

**PLANNING ACCESS AND DESIGN STATEMENT**

Applicant: Landrise Ltd

Site: **29 Edgwarebury Lane HA8 8LJ**

Statement by Frixos Kyriacou MRTPI

Proposal: Continued Use a Rented House for 7 persons consisting upto a maximum 4 households.

Local Authority: London Borough of Barnet

21<sup>st</sup> May 2021

**1.0 SITE AND SURROUNDINGS & PLANNING PROPOSAL**

- 1.1 The application site comprises a detached 4 bedroom two storey house. The house has been rented for over 10 years to a variety of residential users. The property benefits from a garage to the side of the house with access from Edgwarebury Lane, as well as a substantial rear garden.
- 1.2 The site lies on the western side of Edgwarebury Lane just north of the junction with Edgwarebury Gardens. To the south of Edgwarebury Gardens lies the boundary of the Edgware Town Centre.
- 1.3 The site is in an excellent sustainable location adjacent to Edgware Town Centre exhibited by its rating of PTAL 6a. Edgware Bus Station and Tube Station are within minutes walking distance providing local and London wide links The Town Centre provides all the benefits of a major commercial centre, including local services and employment opportunities.
- 1.4 The proposal involves the use of the property as 7 person HMO with upto 4 households occupying the four rooms 3 doubles and 1 single.

## 2 PLANNING HISTORY OF THE SITE AND SURROUNDINGS.

### Review of Planning History>

The Application Site does not have any planning records, the property has been rented out for at least 10 years.

Appendix 1 Planning Application 18/7074/FUL at **38 Edgwarebury Lane**, contains the officer report, on the issue of conversion to flats the officer states " *The property forms part of a pair of semi-detached dwellings. There are various dwellings of different typologies along Edgwarebury Lane. Given the mixed character of the surrounding area it is not considered that the principle of flats is unacceptable. The property would retain one entrance door and there are no alterations proposed to the front of the property as part of this application*".

*In Appendix 2 Planning Application 18/6555/FUL relating to the conversion of **33 Edgwarebury Lane** property to 4 flats the officer came to the same conclusion, "The property is a detached dwelling with a single storey garage to the side. There are various dwellings of different typologies along Edgwarebury Lane. There are a mixture of flats and single family dwellings within Edgwarebury Lane. A recent planning permission was granted for 38 Edgwarebury Lane (18/7074/FUL) for conversion into flats. Given the mixed character of the surrounding area it is not considered that the principle of flats is unacceptable."* It is noted shortly after this approval planning permission was granted for a similar conversion at 31 Edgwarebury Lane.

It is therefore established that the locality on this part of Edgwarebury Lane has a mix of residential types.

It is noted the council has refused conversions in the adjoining road Edgwarebury Gardens citing the character of the road as predominantly single family dwelling houses. It is considered this approach of allowing conversions in mixed areas allows other areas where family housing dominates to be better protected. This is consistent with local planning policy.

### **PLANNING HISTORY EDGWAREBURY LANE**

- 2.1 Application Ref: 20/06245/FUL at **31 and 33 Edgwarebury Lane HA8 8LJ** for the Demolition of existing dwellings and erection of a new block of flats comprising 9 units with associated amenity space, car parking, bike shelters waste and refuse area. Pending
- 2.2 Application Ref: 20/2216/FUL at **31 Edgwarebury Lane HA8 8LJ** for the Conversion of Existing house into 4 s-c flats including extensions and off street parking. Approved 12 .08.2020
- 2.3 Application Ref: 18/6555/Ful at **33 Edgwarebury Lane HA8 8LJ** for the Conversion of Existing house into 4 s-c flats including extensions and off street parking. Approved 21<sup>st</sup> Feb 2019.
- 2.4 Application Ref H/00440/09 at **25 Edgwarebury Lane HA8 8LJ** for the Demolition of Existing Building and Erection of New Synagogue Approved 22<sup>nd</sup> April 2009.

- 2.5 Application Ref: W11720G/06 at **53-55 Edgwarebury Lane HA8 8LJ** for the Demolition of existing houses and construction of a 2.5 storey building (including room within the roofspace) to provide 6No. Self-contained flats with 3No. parking spaces accessed from Edgwarebury Lane and 6No. parking spaces accessed from Edgwarebury Gardens, associated landscaping. (Variation to previous planning application ref W11720D/04 allowed on appeal ref APP/N5090/A/04/1166282 on 20-04-2005).
- 2.6 Application Ref 20/6109/FUL at Edgwarebury Court Edgwarebury Lane Edgware HA8 8LP for Three storey rear extension to enlarge existing flat 5 (ground floor) and flat 6 (first floor). Construction of an additional storey with a new roof structure above with hip to gable to both ends to create new second and third floors including 4no. dormer windows and 6no. rooflights to rear roofslope and 8no rooflights to front roofslope, to provide an additional 6no. flats. Associated external alterations including provision of additional parking spaces Refused 15<sup>th</sup> April 2021
- 2.7 Application Ref 18/7074/FUL | at | **38 Edgwarebury Lane HA8 8LW** for the Construction a rear facing dormer, front facing roof lights to facilitate a loft conversion and the conversion of the single family dwelling into 3 self-contained flats. Approved 22 Jan 2019

#### **PLANNING HISTORY EDGWAREBURY GARDENS**

- 2.8 Application Ref: 19/4962/FUL at **1 Edgwarebury Gardens HA8 8LL** for | Conversion of existing dwelling into 3no self-contained flats including conversion of garage into habitable room, insertion of window to replace garage door. Associated refuse/recycling, refuse and recycling, cycle store Refused 13 August 2019
- 2.9 Application Ref 19/4961/Ful at **1 Edgwarebury Gardens HA8 8LL** for the Change of Use from C3 (single family dwelling house) to HMO Refused 7th Nov 2019 **this application is subject to an appeal. Edgwarebury Gardens is predominantly family housing and therefore there is a distinct comparison with this application site.**

### 3 RELEVANT PLANNING POLICY

3.1 The Courts have held that Central Government's policy contained in Ministerial Statements, Circulars, the National Planning Policy Framework (NPPF) are material considerations that must be taken into account by the decision maker, as are previous relevant appeal decisions. The following sections outline the relevant legislative and policy framework as well as relevant national, London and local planning policy.

#### PLANNING POLICY FRAMEWORK

3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 says that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the Development Plan consists of:

- National Planning Policy Framework (2019);
- The London Plan (published 2021)
- Barnet's Local Plan Core Strategy (Sept 2012) provides the overarching local policy framework for delivering sustainable development in Barnet. The Local Plan Development Management Policies DPD (Sept 2012) sets out the borough-wide planning policies that implement the Core Strategy and is used for day to day decision making
- Residential Design Guidance 2013
- Edgware Town Centre Framework 2013
- Draft Edgware Growth Area 2021( Consultation)
- Barnet Draft Local Plan 2020

#### **National Planning Policy Framework 2019**

3.3 The revised National Planning Policy Framework (NPPF) was updated on 19th February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The overarching objective of the NPPF 2019 is the presumption in favour of sustainable development.

3.4 Paragraph 8 of the NPPF states that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): These objectives are economic, social and environmental objectives.

#### **London Plan 2021 Housing SPD 2016**

3.5 Policy H9 D states Boroughs should take account of the role of houses in multiple occupation (HMOs) in meeting local and strategic housing needs.

3.6 Section 4.9.4 of the London Plan states "*Houses in multiple occupation (HMOs) are an important part of London's housing offer, reducing pressure on other elements of the housing stock. Their quality can, however, give rise to concern. Where they are of a reasonable standard they should generally be protected and the net effects of any loss should be reflected in Annual Monitoring Reports. In considering proposals which might constrain this provision, including Article 4 Directions affecting changes between Use*

*Classes C3 and C4, boroughs should take into account the strategic as well as local importance of HMOs”.*

*3.7 Policy H2 on small sites is also relevant. It states Boroughs should pro-actively support well-designed new homes on small sites in order to diversify the sources, locations, type and mix of housing supply. Boroughs should: 1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites*

*3.8 Section 4.2.4 of the London Plan states “Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station<sup>47</sup> or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London’s needs”.*

*3.9 The Mayor’s Housing SPD also gives further advice on Houses in Multiple Occupation.*

*3.4.1 There are 21,000 mandatory licensable HMOs in London and an estimated 195,000 in total. Collectively, they are a strategically important housing resource, providing flexible and relatively affordable accommodation through the private market. Outside London they are sometimes associated with concentrations of particular types of occupier e.g. students, leading to concerns about the social mix of some localities. In London, the occupier profile tends to be more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants), and in reducing pressure on publicly provided affordable housing. However, as elsewhere in the country, their quality can give rise to concern.*

*3.4.2 The LP (paragraph 3.55) is clear that “where they are of reasonable standard they should generally be protected and the net effects of any loss should be reflected in annual Monitoring reports. In considering proposals which might constrain this provision, including article 4 directions affecting changes between use Classes c3 and c4, boroughs should take into account the strategic as well as the local importance of houses in multiple occupation”. This may require striking a careful balance between local concerns, such as those to protect large houses for local family occupation, and the contribution they can make to meeting strategic and local needs if converted to HMOs.*

### **Barnet’s Local Plan**

In terms of the local planning policy context for the Site, the adopted Development Plan for London Borough of Barnet is composed of the following relevant documents: - The Core Strategy (2012) and the Development Management Policies Development Plan (2012). The policies outlined below are those referred to in the decision notice and as such those relevant.

### **Barnet’s Local Plan -Core Strategy Policies**

Policy CS NPPF: 'National Planning Policy Framework – Presumption in favour of sustainable development' says when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development, contained in the National Planning Policy Framework (NPPF). It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in Barnet.

Policy CS 1 Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach.

Policy CS4 Providing Quality Homes and Housing Choice in Barnet.

To ensure a mix of housing products in the affordable and market sectors to provide choice for all households and enable Barnet residents to progress on a housing journey that can meet the aspirations of home ownership

Seeking a range of dwelling sizes and types of housing including family and lifetime homes that meets our identified housing priorities and does not undermine suburban character or local distinctiveness.

Policy CS5 seeks to protect and enhance Barnet's character to create high quality places to enhance the borough's high quality suburbs and historic areas through the provision of buildings of the highest quality that are sustainable and adaptable.

### **Barnet's Local Plan (2012) - Development Management Policies**

**Policy DM01** 'Protecting Barnet's character and amenity' says:

"Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets"

"Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users".

The Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.

Policy DM09 encourages the development of HMO accommodation. Paragraph 10.3.2 of the Development Management document states 'HMO are an important source of low cost, private sector housing for students, those on low incomes and those seeking temporary accommodation'

"Proposals for new HMO will be encouraged provided that they meet an identified need, can demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area, are easily accessible by public transport, cycling and walking and meet the relevant housing standards for HMO".

### **Residential Design Guidance SPD 2016**

Paragraph 15.6 of the above guidance states "Where the conversion of a single family home into a small HMO or subdivision into flats is proposed the following should all be considered"

- The property should be large enough to be converted without the need for substantial additional extensions and
- There should normally be access to the rear garden for all flats
- There should be adequate space off street to meet parking standards set out in DM17 and
- There should be adequate space to provide suitable refuse storage in line with Council guidance for architects and

- Unit sizes should conform to the London Plan's minimum space standards set out in Appendix 2 of this SPD or for HMO the Councils adopted Housing Standards.

Para 15.10 provides further background to HMO Policy. The Principles of conversions are listed on page 64.

- conversions of houses into flats or HMOs, in roads characterised by houses will not normally be appropriate
- consideration should be given to local character and surroundings and conversions that harm this, (due to cumulative impacts of such conversions) will be refused
- the unit size should normally comply with Barnet's space standards highlighted in Appendix 2
- usable amenity space should normally be provided for the occupiers of all units
- consideration should be given to the necessary provision and associated activities such as car and cycle parking spaces, storage, hard surfacing and refuse store at the earliest stage of design
- Where conversion take place, any impact on the amenity of future residents and neighbouring properties should be minimised.

## 4.0 PLANNING CONSIDERATIONS

4.1 This section considers the planning issues relating to the development proposals in this case the main issues are considered to be:

- The principle of conversion of the house into a HMO, including the character of the locality.
- The impact on residential amenity
- The impact of the HMO on Highway safety

### The Principle of Conversion of the house into a HMO, including the character of the locality.

#### THE PRINCIPLE

4.2 Policy DM09 states that HMO's will be supported if it can demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area, are easily accessible by public transport, cycling and walking and meet the relevant housing standards for HMO. These points and the need for the HMO are analysed in turn below.

Section 2 of this report noted that a significant number of planning permissions had been granted adjacent to the application site where either by conversion or new build planning permission had been granted for flats from single houses. In each case the planning officer referred to the mixed character of the area as justification. There is no reasonable argument why this application should be treated any differently to those recently granted.

4.3 In addition there would be no material alterations to the external appearance of the building. Externally the building would not change, the refuse and bicycles would have appropriate storage areas and have an acceptable appearance in the street scene. There is existing space for a car parking space in front of the garage. This would be retained and space made to allow the vehicle to turn and exit in forward in gear.

4.4. The London Plan recognises that some areas can expect some " incremental intensification" taking account of the location adjacent to the Edgware Town Centre and Proposed Growth Area, and PTAL 6a, such factors provide a substantial framework for the proposed HMO.

In this case the introduction of the HMO would not affect the character of the street, taking into account its mixed nature. In addition the property could be rented by a family in the future it would easily be converted back to a house.

#### THE NEED

4.5 Core strategy policy CS4 aims to maximise housing choice by providing a range of sizes and types of accommodation that can meet aspirations and increase access to affordable and decent new homes. Barnet's growing and increasingly diverse population has a range of needs that requires a variety of sizes of accommodation.

Policy DM 9 states Proposals for new HMO will be encouraged provided that they meet an identified need. These policies are consistent with London Plan 2021 which also recognise the important of HMO accommodation. The London Plan states that HMO provide local and strategic contribution to London Housing needs, and with the importance attached to the Edgware Growth Area such accommodation has exaggerated importance.

In this case, if the house was put on the open market for a rented house property i.e. a 4 bedroom house detached with garage it would rent at a value of £2200 -£3000 with some investment required.

The proposal provides 4 rooms one single and 3 doubles within in a shared house... The rental for the rooms as HMO is likely to be in the region of £ 700-£800 per month for the single room and £800-£1000 for the double room. (meaning for two people sharing) £400-£500 per person). In the absence of this type accommodation occupiers would need to search for a 1 bed unit or studio flat with the increased costs of council tax.

Clearly this would provide more **affordable accommodation** for people starting on the property ladder or needing affordable accommodation near to the Town Centre and Transport Nodes.

As well as the documented advantages of HMO accommodation. The smaller units could be used by people wishing to downsize accommodation and also provide accommodation where residents are not on their own but share facilities with other residents in the house.

4.6 The importance and growing importance of HMO as affordable accommodation is espoused in the London Borough of Barnet – **Strategic Housing Market Assessment Update October 2018** Section 4.17 Figure 19 states and “shows that the number of multi-adult households living in the area increased from 9,953 to 12,477 households over the same period, an increase of 2,524 (25%). These people also have to share basic facilities, but are considered to be a single household as they also share a living room, sitting room or dining area. This includes Houses in Multiple Occupation (HMOs) with shared facilities, where for most purposes, the residents are not defined as forming a single household, as well as single people living together as a group who are defined as a single household for most purposes, and individuals with lodgers.”

Section 4.18 states *The growth in multi-adult households was focused particularly in the private rented sector, with an increase in single persons choosing to live with friends together with others living in HMOs. This growth accounts for 1,877 households (an increase from 4,860 to 6,737 households) over the period.*

Section 4.19 states Nevertheless, shared facilities is a characteristic of HMOs and many people living in this type of housing will only be able to afford shared accommodation (either with or without housing benefit support). **Extending the Local Housing Allowance (LHA) Shared Accommodation Rate (SAR) allowance to cover all single persons up to 35 years of age has meant that many more young people will only be able to afford shared housing, and this has further increased demand for housing such as HMOs.**

Finally section 4.20 states **There is therefore likely to be a continued (and possibly growing) role for HMOs**, with more of the existing housing stock possibly being converted. Given this context, it would not be appropriate to consider households to need affordable housing only on the basis of them currently sharing facilities (although there may be other reasons why they would be considered as an affordable housing need)

The accommodation granted planning permission above clearly refers to self- contained flats, the introduction of a formal HMO would add to the variety of accommodation in this part of Edgwarebury Lane. With family housing as well and in other roads where predominantly family accommodation exists.

#### **IMPACT ON RESIDENTIAL AMENITY.**

4.5 The proposals provide for a HMO. There would be 3 double rooms and 1 single. This makes a total of 7 people. The property is detached. There would be no party walls.

In terms on intensity it is necessary to assess the levels of intensity of the existing building and the level of intensity of the proposed building. The current property contains 2 double and 2 single rooms giving a total of 6 people using the space standards.

If this property was occupied by a large family the number of occupants is likely to be similar to that proposed by the HMO. In addition, the benefit of a HMO is that it has to be registered and managed. Licenses can be withdrawn or not extended.

4.6 The property is situated adjacent to Edgware Town Centre and therefore there is no need for motor vehicles. There is only 1 parking space available and therefore vehicular movements would be kept to a minimum.

The property has been used as rented accommodation, if planning permission is granted, the applicants will apply for a HMO license. As such it would need to operate under the rules of the license. Licenses are subject to appropriate management of the premises.

### **QUALITY OF ACCOMMODATION.**

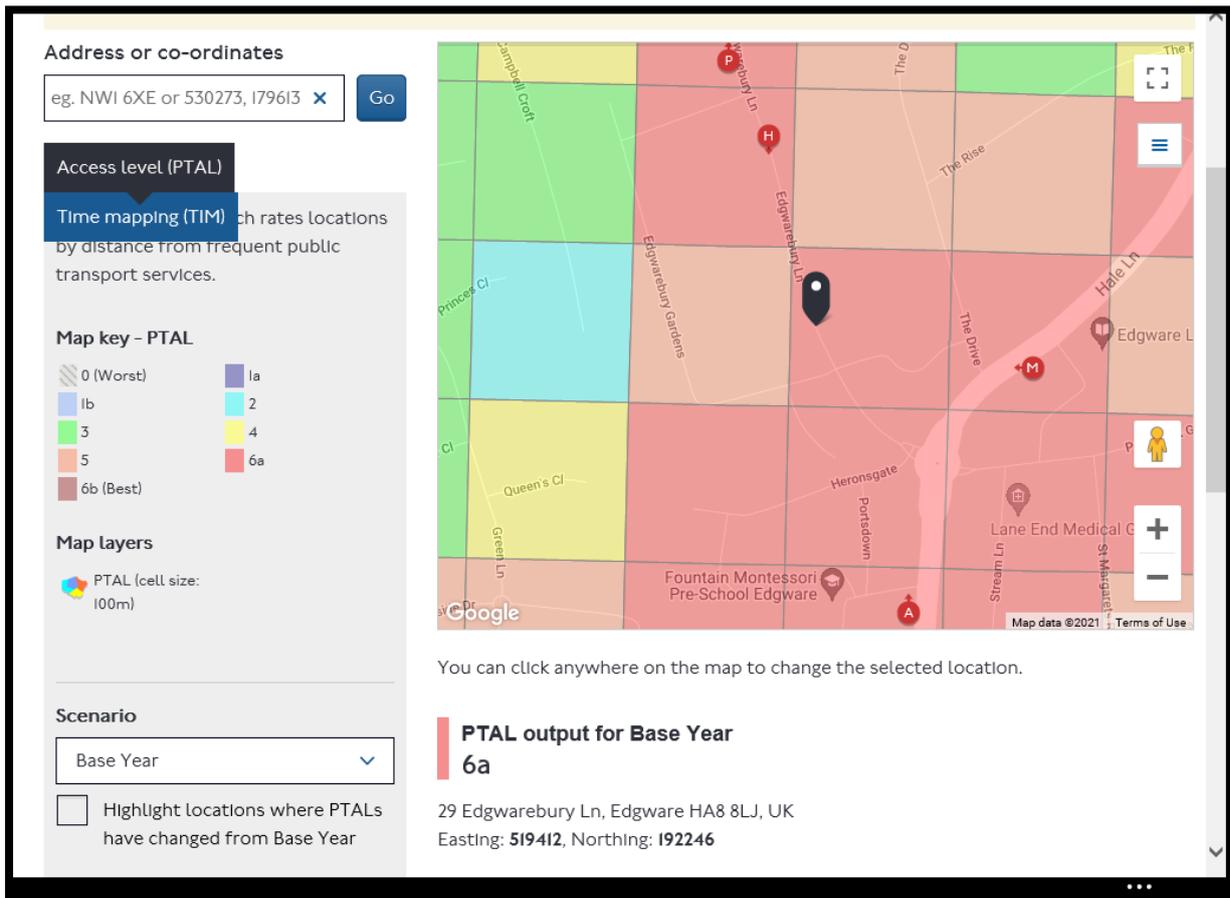
4.7 The proposals would provide excellent and a high standard of accommodation. There would be a communal garden coupled with a shared living room and kitchen. The rooms' standards would exceed the minimum standards required for a HMO license. Bicycle storage facility would also be provided for.

In addition this high standard of accommodation would be subject to a HMO license which controls the management of the accommodation, where residents and neighbours can complain to if the appropriate standard is not achieved.

This standard of accommodation would be excellent and within a highly accessible location, such accommodation should be encouraged in this location.

### **HIGHWAYS AND PARKING ISSUES.**

4.7 It is established that the number of occupants would be similar whether occupied by a family or as a HMO. A family could have 2 cars for the parents and 2 cars for the young adults. The HMO would have upto 4 households, it is my view that the car ownership is likely to be significantly lower than that for a family, with cost of cars being a significant factor and the location of excellent transport facilities. The PTAL is listed below as 6a, clearly this proposal is located in an excellent sustainable location ideal for a car –free scheme. In such a location the need for a car parking is minimised by not only its location to the Transport Facilities but also to the town centre in relation to jobs and services.



4.8 In this regard the proposals are clearly consistent and supported by the NPPF 2019

Paragraph 109. states Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 110. Expands that

Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

In this context the scheme provides cycle parking and its location facilitates access to high quality public transport. In addition the opportunity has been taken to improve the access to allow for entry and exit in forward gear.

Therefore in this case the scheme will improve highway safety, there is no evidence that the scheme would harm highway safety.

## **OTHER FACTORS**

4.9 The Edgware Growth Area Supplementary Document a joint initiative by the London Borough of Barnet and Harrow provides a framework for the growth to guide how Edgware Town Centre can successfully undergo renewal and serve as a destination for local residents and businesses.

The proposal would provide accommodation to assist in the development of the town centre. It is likely that as the centre is being developed there will be a need for cheaper and affordable accommodation for the workforce required and for new residents taking jobs in the town centre.

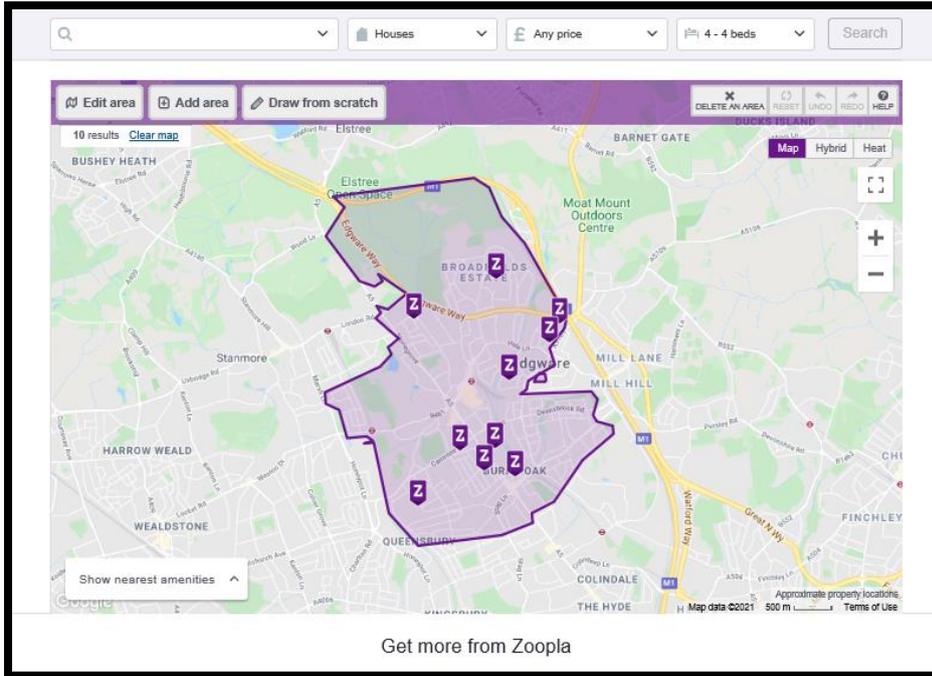
## **5.0 CONCLUSION AND PLANNING BALANCE**

- 5.1 The local planning authority is respectfully requested to grant planning permission for the proposals which accord with the Local Plan and the NPPF.
- 5.2 It has been established there is a need for such accommodation, and that the proposed use is well located with a PTAL rating of 6a and within a mixed area. There would be no demonstrable harm to residential amenity or to the highway. The accommodation is of a high standard providing affordable housing in a good location.

On balance the proposals should be supported by the local planning authority.

- Appendix 1 38 Edgwarebury Lane  
Appendix 2 33 Edgwarebury Lane  
Appendix 3 Appeal Decision Trinity Road (N2)  
Appendix 4. Local Rental Values (see below)

Frixos J Kyriacou MRTPI



Price Range for a 4 bed house £ 1750 to £3950.

