

PLANNING ACCESS AND DESIGN STATEMENT

Applicant: Mr and Mrs A Savvides

Site: 132 East Barnet Road EN4 8RE



Statement by Frixos Kyriacou MRTPI

Local Authority: London Borough of Barnet

3rd May 2002

SUMMARY

The proposals are supported by National, Regional and Local Planning Policies in providing additional sustainable housing within an existing settlement area close to services and public transport. The flats provide a good standard of housing for an identified need and comply with national space standards. It is not considered this modest single storey building would have an adverse impact on the character of the locality or the amenities of adjoining residents. (130 is commercial offices)

The proposals have been amended following the pre-application discussion but still maintain two units.

1.0 SITE AND SURROUNDINGS & PLANNING PROPOSAL

- 1.1 The application site is the ground floor of the two storey building with a dormer in the roofspace located on the western side of East Barnet Road. The property is vacant on the ground floor and there is a separate flat accessed from the street on the upper floor. This application site relates purely to the ground floor. The ground floor application site extends deep into the rear of the site, part of the site is associated with the vacant shop and the rear most part of the site is vacant.
- 1.2 The property benefits from a side pedestrian access @2.8m in width and stretching the full length of the application site. This access is private but there is a right of way for adjoining properties namely 132a and 134 East Barnet Road. There is a security door to access the alleyway. No.134 comprises two flats one on the ground floor and one on the first floor, both have rear gardens and rights of way along the access road. There is also a single storey building at the rear of 134 East Barnet Road. The rear access is very private with limited access and would provide an excellent living environment in a sustainable location.

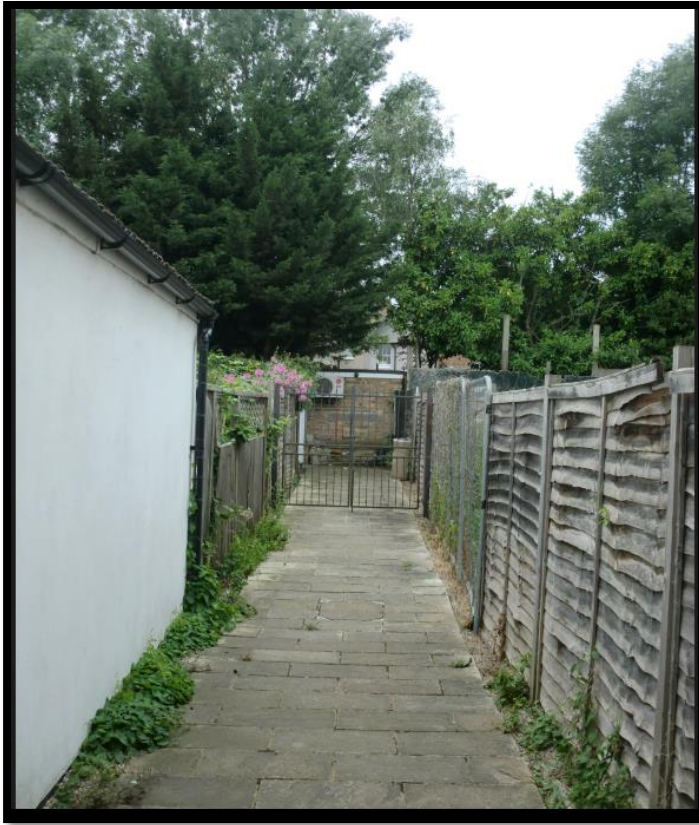


Figure 1 Pleasant right of way to side of property.

- 1.3 The site. It is well located for public transport and local infrastructure. The PTAL: rating is 3, this is a moderate level for transport accessibility. There is a bus stop directly outside the shop which serves the following buses 307 and 184. The New Barnet railway station is also within close proximity as are facilities of the Town Centre along East Barnet Road.

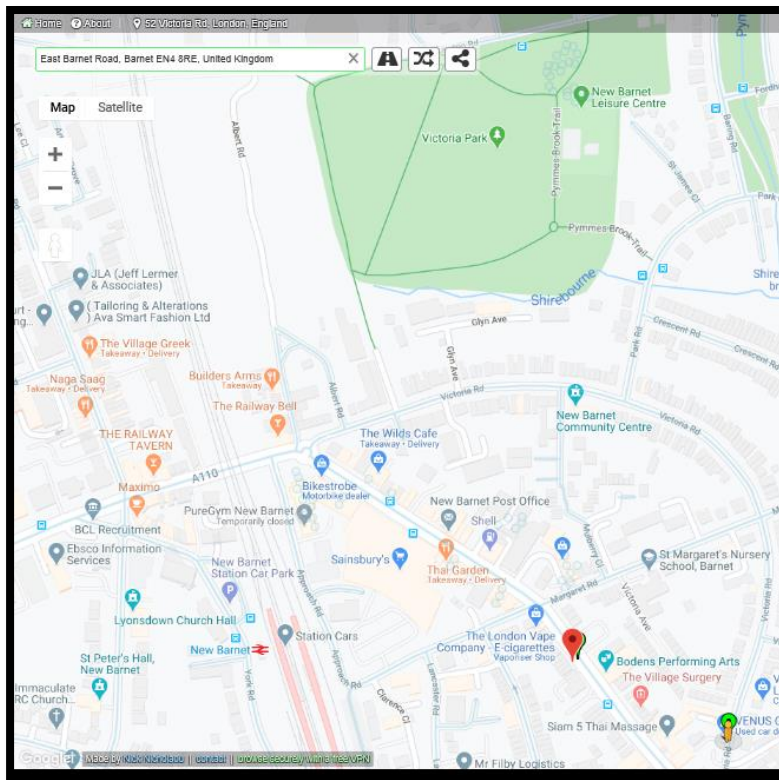


Figure 2 source: google the site is located a few metres to the south of the Town Centre, but as the Map shows benefits from close proximity to train stations, local shops post offices: site is red balloon.

PROPOSAL:

- 1.4 The proposals involve the change of use of the former money shop to a 1bed flat, with alteration to the front of the shop and the rear. A single storey extension is also planned to the rear of the studio to provide a 1 bedroom unit. The scheme also provides refuse and bicycle facilities for future residents.
- 1.5 Each unit would also have a small garden.

	FLOORSPAC E M2	BEDROO M 1	BEDROO M 2	KITCHEN/LIVING/DINI NG	AMENIT Y SPACE
FLAT 1 BEDROO M FLAT	50.4	11.7	N/A	24	7
FLAT 1 BEDROO M FLAT	50.8	15.7	N/A	28.7	20

2.0 PLANNING HISTORY

Site Planning History

2.1 21/8202/QCF- Pre-application advice into development of two units at the rear. 07.09.2021

2.2 20/5752/FUL Conversion of existing shop (payday loan shop) to form 2 no self-contained flats. Single storey rear extension. Associated refuse, recycling and cycle store Withdrawn 29 January 2021

<p>New shopfront</p> <p>132 East Barnet Road Barnet EN4 8RE Ref. No: 20/2094/FUL Received: Thu 07 May 2020 Validated: Mon 18 May 2020 Status: Approved subject to conditions</p>
<p>Change of use from money shop (payday loan shop) to dwelling (Class C3) 1 unit.</p> <p>132 East Barnet Road Barnet EN4 8RE Ref. No: 19/0676/PNR Received: Wed 06 Feb 2019 Validated: Wed 06 Feb 2019 Status: Prior Approval Required and Approved</p>
<p>Roof extension involving 1 no front and 1 no rear dormer window with Juliette balcony</p> <p>132A East Barnet Road Barnet EN4 8RE Ref. No: 18/0527/FUL Received: Wed 24 Jan 2018 Validated: Wed 14 Feb 2018 Status: Approved subject to conditions</p>
<p>Change of use of shop (Class A1) to restaurant/take away (Class A3).</p> <p>132 East Barnet Road New Barnet Herts Ref. No: N09910B Received: Wed 15 Mar 1995 Validated: Wed 15 Mar 1995 Status: Refused</p>
<p>Change of use from A1 retail to driving school.</p> <p>132 East Barnet Road New Barnet Herts Ref. No: N09910A Received: Thu 22 Apr 1993 Validated: Thu 22 Apr 1993 Status: Pending Consideration</p>
<p>Change of use from video shop to delicatessen/snack bar (Section 64 Determination)</p> <p>132 East Barnet Road New Barnet Herts Ref. No: N09910 Received: Tue 05 Mar 1991 Validated: Tue 05 Mar 1991 Status: Unlawful</p>

OTHER LOCAL PLANNING HISTORY:

To the north of the site a similar conversion was undertaken at no. 79-81 East Barnet Road under reference no. 15/06193/FUL, in which the corner A3 unit was converted into a residential unit, despite being adjoined by commercial units to the east, along East Barnet Road. The Officer report noted that given the unit was not located within the Town Centre or on a designated frontage, the loss of a commercial unit would have no impact on the provision of services within the local centre.

In January 2019, prior approval was granted for conversion of a ground floor retail unit to 2 studio residential units (18/6885/PNR) at 100 East Barnet Road.

20/0575/FUL | Conversion of existing first floor flat into 2 no. Self-contained studio flats. Construction of a part single, part two storey rear extension to provide 1 no. Single bedroom dwellinghouse with associated amenity space, refuse storage and off-street parking | 100 East Barnet Road Barnet EN4 8RE

19/5113/Ful Creation of additional floor to provide 1 residential unit .This application at 106 East Barnet Road was refused but on the issue of amenity space the delegated report stated ***“Sustainable Design and Construction SPD (2016) requires 5 sqm of outdoor amenity space per habitable room. In terms of outdoor amenity space, the attached planning statement states that, the proposed flat would not have access to the existing rear garden, however, the proposal can use open space and parks nearby such as Victoria Park to the north, Oak Hill Park to the south and Trent Park to the east. It is noted that the proposal is not a family unit and in that respect, the lack of amenity space is not considered a reason for refusal”.***

B/04142/14 | Change of use of existing shop (Use Class A1) and part two storey, part single storey rear extension and roof extension with rear dormer window to facilitate the creation of 5 flats. Construction of replacement garage to rear of site (Outline Application seeking approval for appearance, access, layout and scale) | 142 East Barnet Road, Barnet, Herts, EN4 8RD Approved 01st October 2014

3.0 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 (2021);
- The London Plan (2021)
- Barnet Core Strategy (2012); and
- Barnet Development Management Policies (2012).
- New Plan

National Planning Policy Framework 2021

3.3 The revised National Planning Policy Framework (NPPF) was updated in 2021 and sets out the government’s planning policies for England and how these are expected to be applied. The overarching objective of the NPPF 2021 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):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Paragraph 69 and 69 c) states that small sites can make a valuable contribution to meeting the housing requirement of the area and that local authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;

- 3.5 **Paragraph 86 and 85 f)** of the NPPF states local planning authorities should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites. While this site is outside the Town centre its close proximity means the additional residents will be using the services within the Town Centre and thus maintaining its viability and is thus compliant with the policy.
- 3.6 Section 11 of the NPPF deals with effective use of land and **Paragraph 119**.states Planning policies and decisions should promote an effective use of land in meeting the need for homes. **Paragraph 120 c)** states local planning authorities should give **substantial** weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; **Paragraph 120 d)** promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)
- 3.7 **Paragraph 123.states** Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;
- 3.8 The NPPF identifies that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- 3.9 **Paragraph 111** states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan 2021

3.10 The London Plan

Policy D3 Optimising site capacity through the design-led approach B Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 Infrastructure requirements for sustainable densities. Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Boroughs where appropriate. This could also include expanding Opportunity Area boundaries where appropriate. **C** In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 Small sites.

Policy D6 Housing Quality and Standards amongst other matters states Private outside space 9) Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

Policy H2 Small Sites states For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a **strategic priority**. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and planmaking.

Barnet's Local Plan

3.11 The adopted local development plan for the application site includes the Core Strategy (2012) and the Development Management Policies Development Plan (2012).

3.12 **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.

3.13 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

3.14 **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".

3.15 **Policy DM17 Travel Impact and Parking Standards** states that the Council will ensure that the safety of all road users is taken into account when considering proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The policy further states the expectation for assessing travel impact and parking standards in the Borough, and specifically, the provision of off-street parking as guided by the London Plan.

3.16 **Policy DM03 Accessibility and Inclusive Design**

3.17 **Policy DM08 Ensuring a variety of sizes of new homes to meet housing need.**

3.18 Barnet's Local Plan (Reg 22)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended). The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Section 5.5.10 of the new plan states "The Mayor's Strategic Housing Market Assessment (SHMA) 2017 highlights that one bed roomed units are the largest requirement for market as well as social rented housing in London". Table 6 also shows there is a local need for 1 bed units (6%), while the local need is lower than other sizes there is still a need that needs to be fulfilled.

4.26 of the new plan on Major Thoroughfares

4.26.1 Across the Borough development is already coming forward on sites along major roads and a policy framework will allow this process to be managed more effectively. **Major road corridors through Barnet provide, in certain cases, opportunities for infill and intensification. The Key Diagram highlights the major thoroughfares in the Borough.** The Council will work with Transport for London (TfL) and Highways England to help find and deliver appropriate sites. The routes currently most suitable for this form of development are:

- A1000 Great North Road/ High Road;
- A598 Ballards Lane/ Regents Park Road / Finchley Road;
- A5 Edgware Road/ Watling Street;
- A504 Hendon Lane; and
- **A110 East Barnet Road.**

A good level of bus service underpins a high level of public transport access and good overall connectivity. The urban form of generally wide roads and, in places, existing larger building typology, **offers the opportunity to develop sites more intensively for residential and other suitable mixed uses. Proposed developments must carefully consider how the building design will relate to the surrounding urban environment, particularly in relation to suburban streets at the rear.**

Supplementary Planning Documents provide guidance on residential developments.

- ❖ Residential Design Guidance (2016)
- ❖ Sustainable Design and Construction (2016)

4.0 PLANNING CONSIDERATIONS

4.1 This section considers the planning issues relating to the development proposals.

Principle:

4.2 A key principle of the NPPF is the presumption in favour of sustainable development and the delivery of high quality homes which create sustainable, inclusive and mixed communities. The sites redevelopment for residential purposes would **re-use the previously developed** site within an existing residential and built –up area, which is close to local centres and public transport links. Overall given the above, there are no objections in principle to residential redevelopment (the planning history shows prior approval has been granted for the front commercial shop) of the site subject to other material planning considerations “.

The site is located next to a variety of services, shops and facilities. The introduction of additional residents will help to sustain and attract local businesses. The planning history indicates that prior approval has already been granted for change of use of the ground floor shop to a residential unit. The loss of the commercial unit was considered under application 19/0676/PNR the delegated report stated “On the basis that the subject unit is not within a designated town centre, has been vacant for an extended period of time and is surrounded by a mixture of different uses it is not considered that its conversion to a residential unit would detrimentally impact the retail offer available to occupants of the immediate neighbourhood”.

The 2021 London Plan Policy H2, this policy provides a substantial impetus for small sites development close to Town Centres or with PTAL 3-6. This policy adds added impetus to this development of this small site. The policy states “Therefore, increasing the rate of housing delivery from small sites is a **strategic priority**. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and planmaking”.

The principle is heavily supported by government policy, Section 11 of the NPPF deals with effective use of land and **Paragraph 119**.states Planning policies and decisions should promote an effective use of land in meeting the need for homes. **Paragraph 120 c)** states local planning authorities should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. In addition the planning history of the site and adjoining sites strongly supports the approach taken in this application.

Character, Design, Surveillance and Security.

4.3 In relation to design, the front elevation would not alter significantly, the front elevation has recently been approved by virtue of application 20/2094/FUL.The introduction of the front garden would add some interest to the street scene, and give added security and privacy to the ground floor flat and also the upper flat entrance.

The design is heavily influenced by the pleasant and quiet alley way that leads to the rear of the site. The rear of the site would have a long single storey building along the boundary with the alleyway. The building would be rendered white and punctuated by windows .the introduction of residential accommodation would add to the security and surveillance of the rear alleyway.

The flat roof and white rendered design is considered appropriate for the rear of this parade. The flat roof would incorporate a green roof adding to the suitability of the scheme in this location.

4.4 In relation to the character of the locality, there are a variety of different forms of development at the rear of sites. This development would result in a longer projection than the

immediate neighbours, which appear in part to be constrained by gardens for existing flats. In this case the extension would leave considerable space at the rear for a garden, refuse store and cycle stores and access. The extension is single storey and would be softened by a green roof. Taking into account the character of the locality, the proposal would have an acceptable appearance on the character of the locality introducing a residential courtyard development.

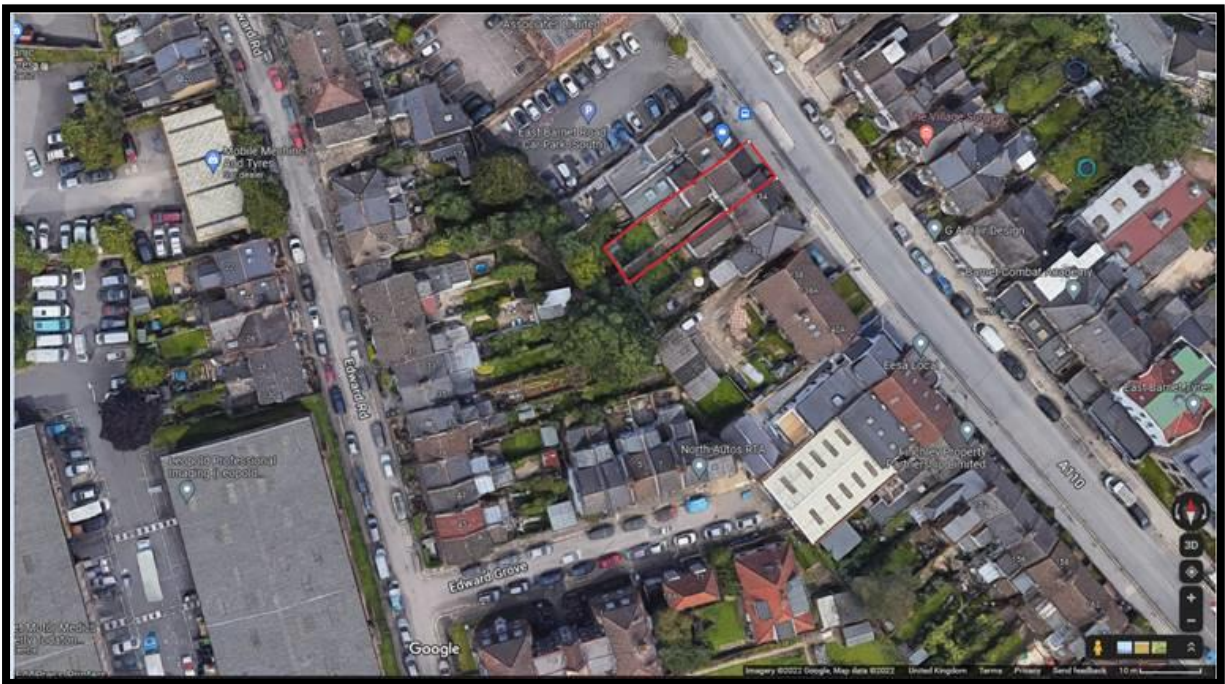


Figure 3 An Aerial view of the locality.

Mix of Units

4.5 The mix of units' favours smaller residential flats with 2 x 1 bedroom flats. The location close to town centre facilities, including transport and the garden space means the units favour smaller households.

4.6 The provision and availability of smaller units providing accommodation for smaller households will also take pressure off the need to convert small houses which are in demand for small family households.

Residential Standards Internal Lay-out and Amenity.

FLAT 1; STUDIO

4.7 This flat would exceed the minimum floor area for a 1 bedroom flat. The flat would have an outlook to the street with a front door and front garden area. There would be fenestration to the kitchen and bedroom around a small external courtyard at rear. The flat would have a good standard of privacy and overall amenity.

The bedroom is at the rear of the property and is in a quiet location, with access to the wide pleasant alley way. There would be natural light entering the rear from the kitchen window and bedroom windows with the benefit of a roof light.

The flat would have its refuse facility in the front garden and would have access to secure bicycle storage at the rear.

It is noted the amenity space would be just over 7qm, and complies with the London Plan and this is considered acceptable bearing in mind the close proximity to the Town Centre and Victoria Park. **(Also see officers report 19/5113/Full)**

FLAT 2: 2 BEDROOM FLAT:

4.8 This flat would exceed the minimum standard it would have a floor area of 50.8m², and the bedroom sizes would comply with Nationally Described Space Standard and the London Plan (2021.) The flat would be located to the rear of Flat 1 with a private rear garden at rear of 20m².

The bedroom window would be located along the alleyway which is a right of way but is not regularly used as it does not lead anywhere. It is not anticipated there would be any significant privacy issues to the bedroom that could not be overcome by screens and blinds as required by the future residents.

The flat is within a quiet and peaceful location and with a private garden area accessed from the kitchen living and dining area. The overall standard of amenity of the flat would be acceptable and pleasant.

Flat 2 would also benefit from secure bicycle storage and a refuse area. The refuse would be wheeled to the front for collection.

- All flats achieve and **exceed** the minimum standards as laid down by the Technical housing standards –.
- All flats are dual aspect and have outdoor amenity space. The rear courtyard provides a private and a pleasant living environment
- The presence of local parks (Victoria Park) and the town centre provides additional local amenity for future residents.
- Bicycle and refuse store are provided at the rear of the site.

HIGHWAYS AND PARKING

4.9 The site is located in a PTAL 3 there is good access to Bus Stops linking the site with Oakwood Piccadilly Line and High Barnet Northern Line. The site is also within walking distance of New Barnet Train Station.

In these circumstances it is not considered that the provision of car parking is appropriate and the provision of bicycle stores would encourage sustainable means of transport together with public transport.

SUSTAINABILITY:

4.10 The new building would benefit from a green roof, this would maintain the biodiversity of the locality and provide interest to the development and an acceptable visual appearance.

4.11 The new housing is well located and would allow housing with no need for cars. This would allow a sustainable form of living for future residents.

AMENITY OF ADJOINING OCCUPIERS.

4.12 No.130 East Barnet Road is a commercial office, there would be no adverse impact on the commercial operation of this property.

4.13 No.134 which is sited across the courtyard and comprises two gardens to the converted residential properties, again I can see no reason why this property would be adversely affected by the modest single storey building.

5. CONCLUSION AND PLANNING BALANCE

5.1 I have taken all material considerations into account and the planning balance clearly lies with approving the application. The proposals would:

- Provide a sustainable re-use of a vacant building.
- Provide 2 well-designed homes in a sustainable location close to services.
- Provide increased footfall to benefit local services including retail shops in the town centre and improve natural surveillance of the locality.
- The proposals have no adverse impacts on neighbours.

5.2 The local authority is respectfully requested to approve this application.

Frixos J Kyriacou MRTPI