

Planning Statement

Site: 6 Cornwall Avenue, London, N3 1LD

Proposal: Conversion of existing dwelling into 2no self-contained flats with associated bin and cycle storage. Enclose the existing porch. Removal of existing patio doors at the rear and the provision of a new door and brickwork at the rear at ground floor level.

1.0 Application Site and Location

1.1 The application property is a 3-bedroom terraced house.

1.2 The application site is located on the southwestern side of Cornwall Avenue. The area is residential in character consisting of two-storey, semi-detached and terraced properties.

1.3 The application site is located close to Finchley Central Town Centre (as identified in the local planning authorities (LPA's) adopted Local Plan (2012)), and Finchley Central tube station.

1.4 The public accessibility rating of the site (PTAL rating) is 4, which confirms the site has good public transport accessibility – refer to PTAL map below.



1.5 The site is located close to Victoria Park public open space, which is demonstrated below.

1.6 The site is not located within a conservation area.

1.7 The site is located in a low flood risk area (flood risk zone 1).

2.0 Planning Proposal

2.1 The proposal would create 2no self-contained dwellings. The gross internal area of the dwellings would be as follows: - Flat 1: ground floor, 80.5 sqm (1 bed/2 person); - Flat 2: first and second floor, 91 sqm (3 bed/5 person).

2.2 Flat 1 would also be provided a study – a room that has become more important as a result of the need to work from home becoming more important.

2.3 Access to both flats would be via the existing front entrance, with separate entrances internally.

2.4 The proposal includes the provision of 21sqm of private rear amenity space for Flat 1 and 26sqm for flat 2.

2.5 The proposal provides refuse, recycling and secured cycle stores to the front of the site.

3.0 Relevant Planning History.

3.1 Certificate of lawfulness was granted February 2019 (planning reference: 19/0623/192) for: *"Roof extension involving gable end, rear dormer window with juliette balcony."*

3.2 Planning permission was approved April 2019 (planning reference: 19/1407/HSE) for: *"Single storey rear extension following demolition of the existing rear porch and outbuilding."*

3.3 Planning permission was refused on appeal (appeal ref: 3260193 – planning ref: 20/0045/FUL), for; "Conversion of the existing dwelling into two self-contained flats with associated bin and cycle storage, and enclose the existing porch". The proposal was refused on two grounds, one being lack of amenity space for the upper floor dwelling and no legal agreement to restrict car parking permits.

3.4 In paragraph 16 of the appeal decision the Inspector concluded on the amenity space issue as follows: *"It is not enough to simply assert that it is impossible to provide any private external space and then seek to take advantage of exceptions without fully considering alternatives or seeking to enter into a planning obligation. I conclude that the proposed development would not provide acceptable living conditions for the occupants of Flat 2, because of the absence of private external amenity space, contrary to Policy DM02 of the DMP, as well as guidance in the SPD and SPG."*

3.5 When the Inspector talks about exploring alternative options the Inspector states the following in paragraph 12 & 13, inter alia: *"....I have no evidence before me that the appellant has explored "innovative design solutions". These could range from providing balconies or a roof garden, to splitting the property in a different way to allow the rear garden to be split between flats or used communally. 13. In any event, even if such alternative solutions had been explored and found to be unworkable, the SPD and supporting text in the DMD say that a planning obligation would be sought, to make a financial contribution to the nearest appropriate green space to compensate for the lack of private garden space. No such*

obligation is before me; indeed the appellant states in his Appeal Statement that the level of open space deficiency would not justify the expense of a legal agreement."

3.6 The Inspector was therefore seeking evidence there are no other solutions to provide amenity space.

3.7 Lesley Feldman advised in an email sent in April 2021, that the applicant would need to explore the possibility of providing an internal passageway through the property so the upper flat can access the garden. The proposal provides internal access for the upper floor dwelling to gain access to private external amenity.

4.0 Planning Assessment

4.1 Following the appeal decision, the two outstanding issues to be resolved were related to car parking and access to amenity space.

4.2 An additional consideration is the standard of accommodation provided and amenities of future occupiers of the proposed units.

4.3 The proposal would create 2no self-contained dwellings. The gross internal area of the dwellings would be as follows: - Flat 1: ground floor, 80.5 sqm (1 bed/2 person); - Flat 2: first and second floor, 91 sqm (3 bed/5 person). Flat 1 would also be provided a study – a room that has become more important as a result of the need to work from home becoming more important. Access to both flats would be via the existing front entrance, with separate entrances internally. The proposal includes the provision of 21sqm of private rear amenity space for Flat 1 and 26sqm for flat 2.

4.4 Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that it makes a positive contribution to the borough. Both proposed dwellings would significantly exceed the minimum floor space standards.

4.5 Both proposed dwellings are dual aspect and be provided adequate levels of outlook and light.

4.6 Section 2.3 of the Council's Sustainable Design and Construction SPD (2016) (appendix 4), states that for flats there should be a minimum of 5m² of outdoor amenity space per habitable room. Both proposed flats provide in excess of the minimum amenity space standards.

4.7 It is also important to consider the fact the appeal site is located very close to Victoria Park public open space.

4.8 Paragraph 109 of the NPPF (2019) 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."*

4.9 With regard to the maximum parking standards, as set out in Barnet Council's Local Plan Development Management Policy DM17, the maximum range of vehicular parking spaces that can be provided is between 2 and 3 spaces.

4.10 The site has a PTAL rating of 4 (where 0 is worst and 6b is best), meaning the public transport accessibility is good. This section of Cornwall Avenue is within a controlled parking zone (CPZ).

4.11 The property does not benefit from existing off street car parking provision therefore, there is a projected existing parking demand of up to two cars.

4.12 Therefore, when the potential existing demand of on street car parking spaces is taken into account, the maximum increase in on street car parking demand generated by the proposal would be one additional car.

4.13 It should be noted that the proposal would provide secure cycle storage for each flat (two per flat).

4.14 Part G 2 of Policy DM17 of the Local Plan states:

"2. Residential development may be acceptable: i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity. ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits..."

4.15 The application documents include a car parking survey which demonstrates ample availability of car parking on surrounding streets. Therefore, there is no justification for the council to require a legal agreement to restrict car parking permits for both proposed dwellings.

5.0 Other material considerations

5.1 The provision of an additional dwelling will help deliver much needed housing of which there is a known shortage in the borough.

5.2 The proposal ensures an efficient use of land in compliance with sustainability policies.

5.3 Policy H1 (Increasing Housing Supply) of the London Plan, requires (in part) London local planning authorities to optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary.

5.4 Policy H2 (Small Sites) of the London Plan states that small sites should play a much greater role in housing delivery. The policy requires boroughs to apply a presumption in favour of

small housing development which provide between one and 25 homes in many types of areas including; underused sites, and sites within PTAL 3-6 or within 800 metres of a tube station or town centre.

5.5 This site meets all the criteria set by both policies, being in a good PTAL rating and within a town centre location. Therefore, these policies are significant material planning considerations.

5.6 Therefore, significant weight should be afforded to the provision of one additional much needed dwelling in a sustainable location.