



Appeal Decision

Site visit made on 23 October 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2019

Appeal Ref: APP/N5090/W/19/3235282

33 Manor Park Gardens, Edgware HA8 7NB

- 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 Lutfi Vala against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/2006/FUL, dated 24 March 2019, was refused by notice dated 3 June 2019.
 - The development proposed is conversion of existing dwelling house into two self-contained dwelling units, following approved planning reference 17/2028/HSE, to erect part single, part two storey extension, following demolition of garage.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of existing dwelling house into two self-contained dwelling units, following approved planning reference 17/2028/HSE, to erect part single, part two storey extension, following demolition of garage at 33 Manor Park Gardens, Edgware HA8 7NB, in accordance with the terms of the application Ref 19/2006/FUL, dated 24 March 2019, subject to the conditions set out in the attached Schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The site is located on Manor Park Gardens near to the junction with Green Lane. The area is predominantly residential in character. A large proportion of properties in the area are semi-detached, however, there are also detached properties at various points along the road, including opposite the appeal site. I note that there are some common design features to the properties on Manor Park Gardens, such as bay windows and repetition of alternating pairs of roof styles. In addition, the properties are generally set back from the road with driveways to the front. However, over time there has been various alterations to the properties along the road resulting in variations to the properties in the street scene.
4. The host property is separate from the rest of Manor Park Gardens due to the sharp bend in the road, meaning the majority of the properties along the road are not visible from the front elevation. Further the semi-detached properties adjacent to the appeal site are similar in style and design, rather than being alternate styles, albeit the neighbouring property has been extended to its

boundary. Overall, despite the prevailing design features, the area has a varied street scene.

5. Policy DM01 of Barnet's Local Plan Development Management Policies DPD (DMP) (2012) states that proposals should be based on an understanding of local characteristics. The policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate, as they can harm the character of areas by changing external appearance and increasing activity. However, it also states that conversions may be appropriate in certain types of property or street particularly where they are highly accessible.
6. The site already has planning approval for an extension to the host property¹ which would be largely similar in terms of overall design. The main difference being the substitution of a rear window to a door at ground floor level. The Council has stated that in terms of external appearance the proposed development would not be harmful to the established character of the area. I agree that the style of the proposal would integrate well into the existing street scene.
7. From a review of council tax records and planning history the Council has found that two properties on Manor Park Gardens are in use as flats. Therefore, whilst the majority of properties on Manor Park Gardens are of single-family dwelling houses, there are examples already on the same road.
8. The Council is concerned that the conversion would result in the loss of a family dwelling, but the host property would be largely unchanged and would remain as a 3-bedroom house. The proposal does not include the subdivision of the host property and the existing 3-bedroom property would remain in situ. The proposal would create a mix of housing choices by introducing a 3-bedroom property and a 1-bedroom property, rather than losing a 3-bedroom property.
9. Given the size of the proposed development, I consider that the addition of a 1-bedroom property to the street is unlikely to significantly increase the amount of activity on the road. I do not have any substantive evidence before me to suggest that it would.
10. The site lies within a Public Transport Accessibility Levels (PTAL) 6a Zone, which means that there is excellent public transport accessibility to and from the site.
11. For the reasons given above, the proposed development would have an acceptable effect on the character and appearance of the area. Therefore, the proposed development would accord with Policies CS1 and CS5 of Barnet's Local Plan Core Strategy (2012) and Policy DM01 of the DMP (2012) and the guidance in the Supplementary Planning Document Residential Design Guidance (2016). These policies and guidance seek to ensure that development is high quality and respects the local character of the area.

Other Matters

12. The Council has raised the issue of floorspace standards. The flats would both meet the Gross Internal Area (GIA) requirements, however, Flat 2 (33a) would fail to meet the minimum requirement for a double occupancy bedroom. Whilst

¹ Planning application reference 17/2028/HSE

the figures do not fully comply, I consider that it is acceptable given the proposed development would meet the overall requirement as well as the floor to ceiling heights for at least 75% of the gross internal area of a dwelling.

13. A neighbour has suggested that the proposed development would impact on traffic and parking. However, I noted on my site visit that parking is currently restricted on the roads by a resident parking scheme. The site lies within a Public Transport Accessibility Levels (PTAL) 6a Zone, which means that there is excellent public transport accessibility to and from the site. Further, the addition of one additional dwelling is unlikely to create a significant impact on traffic and parking. As the proposed development would have 2 off-street parking spaces and has a high PTAL grading, I find no harm in this regard.
14. It has been suggested that temporary short-term tenants cause the value of a house prices to deteriorate. However, this is not a planning matter and does not alter my decision.

Conditions

15. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency, clarity and omitted others.
16. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. In order to protect the character and appearance of the area I have also imposed a condition requiring that external materials used in the construction of the extension shall match those of the existing building.
17. Conditions have also been suggested by the Council in terms of the development emissions and efficiency. Policy DM01 of the DMP (2012) states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. However, in term of waters, I do not have sufficient justification before me to support such a lower water efficiency target than as required by the existing building regulations. In terms of emissions, I have not been presented with evidence to demonstrate why the development would be required to go beyond the current building regulation standards.
18. A number of conditions have been suggested by the Council's Senior Development Control Engineer in terms of the crossover to the front of the property. I have determined the conditions relating to parking, access layout and crossovers as not being necessary. The existing crossover can provide access to the front garden that can hold two spaces. If the appellant wishes to extend the existing crossover this would need to be through a separate planning application, as this is not detailed on the submitted plans. Conditions for cycle storage are needed to ensure sustainability of the proposed development.
19. Finally, to protect the living conditions of occupiers of neighbouring properties and in the interests of highway and pedestrian safety, it is necessary to include conditions in respect of hours of construction and the submission of a Construction Method Statement (CMS). I have not included all the requirements suggested for the CMS as they are excessive for a development

of this size, and hours for construction and demolition have been included in Condition 5.

Conclusion

20. For the reasons set out above, I conclude that the appeal should be allowed, and planning permission granted.

D Peppitt

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, 18-MPG-01PL, 18-MPG-02PL, 18-MPG-03PL, 18-MPG-04PL, 18-MPG-05PL, 18-MPG-06PL, 18-MPG-07PL, 18-MPG-08PL, 18-MPG-09PL.
- 3) The materials to be used in the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 4) The new dwelling shall not be occupied until space has been laid out within the site in accordance with drawing no. 18-MPG-08PL for 4 bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles. in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards
- 5) Demolition or construction works shall take place only between the hours of 07.30 to 18.30 on Monday to Friday and 08.00 to 13.00 hours on Saturdays, and shall not take place at any time on Sundays or on Public or Bank Holidays.
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) the erection and maintenance of security hoarding;
 - (v) measures to control the emission of dust and dirt during construction/demolition;
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - (vii) delivery hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.