

# DELEGATED REPORT

## ENFORCEMENT NOTICE

<b>LOCATION:</b>	Land at: 36 Sunningfields Road London NW4 4RL	<b>REFERENCE:</b>	ENF/0341/20
		<b>OFFICER:</b>	James Gould
		<b>WARD:</b>	Hendon

### CONTRAVENTION:

Without planning permission the conversion of the dwellinghouse into three self contained units and two bed sitting rooms sharing facilities on the first floor.

### RECOMMENDATION:

To issue an ENFORCEMENT NOTICE and to serve copies thereof on the owners and occupiers of the premises, in respect of which the planning contravention has taken place requiring:-

- 1 Cease the use of the property as self-contained units and bed sitting rooms
- 2 Remove bathroom facilities, including the removal of toilets, basins, baths and showers from all but one room.
- 3 Remove kitchen facilities, including the removal of all kitchen units, sinks, cookers and food preparation areas from all but one room.

Within a period of 6 Months from the date on which the Notice takes effect. That the Notice shall take effect on a date to be specified therein not being less than 34 days from the date of issue.

That the Head of Legal Services to be instructed to take such action as may be necessary, including legal proceedings, to secure compliance with the Notice.

### CONSTRAINTS:

### REPRESENTATIONS:

None

### EQUALITIES AND DIVERSITY ISSUES

None

### SITE VISITS:

As officer report

### **OFFICER REPORT:**

An enforcement notice was served under reference ENF/01271/13/H. It has been recommended that the notice under that reference is withdrawn and a new notice served.

### **PLANNING APPRAISAL:**

36 Sunningfields Road is a semi-detached dwelling house located on the eastern side of Sunningfields Road, which is predominantly residential in character. The property is not within a conservation area. The property benefits from a single storey rear extension and a loft conversion.

On the ground floor of the property there is a self-contained unit accessed via the front door of the property. There is also another self-contained unit on the ground floor but this is within the rear extension to the property and is accessed via the sideway to the rear garden of the property.

On the first floor there are two bed sitting rooms. These rooms have access to a communal kitchen and bathroom on the first floor. Contained within the loft conversion is another self-contained flat.

The conversion of the property from a single dwelling into this number of units is out of character with the area and results in the loss of a single dwelling house in a road characterised by houses.

There is no indication as to the provision of adequate sound insulation and it is considered that the noise resulting from the daily uses of the kitchens and bathrooms would be detrimental to the amenities of the adjoining units.

The units are of a small size and fail to meet the required standards for the internal floorspace size. This significant shortfall results in a sub-standard form of accommodation that is harmful to any present and future occupiers of the units.

Not only do the units fail to meet the required floorspace standards but they are single aspect and also fail to offer sufficient daylight, sunlight and ventilation to occupiers of the units.

There is a reasonable size rear to the property, however this offers direct views into the self-contained unit within the rear extension of the property resulting in a loss of privacy to occupiers of this unit. The occupiers of the unit in the rear extension also have direct views into the only amenity space provided with the property.

The development results in significant harm to the character and appearance of the area and the amenity of existing and future occupiers, in direct conflict with established council policy and guidance.

### **JUSTIFICATION:**

- 1 There is no suitable provision provided for the storage of refuse and recycling facilities which leads to refuse being kept on the street, resulting in a detrimental

effect on the character and appearance of the property and the general street scene contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.

2 The ground floor unit in the rear extension overlooks and is overlooked by the rear garden area of 36 Sunningfields Road, detrimental to the residential amenity of the present and future occupiers of that unit and users of the rear garden area, contrary to policy DM02 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Sustainable Design and Construction 2016.

3 The self-contained units fail to meet the required minimum floor space standards, to the detriment of the residential amenity of present and future occupiers of the units, contrary to policy 3.5 of The London Plan 2016, policy DM02 of the Development Management Policies DPD 2012 and Supplementary Planning Document: Sustainable Design and Construction 2016.

4 The units are single aspect and fail offer adequate daylight, sunlight and ventilation to provide adequate residential amenity to present and future occupiers of the units, contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.

5 The conversion of this property into multiple residential units results in an over intensive use of the property with increased comings and goings, detrimental to the character and appearance of the area, contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.

6 With no Building Regulations record for the conversion, there is no evidence of suitable soundproofing between the units, which may lead to unacceptable levels of noise and disturbance, detrimental to the residential amenity of present and future occupiers of the units, contrary to policy DM04 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.

Planner (ENF) \_\_\_\_\_ Date: \_\_\_\_\_

Acting for  
Service Director – Planning and Building Control \_\_\_\_\_ Date: \_\_\_\_\_