character to a certain degree and break up the overall pattern of development on the road.
6. The Council acknowledges (para. 4.3 of its statement) that the proposal would not significantly or harmfully alter the external appearance of the existing dwelling. I concur with this view but also go on to consider that any other impacts upon the character of the street would be limited in this instance given that the conversion is only into two flats. This is not a case where several flats are being created which might otherwise have significantly greater impacts than a single dwelling in terms of matters affecting character, such as vehicular and residential activity, parking, refuse or deliveries.
 7. Any increased activity from the subdivision into two flats would be likely to be limited. Any increase in traffic generation would be modest and may not occur at all taking account of the location of the site close to Golders Green town centre and depending on the travel modes of the occupants. Whilst there would be likely to be a small increase in refuse and recycling storage this would also be limited given the proposal is only for two flats. A condition can be imposed to secure appropriate refuse and recycling storage facilities.
 8. A neighbouring resident has raised additional concerns. Whilst the proposal may result in shared rather than family occupiers, it is also possible that existing dwellinghouses in the road could also be occupied by sharers. In any case, there is no indication that shared accommodation would adversely affect the general amenity of the area or the living conditions of neighbouring residents. It is also possible that the proposed flats might be occupied by families. There is also no evidence to suggest that the vibrancy of the road would be adversely affected.
 9. The two proposed car parking spaces would not dominate the frontage of the property and, given the good accessibility of the site, would be sufficient provision for the two proposed residential units.
 10. I note the Council's comments regarding there having only been four previous conversions to flats in the road, all predating the DMP, and that no flat conversions have been granted since the adoption of policy DM01. However, it remains necessary for me to consider the current proposal against the relevant policies taking into consideration the particular circumstances of the scheme before me. I also note that a previous proposal was refused in 1988, though I only have limited information before me of the particular circumstances of that development and have given this previous refusal only modest weight.
 11. I am not aware of any other proposals for conversions of existing dwelling in the road. Even if there were any, it would not necessarily be the case that any cumulative harmful impacts would result, given my findings that the current proposal would have no significant impacts upon the character of the road. Concerns regarding precedent therefore carry little weight in this instance, noting also that each proposal needs to be considered on its own merits and circumstances.
 12. The supporting text to Policy DM01 recognises that conversions may be appropriate in certain types of property or street particularly where they are highly accessible. Whilst the site is not located in a town centre or edge of centre location, it has a very good PTAL rating of 5. At my site visit I walked to and from the site from Golders Green Town Centre and observed that it is a

comfortable and short walk to the various public transport links along with a range of shops, services and facilities. In my view, the site can be considered to be a highly accessible one. Given the lack of significant harm I have found to result, the accessibility of the site weighs considerably in favour of the proposal.

13. In this case, I find that no significant harm would result from the conversion of the proposed dwelling houses into two flats, including upon the character and appearance of the area. The proposal would satisfactorily accord with policy DM01 of the DMP, policies CS1 and CS5 of Barnet's Core Strategy 2012 and the adopted Residential Design Guidance Supplementary Planning Document 2013.

Other matters

14. There is no evidence to suggest that the proposed access to the rear garden, which is shown to be gated, would result in any significant security implications for neighbouring residents.

Conditions

15. I have considered the Council's suggested conditions against the relevant tests in the National Planning Policy Framework and the Planning Practice Guidance (PPG).
16. I have imposed a condition specifying the relevant drawings as this provides certainty. A materials condition is necessary to safeguard the character and appearance of the area. A cycle storage condition is necessary to promote alternative means of transport to the private car. Details of refuse and recycling facilities are necessary to safeguard the character and appearance of the area. A water efficiency condition is necessary to promote the sustainable use of water.
17. I have not imposed the Council's suggested condition regarding sound insulation as I do not consider it to be necessary. This is because no evidence has been provided of any particular concerns in this regard in connection with the property. Furthermore, the condition seeks confirmation of compliance with the Building Regulations. It seems to me that this matter can be left for the Building Regulations and does not need to be duplicated through this planning permission.

Conclusion

18. I have found that the proposed development would accord with the development plan when considered as a whole and there are no material considerations that indicate that the proposal should be considered other than in accordance with the development plan.
19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, SI-001 Rev A, SK-000, SK-001, SK-002, SK-003 Rev G, SK-004 and SK-005 Rev C.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The development hereby approved shall not be first occupied until cycle storage has been provided in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The cycle storage shall thereafter be retained.
- 5) The development hereby approved shall not be first occupied until refuse and recycling storage and collection facilities have been provided in accordance with details which shall have previously been submitted to and agreed in writing by the local planning authority. The refuse and recycling facilities shall thereafter be retained.
- 6) The development hereby approved shall not be first occupied until water saving and efficiency measures have been installed that comply with Regulation (36) (2) (b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day. The development shall be retained as such thereafter.