



Appeal Decision

Site visit made on 15 March 2021

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2021

Appeal Ref: APP/N5090/W/20/3261563

31 Sneath Avenue, Golders Green, London, NW11 9AJ

- 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 Ms Jenny Prachuablarb against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/2376/FUL, dated 28 May 2020, was refused by notice dated 21 July 2020.
 - The development proposed is conversion of existing dwelling into 2 no self-contained flats and ground floor rear infill extension.
-

Decision

1. The appeal is allowed and planning permission is granted for conversion of existing dwelling into 2 no self-contained flats and ground floor rear infill extension at 31 Sneath Avenue, Golders Green, London, NW11 9AJ, in accordance with the terms of the application Ref 20/2376/FUL, dated 28 May 2020, subject to the conditions in the attached Schedule.

Main Issues

2. The main issues are the effect of the proposal upon
 - the character and appearance of the area; and,
 - car parking and highway safety.

Reasons

Character and Appearance

3. The appeal property is a 2 storey semi-detached house in a residential street comprising mainly similar sized houses although with a variety of designs. Most have shallow front gardens, so parking is predominantly on street. According to the Council, at least over 10% of the properties are flats. Nevertheless, the street retains the appearance of an area of family housing.
4. The existing house contains 5 bedrooms. The proposed conversion would result in a 2 bedroom and a 3 bedroom flat. The Council acknowledge that the latter could accommodate a family and would meet an identified need. However, the Council is concerned that the proposed sub-division of the house into two flats would harm the character of the area with particular regard to increased activity and the resultant noise and disturbance.

5. Section 2.8 of the Barnet Local Plan (Development Management Policies) Development Plan Document 2012 (DMP) describes the potential cumulative harm that can arise from conversions due to increased people movement, deliveries, parking stress and rubbish collection. The Council's Supplementary Planning Document Residential Design Guidance 2016 (SPD) also refers to the effect of conversions on the appearance of an area from associated external alterations, increased rubbish storage and hardstanding areas for parking.
6. I appreciate that the proportion of flats in the street is significant. However, the Council has not provided a specific threshold for when the character of an area is threatened, notwithstanding Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document 2012 (DMP) seeks to normally prevent the conversion of dwellings into flats in roads characterised by houses. It seems to me that, in the absence of a threshold, an assessment of the cumulative effect is relevant to this issue and that depends to a large degree on the impact of existing flats.
7. The Council has provided no evidence to suggest that the existing flats have changed the character of the area or resulted in cumulative harm. Neighbours' concerns regarding issues of relevance to residential character focus mainly on parking and noise. However, comments regarding noise relate specifically to the proposal and its potential impact on immediate neighbours, rather than its wider impact in combination with other flats.
8. The only evidence I saw of properties having been converted into flats was additional doorbells. They otherwise retained the appearance of family houses. The proposed development would be accessed by front doors on a projecting porch, into a hallway with separate doors internally to each flat. There would be no front hardstanding for parking. Although the proposed double front doors are not a feature within the street, they would not harm the appearance of the building or change it such that it would appear as flats rather than a house. Other than the presence of additional rubbish bins the property would retain the appearance of a family home.
9. The appellant has referred to an appeal decision¹ in which the Inspector held the view that two households would not necessarily generate more general activity, parking pressure or rubbish than a large single household. I am in general agreement with that view.
10. Given that the number of residents and visitors to the property would not necessarily increase significantly, I do not consider that noise generated by the proposal would be much more than that of a single household.
11. Overall, on this main issue I conclude that the proposed development would not lead to increased activity, and associated noise and disturbance, or alter the external appearance of the property to the degree that it would harm the character of the area. As a result, the proposed development would not conflict with policy CS5 of the Barnet Local Plan (Core Strategy) 2012 (CS), or the aims of DMP policy DM01 and the SPD which require development to respect local context and preserve local character.

¹ APP/5090/A/12/2177246

Car Parking and Highway Safety

12. Sneath Avenue is within a controlled parking zone with mainly on street parking. Parking bays are delineated on either side of the road with resident parking permits and parking restricted during weekdays from 11.00am to midday and 2.00pm to 3.00pm.
13. According to the Council the proposal would generate an off-street parking requirement of 2.6 spaces, a net increase of one over the existing requirement. Policy DM17 of the DMP requires applicants to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits where there is insufficient parking capacity in the street.
14. The appellant carried out a parking survey on Monday the 4 May 2020 at 08.45am to 09.15am, and Saturday 16 May 2020 at 08.45am to 09.15am. On both occasions there were 11 parking spaces available on Sneath Avenue and additional spaces on nearby roads. During my visit at around 10.00am on a Monday there were also several vacant spaces.
15. The Council are concerned that the survey did not follow good practice guidelines and is not representative because it was undertaken when Covid lockdown measures were in place. However, given that the survey was carried out at a time when many residents and their children would have been at home because of travel restrictions, and the survey included a weekend morning, I am satisfied that the survey represented a reasonable worst-case scenario. Furthermore, the Council has provided no evidence to the contrary.
16. Considering the existing on street parking capacity, I am satisfied that the small increase in demand that would arise from the proposal would not lead to an unacceptable impact on highway safety. The proposal would not therefore conflict with policy CS9 and CS15 of the CS, policy DM17 of DMP and the Council's Planning Obligations Supplementary Planning Document (2013) which seek to ensure the efficient use of the local road network and control parking where there is insufficient on street parking capacity.

Other Matters

17. In addition to parking and noise local residents have raised concerns over internal and external space standards, the existing use of materials and the potential for further sub-division to three flats. Space standards would meet those set out in the recently published London Plan (2021) which were carried forward from the previous London Plan (2016). The external materials used in the proposed development are acceptable. I do not consider the existence of three external metre boxes necessarily indicates further sub-division will occur and, in anycase, I have to deal with the proposal based on the plans submitted.

Conditions

18. I have considered the Council's suggested conditions. The 3 year period in which the planning permission may be implemented is a statutory requirement and a condition requiring development to be carried out in accordance with the submitted plans is necessary in the interests of certainty. Conditions requiring details of bin storage are not necessary as they have already provided on the plans. A condition requiring details of cycle storage is necessary as those

provided on the plans do not meet the Council's required number of spaces. A condition requiring details for the sub-division of the garden is necessary to ensure the character and appearance of the area is preserved. A condition preventing the use of the rear flat roof as a balcony is necessary in the interests of privacy. A condition is necessary to reduce carbon emissions in the interests of sustainability and a condition requiring water saving measures is necessary to ensure the efficient use of water resources.

Conclusion

19. For the reasons given above I conclude that the appeal should be allowed.

P D Sedgwick

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PA_001 REVB; PA_002 REVC; PA_003 REVC; PA_004 REVC; PA_005 REVD; PA_006 REVC; PA_007 REVA.
- 3) The roof of the ground floor rear extension shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
- 4) Before the development hereby permitted is first occupied, details of the sub-division of the amenity areas shall be submitted to and approved in writing by the Local Planning Authority.
- 5) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.
- 6) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.
- 7) Prior to the first occupation of the new flats (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new flat shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

- 8) Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

*****End of Conditions*****