



Appeal Decision

Site visit made on 13 June 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/N5090/W/23/3316662

21 Alders Road, The Hale, Barnet, Edgware, London HA8 9QG

- 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 Primeglobe Limited against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/4859/FUL, dated 28 September 2022, was refused by notice dated 25 November 2022.
 - The development proposed is described as 'conversion of the dwelling into two flats with minor alterations to the roof and with refuse and cycle storage and landscaping/amenity space.'
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of the dwelling into 2no. self-contained flats including enlargement of the existing rear dormer with associated parking/ refuse/ recycling/ cycle storage, landscaping and amenity space at 21 Alders Road, The Hale, Barnet, Edgware, London HA8 9QG, in accordance with the terms of the application, Ref 22/4859/FUL, dated 28 September 2022, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form. The Council described the application, in their decision notice, as "conversion of the dwelling into 2no. self-contained flats including enlargement of the existing rear dormer. Associated parking/ refuse/ recycling/ cycle storage, landscaping and amenity space". The appellants have used the Council's description of development in their Statement of Case and, as I consider it better reflects what is before me, I have assessed the proposal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is one of a pair of semi-detached houses which sits on the corner of Alders Road and Alders Close. The property appears to have been previously extended to the side which has brought the side elevation directly on the back edge of the pavement of Alders Close. The front of the dwelling is laid to hardstanding to provide parking spaces and is enclosed with a low brick

wall. The rear garden is accessed off Alders Close and is enclosed with a high brick wall and a single gate.

5. The immediate area is suburban residential and predominately semi-detached houses. The houses are all set back from the road with trees and hedges adding greenery to the area. Although some of the houses in the area have been extended and altered, flat conversions are not apparent. Overall, I consider the character of the area is defined as residential and, in the main, the houses are occupied as single-family dwellings.
6. Policy DM01 of Barnet's Local Plan (Development Management Policies), 2012 (DMP) advises that the conversion of dwellings into flats in roads characterised by houses would not normally be appropriate. The aim of the policy is to protect the character and amenity of Barnet.
7. The Council have not raised any issues with the increase in the size of the dormer and there are no other changes proposed to the external appearance of the building itself. The changes to the appearance of the building would be minimal.
8. The front of the existing property is already laid to hard-standing and provides for parking and bin storage. To the rear is a garden with patio and a garden shed. The proposal would include two parking spaces to the front, one for each flat and, in this respect, it would be similar to the existing situation and other properties on Alders Road and Alders Close, where frontages are hard surfaced for two or more cars. On-street parking is not restricted in this area, although there may be limited capacity. There is no substantive evidence that parking would be an issue.
9. At the rear, the garden would be subdivided with a new boundary treatment to provide two gardens. The cycle and bin storage would be in the new garden areas and, therefore, screened from public view. Any increase in domestic paraphernalia would not be apparent from outside the site. The new boundary would be provided behind the existing brick wall and the addition of an extra gate would not be incongruous in the street scene.
10. The works required to enable the conversion of the dwelling to two flats would, therefore, have a limited impact and would not damage the quality of the environment or detract from the appearance of the residential area.
11. The conversion of the single dwelling to two flats would result in one additional unit of accommodation. However, the existing property, as shown on the submitted plans, is a five-bedroom dwelling and the proposal would be for two, three-bedroom, flats.
12. The existing dwelling could accommodate a large family, an extended family, adults with young children or adults with grown-up children. The two flats would continue to provide family sized accommodation and would be more suited to smaller family groups. In my judgement, the potential occupancy of the two flats would not be significantly different to the level of occupancy of the single, five-bedroom, dwelling. Moreover, the proposal only includes a small increase in the floor area of the building through the increase in the dormer and, as such, there would not be a significant change in the level of accommodation being provided.

13. Although families occupying the flats would have different schedules, this could also be the case for a large dwelling occupied by a family with several adults. I am not persuaded that any difference in the level of comings and goings between the existing five-bedroom dwelling and the two flats as proposed would be significant enough to adversely affect the character of the area.
14. Policy DM01 seeks to resist the loss of houses in roads characterised by houses in order to protect Barnet's character and amenity. It states that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. However, does not necessarily prevent conversion of houses into flats.
15. Although Alders Road and Alders Close are both characterised by houses and flat conversions are not apparent the external changes that are proposed in the appeal scheme are limited and not objectionable. The provision of 2no. three-bedroom flats would not result in a significant conversion or redevelopment to small, flatted, accommodation and would not change the function or appearance of the neighbourhood, which would remain residential and primarily single dwellings.
16. As such, although there would be conflict with Policy DM01 of the DMP, in that the proposal is for conversion of a dwelling into flats in a road characterised by houses, the proposal would not adversely affect the character and amenity of the road or the wider area.
17. Policy CS1 of Barnet's Local Plan Core Strategy, 2012 (CS) seeks to concentrate and consolidate housing in well located areas and Policy CS5 seeks to ensure that development respects local context and character. The CS policies are all generally supportive of delivering new housing. The appeal site is in a well-located area and, for the reasons given above, I have found that the proposal respects local context and character. As such, it is my judgement that there is no conflict with either CS1 or CS5 of the CS.
18. Policy DM08 of the DMP also supports the delivery of new housing, especially family housing and advises that, for social rented housing three-bedroom homes are the highest priority. The appeal proposal would provide one additional dwelling, and both units would be three-bedroom, and therefore provides additional housing as supported by this policy. I, therefore, find no conflict with Policy DM08 of the DMP.
19. Policy D3 of The London Plan – the spatial development strategy for Greater London, 2021 (LonP) also sets out the importance of providing new homes and aims to optimise the capacity of sites, respond to a site's context and capacity for growth whilst also, amongst other matters, responding to local distinctiveness through layout, scale, appearance and shape, having regard to street hierarchy.
20. As a further matter, Policy H2 of the LonP advises Boroughs to pro-actively support new homes on small sites to diversify the type and mix of housing. The proposal would therefore also comply with Policies D3 and H2 of the LonP.
21. Moreover, for the reasons given above, the scheme would also comply with Policies D4 and D6 of the LonP which, taken together, seek to ensure development is of a high-quality design, provide adequately sized rooms with

- comfortable and functional layouts, provide usable outside amenity space and meet the internal space standards.
22. The Barnet London Borough Local Plan Supplementary Planning Document: Residential Design Guidance, 2016 (Design Guide SPD) supports and reiterates Policy DM01 of the DMP and provides additional advice on the conversion of dwellings into flats. The Design Guide SPD advises that external changes and increasing activity can harm the appearance of an area and notes that whether a conversion is acceptable or not depends on the character of both the house and the street.
 23. Paragraph 15.6 of the Design Guide SPD sets criteria which should be considered with conversion schemes. The proposal before me is large enough to convert to two flats, would not include substantial alterations, provides access to a garden for each flat, adequate off-street parking, refuse storage within the rear garden and conforms with the minimum space standards.
 24. As such, although the Design Guide SPD also seeks to resist conversion of houses to flats in roads that are characterised by houses, and therefore the proposal conflicts with this general restraint, the proposal would not conflict with any of the detailed design advice provided when considering conversion to flats.
 25. Notwithstanding its inclusion in the Council's reason for refusal, I have not been provided with any substantive evidence of any conflict with the technical standards set within the Barnet London Borough Local Plan Supplementary Planning Document: Sustainable Design and Construction, 2016 (Sustainability SPD). Moreover, having reviewed the Sustainability SPD against the proposal I have not found any conflict with the technical standards therein.
 26. For the reasons given above I find that the proposal would not have an adverse effect on the character and appearance of the area. Although there would be conflict with Policy DM01 of the DMP this policy pre-dates the London Plan which itself forms part of the development plan, and which requires Boroughs to pro-actively support new homes. The conflict with DM01 must be seen in this context.
 27. Furthermore, the proposal would deliver new housing of a size which would be suitable as family housing in compliance with other policies within Barnet's development plan and, in my judgement, the proposal would amount to sustainable development in accordance with the requirements of CSNPPF of the CS. As such, although there is conflict with Policy DM01 of the DMP, the proposal accords with the development plan when taken as a whole.
 28. The proposal is also supported by the aims of the National Planning Policy Framework (the Framework) to significantly boost the supply of homes and provide high quality and good design.

Conditions

29. The Council has supplied a list of conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance (PPG) and made amendments and minor corrections where necessary to ensure clarity and compliance with the tests as set out in the Framework.

30. Conditions relating to the time limit for implementation and the approved plans are necessary to provide certainty. A condition requiring the external materials used in the construction of the extended dormer to match those of the existing building is also necessary, in order to protect the character and appearance of the area.
31. To comply with Policies SI 2 and SI 5 of the LonP, and in the interests of reducing greenhouse gas emissions and water consumption, I have also included conditions to require schemes for each of these matters to be submitted and approved.
32. To ensure the living conditions of the future occupants of the flats are acceptable I have included a condition requiring the submission of a scheme for noise insulation between the ground and first floors and the subdivision of the garden, to ensure each unit is provided with private garden space.
33. In the interests of the character and appearance of the area, and to provide residents with a genuine alternative sustainable method of transport, I have also imposed a condition requiring the provision of waste and cycle storage, combining the Council's two suggested conditions into one. I have also included a condition to require the provision of two parking spaces, to ensure adequate off-street parking is provided for each of the units.

Conclusion

34. For the reasons given above, and taking into account all matters raised, I conclude that the appeal should succeed, and planning permission should be granted subject to the conditions set out below.

K Townsend

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 approved plans: A3/04023-01, A3/04023-09, A3/04023-03, A3/04023-05, A3/04023-06, A3/04023-08, A3/04023-04 and A3/04023-08A.
- 3) The external surfaces of the development hereby permitted shall be constructed in materials to match the existing building.
- 4) The development hereby approved shall not be occupied until the building has been adapted so as to incorporate carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions, when compared to the minimum target emission rate required by Building Regulations, in accordance with details which have first been submitted to and approved in writing by the local planning authority. The carbon dioxide emission reduction measures shall be completed as approved before the occupation of either of the two units hereby permitted and shall be retained thereafter.

5) The development hereby approved shall not be occupied until the building has been adapted to ensure that 100% of water supply is provided by the mains water infrastructure through water meters and to incorporate water saving and efficiency measures, to ensure a maximum consumption of 105 litres of water per person per dwelling, in accordance with details which have first been submitted to and approved in writing by the local planning authority. The water meters and water efficiency measures shall be completed as approved before the occupation of either of the two units hereby permitted and shall be retained thereafter.

6) The development hereby approved shall not be occupied until the building has been adapted so as to provide sound insulation between the ground floor and first floor in accordance with details which have first been submitted to and approved in writing by the local planning authority. The sound insulation works shall be completed as approved before the occupation of either of the two units hereby permitted and shall be retained thereafter.

7) Prior to the first occupation of the development as two flats the area for two cars to be parked shall have first been laid out, in accordance with drawing A3/04023-09, and that space shall thereafter be kept available at all times for the parking of vehicles.

8) Notwithstanding the details approved under condition 2, prior to the first occupation of the development as two flats the cycle storage and refuse storage shall be installed within the garden areas in accordance with a detailed scheme to be first submitted to and approved in writing by the local planning authority. The cycle and refuse storage shall be installed and thereafter retained for so long as the use continues.

9) Prior to the first occupation of the development as two flats the existing garden shall have been subdivided, as shown on drawing A3/04023-09. The boundary between the subdivided gardens shall thereafter be retained for the lifetime of the development.

End of Schedule