

**MEETING**

**HENDON AREA PLANNING COMMITTEE**

**DATE AND TIME**

**THURSDAY 10TH MARCH, 2016**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4AX**

**TO: MEMBERS OF HENDON AREA PLANNING COMMITTEE (Quorum 3)**

Chairman                      Cllr Maureen Braun  
Vice Chairman                Cllr Brian Gordon

**Councillors**

Sury Khatri                    Gill Sargeant                    Claire Farrier  
Hugh Rayner                   Agnes Slocombe

**Substitute Members**

Mark Shooter                Helena Hart                    Charlie O'Macaulay  
Val Duschinsky              Dr Devra Kay                   Zakia Zubairi  
Tom Davey

**You are requested to attend the above meeting for which an agenda is attached.**

**Andrew Charlwood – Head of Governance**

Governance Services contact: Sheri Odoffin [sheri.odoffin@barnet.gov.uk](mailto:sheri.odoffin@barnet.gov.uk) 0208 359 3104

Media Relations contact: Sue Cocker 020 8359 7039

**ASSURANCE GROUP**

## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	MINUTES	1 - 4
2.	ABSENCE OF MEMBERS (IF ANY)	
3.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
4.	PUBLIC QUESTION AND COMMENTS (IF ANY)	
5.	MEMBERS' ITEMS (IF ANY)	
	<b>EDGWARE WARD</b>	
6.	89-91 Edgwarebury Lane	5 - 18
	<b>HENDON WARD</b>	
7.	28 Heriot Road London NW4 2DG	19 - 28
8.	27 Sydney Grove London NW4 2EJ	29 - 38
	<b>MILL HILL WARD</b>	
9.	19 Victoria Road London NW7 4SA	39 - 46
10.	Any Item(s) the Chairman decides are urgent	

### FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Jan Natynczyk [jan.natynczyk@barnet.gov.uk](mailto:jan.natynczyk@barnet.gov.uk) 020 8359 5129. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

## **FIRE/EMERGENCY EVACUATION PROCEDURE**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by uniformed custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

This page is intentionally left blank

# Decisions of the Hendon Area Planning Committee

4 February 2016

Members Present:-

AGENDA ITEM 1

Councillor Maureen Braun (Chairman)

Councillor Claire Farrier  
Councillor Sury Khatri  
Councillor Hugh Rayner

Councillor Gill Sargeant  
Councillor Agnes Slocombe

Apologies for Absence  
Councillor Brian Gordon

## 1. MINUTES

Resolved that the minutes of the previous meeting held on 21<sup>st</sup> January 2016 be recorded as correct apart from two corrections as follows:-

### Item 6.

Replace: Councillor Farrier and Slocombe were not present during this discussion to defer the application and a vote was not taken with All members present agreed to defer the application.

### Item 7:

Should read:

- In favour (of the recommendation 5)
- Against: 0
- Abstain: 2

## 2. ABSENCE OF MEMBERS (IF ANY)

Councillor Brian Gordon sent his apologies and was substituted by Councillor Helena Hart.

## 3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

The following interest was declared:

Councillor	Item	Nature of Interest	Details
Hugh Rayner	3	Non-pecuniary	That the councillor knows residents in Langley Park having discussed a previous planning application but he would still be in a position to vote.
Sury Khatri	3	Non-pecuniary	That the councillor has met two objectors to the application. No opinion exercised on the matter and would still be a in a position to vote.

**4. PUBLIC QUESTION AND COMMENTS (IF ANY)**

None.

**5. MEMBERS' ITEMS (IF ANY)**

None.

**6. 16 TRETAWN GARDENS LONDON NW7 4NR**

The committee noted the presentation and information set out in the officer's report and the published addendum.

Oral representations were received from Mr Roger Huby and Mr John Canavan, who spoke in objection to the application. The applicant Mr Leigh Gainsley also spoke. The final speaker on this item was Mill Hill Ward Councillor John Hart who outlined his opposition to the application.

Following discussion of the item, the Chairman moved to the vote which was as follows:

For	2
Against	4
Abstain	0

Councillor Agnes Slocombe was a latecomer to the meeting and did not vote.

Having considered the report and the addendum to the report **the Committee resolved to REFUSE** the application (contrary to officer recommendation) for the following reason:

The proposed extensions would, by reason of their design, size, scale, bulk and mass, collectively fail to represent subordinate additions to the host property that respect its original design and the proportions of the original building and which overly dominate the property and constitute an overdevelopment of the site, to the detriment of the character and appearance of the individual property and wider area. The application is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (2015), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policy DM01 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Barnet Residential Design Guide Supplementary Planning Document (Adopted 2012).

The Chairman adjourned the meeting for 3 minutes from 7.55pm to 7.58pm in preparation for the next item.

**9. 1 LANGLEY PARK LONDON NW7 2AA**

The Committee considered the planning officer’s report and addendum to the report.

Representations were heard from Mr Ian Brent who objected to the application. A representation was also heard from Mr Harmond Sond, the applicant’s agent.

Following discussion on the report and the addendum to the report, **the Committee resolved to APPROVE the application and grant planning permission SUBJECT TO CONDITIONS** in the committee report, the changes to the conditions in the addendum to the committee report and with the addition of a further condition on the provision of cycle parking facilities (set out below) SUBJECT to:

The applicant and any other person having a requisite interest entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990, and any other legislation which is considered necessary, for the purposes of seeking to secure a contribution of £2,000 (index linked) to cover the costs of making an amendment to the existing Traffic Management Order for the Mill Hill Controlled Parking Zone to prevent the future occupiers of the development from being able to obtain parking permits for the Controlled Parking Zone.

The vote was as follows:-

For	4
Against	3
Abstain	1

The Chairman used her casting vote.

**8. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT**

None.

The meeting finished at 8.38 pm

This page is intentionally left blank



**Location**                    **89-91 Edgwarebury Lane Edgware HA8 8LZ**

**Reference:**                **15/03004/FUL**

Received: 14th May 2015

Accepted: 28th May 2015

Ward:                        Edgware

Expiry 23rd July 2015

Applicant:                Mr Sunny Popat

Proposal:                    Demolition of existing pair of semi-detached houses and erection of a two-storey building with rooms in roof space to provide 7no self-contained flats with associated amenity space, car parking, cycle storage, bin store and hard and soft landscaping

AGENDA ITEM 6

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: A.01 Rev.01; A.02 Rev.01; A.03 Rev.02; Design and Access Statement.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2     This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3     a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy

CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 4 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 5 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 6 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 7 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and

unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

8 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

9 Before the building hereby permitted is first occupied the proposed windows at and above first floor level in the flank elevation facing No. 87 Edgwarebury Lane shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

10 a) Before the development hereby permitted is first occupied, parking spaces, cycle parking and turning spaces as shown on Drawing A.01 Rev 01 shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 11 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

**Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for CIL. Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

#### Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 5 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

## **Officer's Assessment**

### **1. Site Description**

The application site currently contains a pair of two-storey semi-detached dwelling houses located on the western side of Edgwarebury Lane, on the corner of Edgwarebury Lane and Fairview Way. The pair of dwellings are similar in character and appearance to the neighbouring buildings to the south which front Edgwarebury Lane, and to the neighbouring dwellings at Fairview Way.

### **2. Site History**

None relevant to the current proposal.

### **3. Proposal**

This application proposes the demolition of the existing pair of semi-detached dwellings and the construction of a new two storey building (with rooms in the roofspace) to provide 7no self-contained 2-bedroom flats with associated private and communal garden, 7no car parking spaces, cycle and bin storage as well as hard and soft landscaping.

This application was originally submitted on 14 May 2015, with 8no units originally proposed. Amendments have since been made to that original scheme (received January 2016). As well as a reduction in the number of units from 8 to 7, the following additional changes have been made to originally submitted proposal:

- Ground floor footprint further set-in from Fairview Way
- Removal of dormer from north end elevation and set-down of ridge height to create hip-end to mirror that at No 93 across Fairview Way
- Reduction in number of dormers on rear elevation from four to three
- Reduction in size of dormers
- Removal of hipped roofs from two-storey bays on front elevation
- Alterations to pattern of fenestration to better reflect neighbouring properties (incorporating removal of balconies from rear elevation at first floor level)
- Reduction in number of flats from eight to seven (incorporating alterations to internal configuration)
- Installation of lift
- Reconfiguration of parking arrangements
- Reconfiguration of private and communal amenity space and associated landscaping

The scheme as it currently stands would be a two storey building, with rooms in the roofspace (facilitated by front rooflights and rear dormer windows. The building would be constructed of a similar style to the neighbouring semi-detached properties, with a hipped roof, and front bay windows. The proposed building would measure approximately 20 metres in width by 16.5 metres in depth at ground floor level, and approximately 13 metres in depth at first floor level (due to the presence of a single storey rear projection). The main would have a hipped roof with a ridge height of 10m and an eaves height of 5.9 metres.

Private amenity space is provided for flat 1, 2 and 3 with each amenity space have 2no cycle storage spaces. A communal amenity area providing 88.3m<sup>2</sup> of space between the remaining 4no flats is proposed with a cycle storage area with 8no cycle spaces.

7no car parking spaces are proposed as part of the development. 5no would be at the front of the property with a soft landscaped area separating them, and 2no at the side of the property accessed from Fairview Way. 3no trees would be removed as part of the development with 3no replacements proposed.

A 10m<sup>2</sup> refuse storage area is proposed adjacent to the new access from Fairview Way to the north west of the new building.

#### **4. Public Consultation**

On receipt of the original planning application, consultation letters were sent to 40 neighbouring properties. A site notice was also displayed. The initial consultation exercise generated 14 objections, making the following comments:

- Overcrowding of residential area with undue pressure on existing utilities.
- Insufficient car parking spaces so overflow will be in Fairview Way, obstructing traffic.
- Edgwarebury Lane already suffers from traffic jams and proposal would make congestion worse.
- Design is impractical and does not reflect that of surrounding buildings.
- Mix of units is not appropriate for a building of this size.
- Proposal would invade privacy of neighbouring properties on Edgwarebury Lane and Fairview Way.
- Proposal would result in a loss of light.
- Building will be larger than existing houses.
- Proposal would result in an overdevelopment of the area.
- Addition of flats would change the character of the area.

Following the receipt of amended plans in January 2016, a new period of public consultation was commenced. As a result, 22 letters of objection were received, making the following points (summarised):

- Erection of this building is out of character with the properties in the area.
- Construction traffic will be dangerous.
- Proposal would increase parking pressure on Fairview Way which is already a busy street.
- Edgwarebury Lane is already congested and more cars will be dangerous.
- Overdevelopment of the area is a concern.
- This part of Edgwarebury Lane contains semi-detached and detached 3-5 bedroom homes.
- Proposal would reduce privacy of neighbouring properties.
- Proposal would reduce lighting levels to neighbouring properties.
- Proposed building would be larger than neighbouring buildings.
- Proposal would result in the loss of attractive family housing.
- Multi occupancy residence will attract more people, visitors and cars to the location.
- The introduction of so many small homes will change the character of the area.
- Family size houses remain a priority in this area.
- Insufficient parking spaces are proposed.
- Neighbouring buildings have the same brick arch insignia above the windows and this is in keeping with the homes on Fairview Way. The proposal would not have this and would be out of character with neighbouring buildings.
- Size and depth of the new building is not in fitting with the proportion of homes in the vicinity.
- Additional lighting will adversely affect the amenities of neighbours.
- Proposal would be built into the existing gardens, eliminating existing trees and causing the loss of garden.

#### **5. Planning Considerations**

##### **5.1 Policy Context**

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must



determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08 and DM17.

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Residential Design Guidance SPD (adopted April 2013)

- The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- Development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

- Notes that the conversion of existing dwellings into flats can have a cumulative impact on environmental quality and the character of established residential areas. Conversions can harm the character of areas by increasing activity, with increasing activity resulting in more

people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries.

- Conversion proposals are likely to be resisted in areas of low density where predominantly there are single family occupation houses.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to highway safety.

## **5.3 Assessment of proposals**

### Impact of the proposal on the character and appearance of the area

Policy DM01 states that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. The supporting text to this policy provides the main reason for this aspect of DM01 as follows:

*The conversion of existing dwellings into flats can have a cumulative effect that is damaging to the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street particularly where they are highly accessible. However, even in such locations they can harm the character of areas by changing external appearance and increasing activity. Such activity can often involve more people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries*

*Where conversions are acceptable any external alterations should seek to minimise their impact on the external appearance of the property and local character. Conversions must also be able to satisfactorily address all other relevant policies in the DPD including the need to consider the dwelling size priorities set out in Policy DM08 and the approach to parking management set out in Policy DM17.*

It is noted that Edwarebury Lane is characterised by both single family dwellings and flatted buildings. The applicant's submitted Design and Access Statement gives examples of Nos. 44, 53-55, 104, 110 and 115 Edwarebury Lane which are all flatted developments.

Planning permission was also granted under planning reference H/01698/14 for the conversion of No. 93 Edwarebury Lane (the site on the opposite side of Fairview Way to the application site) into three flats. That application was recommended for approval by officers and approved by the Hendon Area Sub-Committee in October 2014. The same planning policies were in place at the time that decision was taken as are in place now. The report to that application explains "the area has been surveyed and there is evidence that a number of properties have been converted to flats in the vicinity of the application site, these include Nos. 36, 40, 42 and 63. Nos. 102 and 113 were granted planning permission over recent years to convert into 5no units and 3no units respectively". Therefore, there is evidence that several buildings in the immediate vicinity of this site have been converted into flats.

It is therefore considered that this part of Edwarebury Lane has a fairly mixed character, comprising both single family dwellinghouses, and flatted developments. Therefore, an existing part of the character of the area is the increased comings and goings and activity associated with flatted developments. The proposed development would not introduce any

new features, or adverse impacts, on the existing character of this part of Edgwarebury Lane and it is not considered that the principle of the proposed flat conversion would be contrary to Policy DM01, as the development would preserve local character.

In terms of the proposed building, the new development would be constructed of a similar architectural style to the established character of the neighbouring semi-detached properties on the street scene, with a hipped roof, rooflights in the front roofslope, and flat-roofed front bay windows. The proposed materials would be secured by condition, but it would be appropriate for the proposed bricks to, as far as practicable, match those used in the neighbouring properties. There are other properties in the area which have rear dormer windows, and it is considered that on their own merits the rear dormer windows appear as proportionate additions in the roofslope which do not detract from the appearance of the proposed building. The proposed building would be larger than the existing in terms of overall floor area and volume, however its flank elevation to Fairview Way (visible on this prominent corner site position) has been designed with a subservient projection to reflect the width of the original and surrounding buildings, and this step acts to break up the massing of the building.

The proposed building would retain two entrances, and therefore would have the appearance from the front of a pair of semi-detached dwellings. Parking would be provided to the front forecourt, as with the existing front driveways, and also to the rear of the site. These parking areas are shown to be appropriately landscaped such that they would not detract from the character and appearance of the street scene.

The proposed building would be closer to the site boundaries than the existing. However sufficient spacing would remain between the flank boundaries and the neighbouring property such that the proposal would not appear cramped within its plot or result in the visual coalescence of built form.

Overall it is considered that the proposed building, and its use as flats, is acceptable in the area and would not be detrimental to the character and appearance of the street scene or the wider area.

#### The quality of accommodation for future occupants

The proposal includes units and rooms which meet or exceed the minimum floor areas set out in the London Plan and the council's guidance, and therefore provide adequate quality of accommodation. Each unit is dual aspect and would have an acceptable level of outlook.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> per habitable room. It is proposed to split the existing rear garden into four sections, with each of the ground floor flats benefitting from acceptably sized rear gardens and the remaining 4no flats sharing an area of 88m<sup>2</sup>. Taking this into account this would comply with the guidelines set out in the Sustainable Design and Construction SPD. The proposed development will provide adequate amenity space.

#### Impact the proposal would have on the amenities of neighbours

The proposed building would be closer to No. 87 Edgwarebury Lane than the existing building (approximately 1.9m). However it should be noted that the only windows in the flank elevation of No. 87 which face the site are secondary windows, or windows which do not serve habitable rooms. Having regard to the distance between these windows and the

proposed building, it is not considered that the proposal would appear overbearing when viewed from these neighbouring windows.

The proposed building would be glimpsed from the front- and rear-facing windows at ground and first floor level at No. 87. However having regard to the limited extent of visibility, the presence of an existing building on the site and the use of those rooms, it is not considered that the proposal would appear unduly overbearing and visually intrusive when viewed from No. 87 such that it would cause any demonstrable harm to the amenities of the occupants of that neighbouring property.

The proposed building would be sufficient distance from all other neighbouring properties that it would not appear overbearing or visually intrusive when viewed from these neighbouring properties.

The proposed development would include a number of windows which face toward the immediately neighbouring property, No. 87 Edgwarebury Lane. At ground floor level, the proposed windows would face toward a proposed boundary treatment. The precise nature of this treatment is not specified, however the LPA would require a solid/opaque means of enclosure such as a close boarded fence at least 1.8 metres high to enclose the site. Such a fence would ensure the ground floor windows are not detrimental to the privacy or amenities of the occupants of No. 87. At first and second floor level, four windows are proposed in the flank elevation of the proposed building facing No. 87. These either serve bathrooms, or are secondary windows to the rooms they serve. As a result, a condition is attached requiring these windows to be obscurely glazed and fixed shut with only a fanlight opening, to protect the privacy of the occupants of No. 87.

Having regard to the depth of the rear garden (approximately 13 metres), the distance from the first floor windows to the rear of the garden (approximately 16 metres) and having regard to the amount of mutual overlooking already existing at this site between the existing and neighbouring buildings, which is commensurate with most suburban areas, it is not considered that this proposal would adversely affect the privacy or amenities of the occupants of any other neighbouring property.

#### Impact of the proposal on highway safety

Policy DM17 states that for flats of 2 to 3 bedrooms, 1.5 to 1 parking space should be provided per flat. The scheme proposes 7 off-street parking spaces in two separate locations - 5no would be located to the front of the property and 2no are proposed which would be accessed from Fairview Way. The 2no parking spaces from Fairview Way would be accessed from a new drop kerb access point. Taking this into account, this would accord with the requirements of Policy DM17. The existing access would be retained and this would allow access to all of the parking. This is not considered to have a significant impact on highway safety.

#### **5.4 Response to Public Consultation**

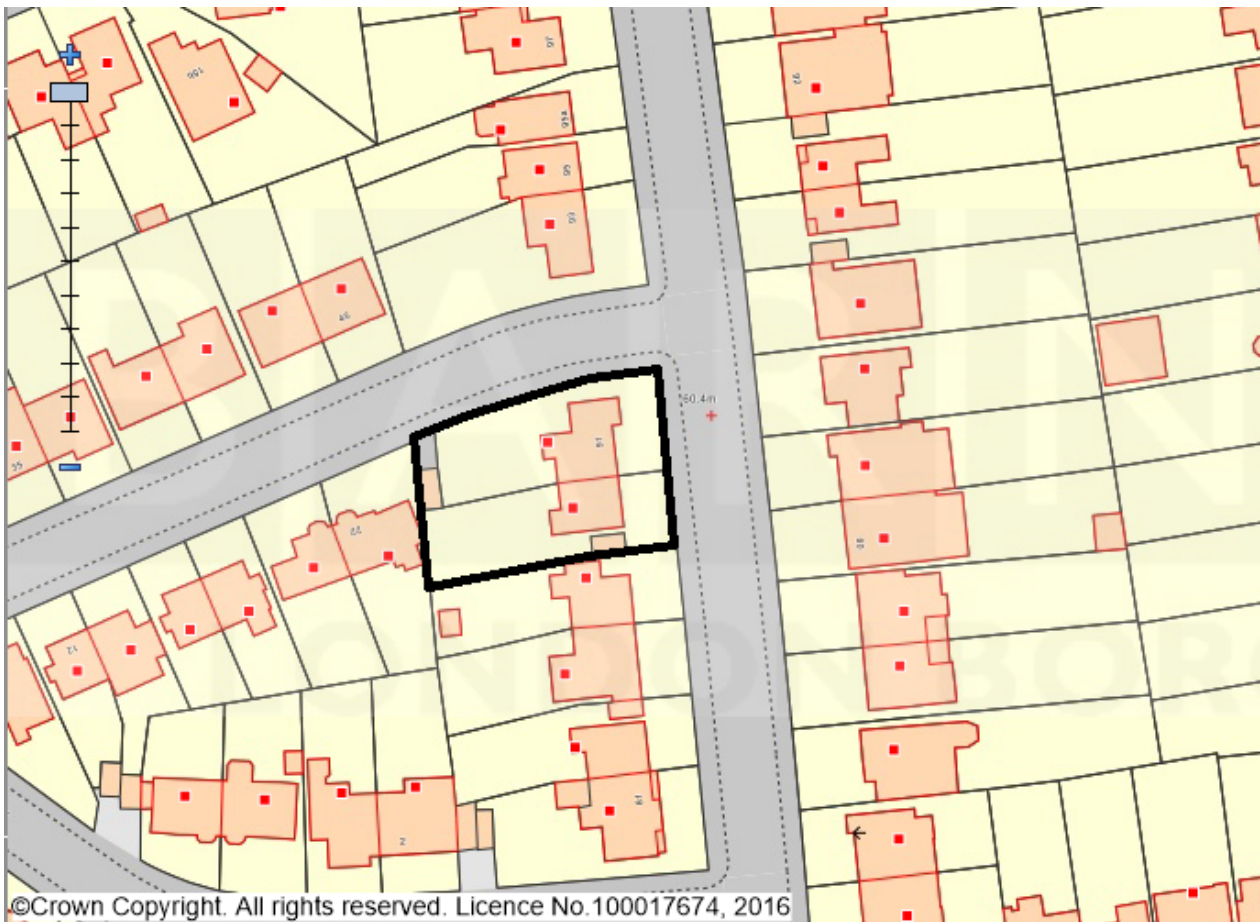
The objections received are responded to in the appraisal above.

#### **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

#### **7. Conclusion**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

**Location**                    **28 Heriot Road London NW4 2DG**

**Reference:**                **16/00049/FUL**

Received: 5th January 2016

Accepted: 5th January 2016

Ward:                        Hendon

Expiry 1st March 2016

Applicant:                 Mr MARIA LAZARUS

Proposal:                  Conversion from single family dwelling into 3 no. self-contained flats

AGENDA ITEM 7

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, ABC14/8000, ABC14/8001, ABC14/8002, ABC14/8003, ABC14/8004, ABC14/8005, ABC14/8006, Design and access statement (received: 05/01/2016)

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 4 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 5 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 6 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 8 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. ABC14/8006 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of



the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

**Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.

- 3 In case if any modification is proposed or required to provide access off the public highway then it will be subject to a detailed investigation by the Development and Regulatory Services. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Development and Regulatory Services, Barnet House, 11th Floor, 1255 High Road, Barnet, Greater London N20 0EJ.
- 4 The applicant is advised that for construction works adjacent or affecting the public highways, the Highways Authority should be contacted for any necessary Highways Licenses or any highway approvals deemed necessary.
- 6 Unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

## **Officer's Assessment**

### **1. Site Description**

The application property is a semi-detached dwelling located on the northern side of Heriot Road. The property is in a predominately residential location, but it is not listed and not part of a conservation area.

The property has been extended at the ground floor and roof level through the implementation of the scheme previously deemed lawful under the reference no 15/05737/192.

### **2. Site History**

Reference: 15/05737/192

Address: 28 Heriot Road, London, NW4 2DG

Decision: Lawful

Decision Date: 28 September 2015

Description: Demolition of existing rear extension and erection of 2 no. single storey rear extensions. Rear dormer with 2 no. rooflights to front and 1 no. rooflight to side to facilitate hip to gable loft conversion

### **3. Proposal**

The applicant seeks planning permission for the conversion of the property into 3 self-contained flats. A two bed unit is proposed at ground floor, a one bed unit at first floor and a studio within the loftspace.

### **4. Public Consultation**

Consultation letters were sent to 78 neighbouring properties.

10 responses have been received, comprising 10 letters of objection, 0 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- increase the number of households in the road and lead to increased demand for services, traffic and parking
- impact on emergency access
- Unsustainable and dangerous parking
- breakdown of the community
- other properties that will be converted
- unsustainable expansion
- front gardens paved for parking
- parking issues affects the emergency and refuse vehicles
- misleading and false information by the applicant saying that the property is still occupied
- application based on developmental grounds for profit
- does not take into account local amenities
- incorrect measurements on floor plans
- no provision of a fire exit
- split garden out of character
- extensions to the property determine loss of light to the neighbouring properties
- the reduction of family houses increases the price of properties
- reduce the quality of life
- breached the boundary wall regulations - boundary wall higher than in the original design.

## 5. Planning Considerations

### 5.1 Policy Context

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether the development provides adequate amenities for future occupiers;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

### The principle of the proposed development

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make a valuable contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The suitability of flat conversions is assessed on the particular circumstances and sensitivity of the site. Section 6 of the NPPF reinforces that Local Planning Authorities should enable the provisions of good quality homes in suitable locations. More acceptable locations include areas in or adjacent to town centres or easily accessible by public transport, along major roads and areas characterised by non-family units such as flats, bed sits or HMO's. In roads characterised by houses in single family occupation, conversions would not normally be appropriate, as it is in these areas that housing meets a need for large homes to balance housing provided in town centres.

Core Strategy Policy CS4: Providing Quality Homes and Housing Choice in Barnet, the aim is to maximise housing choice providing a range of sizes and types of accommodation, Moreover, Policy CS6 states the aim of Barnet to promote town centre locations 'encouraging a mix of compatible uses' including residential 'that add to the vibrancy of the area whilst respecting the character'.

Although the proposal would result in the loss of a single family dwelling ; given that many of the adjoining units have been sub-divided into flats; the location of the site within close proximity of the Brent Street Town Centre; the proposed conversion is considered acceptable in principle.

#### The proposal will not result in harm to the character of the area and the way it functions

To accord with Policy DM01 new development is expected to respect the constraints of the site, and that it should not result in overdevelopment or over-intensification. The creation of 3 flats is not considered to be over intensive within this location.

#### The impact on the character and appearance of the application site and surrounding area

The 2012 National Planning Policy Framework states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.

No external changes are proposed as a result of the conversion. The property has previously implemented a large roof extension including hip to gable and rear dormer as well as rear extensions, being in compliance with the Permitted Development requirements under the certificate reference no 15/05737/192.

#### The impact on the amenity of future and neighbouring residents

The proposed works would result in the creation of three flats. Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy". In addition to this, section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

The proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed flats would have access to sufficient amenity space with access to the rear garden from the side passage for the upper units. The ground floor flat has access from the rear doors and/or side passage, the flats at the first floor level will have a shared garden at the rear with access from the side of the property.

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree. It is not considered that additional movement from 3 separate households will be harmful in this location.

#### Highways and parking

The drawings show the provisions of 3 parking spaces at the rear of the property with access along the side of the dwelling towards the boundary with the neighbouring property at no 30 Heriot Road.

The continued provision of 3 parking spaces for use by the occupants of the proposed development is in accordance with highways parking standards, as the property is located very close to transport links such as Hendon Central Tube Station which is just over a 10 minute walk away.

The proposal is acceptable on highway grounds subject to conditions.

### **5.4 Response to Public Consultation**

- increase the number of households in the road and lead to increased demand for services, traffic and parking; unsustainable and dangerous parking; impact on emergency access; front gardens paved for parking; parking issues affects the emergency and refuse vehicles - the proposal includes the provision of parking at the rear of the property
- breakdown of the community -this does not constitute a material planning consideration - other properties that will be converted - each case is considered on its merits
- unsustainable expansion - this does not constitute a material planning consideration
- misleading and false information by the applicant saying that the property is still occupied - this does not constitute a material planning consideration
- application based on developmental grounds for profit - this does not constitute a material planning consideration
- does not take into account local amenities - officers consider proposal, given its location, would not affect the provision of amenities
- incorrect measurements on floor plans - the floor plans are in accordance with Barnet's Sustainable Design and Construction SPD
- no provision of a fire exit - this does not constitute a material planning consideration
- split garden out of character - the provision of amenity space for the proposed flats would lead to the split garden. As numerous properties that have been already converted into flats along the street with split gardens, it can be considered that now it is part of the character of the area
- extensions to the property determine loss of light to the neighbouring properties - the previous extensions to the property have been made lawful under a Certificate of Lawful Development which is assessed in accordance with the national legislation and it is not subject to neighbouring consultation
- the reduction of family houses increases the price of properties - this does not constitute a material planning consideration

- reduce the quality of life - this does not constitute a material planning consideration
- breached the boundary wall regulations - boundary wall higher than in the original design
- this does not constitute a material planning consideration

Although the proposal will result in the loss of a family house, given the number of properties already converted in both Heriot Road it is considered that the character of the area is not one predominately of single family dwellings and as such accords with policy DM01.

## 6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## 7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



This page is intentionally left blank



**Location** 27 Sydney Grove London NW4 2EJ

**Reference:** 15/07751/FUL

Received: 17th December 2015

Accepted: 17th December 2015

**Ward:** Hendon

Expiry 11th February 2016

**Applicant:** Mr Hadley Newman

**Proposal:** Conversion of single family dwelling into 2 no. self-contained flats

AGENDA ITEM 8

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; 27SG-101; 27SG-102; 27SG-103; 27SG-104; 27SG-105; 27SG-110; 27AG-A01; 27AG-A02; 27AG-A03; 27SG-010MOD; 27SG-011MOD; 27SG-SEC01.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 4 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

5 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

6 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

7 Before the development hereby permitted is occupied, parking spaces shall be provided as per submitted drawings. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

8 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

9 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied

to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 10 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason:

To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

#### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.

- 3 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Development and Regulatory Services. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Development and Regulatory Services, Barnet House, 11th Floor, 1255 High Road, Barnet, Greater London N20 0EJ.
- 4 The applicant is advised that for construction works adjacent or affecting the public highways, the Highways Authority should be contacted for any necessary Highways Licenses or any highway approvals deemed necessary.
- 5 Unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

## **Officer's Assessment**

### **1. Site Description**

The application property is a semi-detached dwelling located in the Hendon ward. There is an existing single storey rear extension at the site. The property has recently undertaken works to the property to implement a hip to gable and rear dormer extension under permitted development. The property is in a predominately residential location.

It is noted that a prior approval for a larger home extension has been accepted at a depth of 6m. This has been implemented on site.

### **2. Site History**

Reference: 15/01556/PNH

Address: 27 Sydney Grove, London, NW4 2EJ

Decision: Prior Approval Not Required

Decision Date: 14 April 2015

Description: Single storey rear extension with a proposed depth of 4.8 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 15/02564/PNH

Address: 27 Sydney Grove, London, NW4 2EJ

Decision: Prior Approval Not Required

Decision Date: 26 May 2015

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres.

Reference: 15/03740/192

Address: 27 Sydney Grove, London, NW4 2EJ

Decision: Lawful

Decision Date: 5 August 2015

Description: Roof extension involving hip to gable and rear dormer window to facilitate a loft conversion

Reference: 15/03833/HSE

Address: 27 Sydney Grove, London, NW4 2EJ

Decision: Refused

Decision Date: 28 July 2015

Description: First floor rear extension

### **3. Proposal**

The application relates to the conversion of the property into 2 self contained flats.

The application previously proposed a first floor rear extension, however, this has now been removed from the proposal.

### **4. Public Consultation**

Consultation letters were sent to 58 neighbouring properties.

7 responses have been received, comprising 7 letters of objection, 0 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Impact on traffic and parking. Parking is at saturation. Single way traffic due to cars parked on both sides.
- Concerns with emergency access
- Impact on services.
- Separate access to flat should not be provided at the rear of the property. Guidance states flats should be accessed from the street.
- Security risk.
- Refuse vehicles can not access the road due to car parked legally and illegally.
- Some properties have been converted back into houses as there is a demand for family houses.
- Extension is unacceptable. Proportions do not respect original building.
- Sydney Grove is much sought after and should be protected.
- Extension has already been built and causes overlooking and loss of privacy.
- Market conditions show that demand is for single dwellings and prices are inflated by demand.
- Cumulative impact on character of area by conversion.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether adequate amenities are provided for future occupiers;
- Whether harm would be caused to the living conditions of neighbouring residents.

### **5.3 Assessment of proposals**

The principle of the proposed development

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make a valuable contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flat accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The suitability of flat conversions is assessed on the particular circumstances and sensitivity of the site. Section 6 of the NPPF reinforces that Local Planning Authorities should enable the provisions of good quality homes in suitable locations. More acceptable locations include areas in or adjacent to town centres or easily accessible by public transport, along major roads and areas characterised by non-family units such as flats, bed sits or HMO's. In roads characterised by houses in single family occupation, conversions would not normally be appropriate, as it is in these areas that housing meets a need for large homes to balance housing provided in town centres.

Core Strategy Policy CS4: Providing Quality Homes and Housing Choice in Barnet, the aim is to maximise housing choice providing a range of sizes and types of accommodation, Moreover, Policy CS6 states the aim of Barnet to promote town centre locations 'encouraging a mix of compatible uses' including residential 'that add to the vibrancy of the area whilst respecting the character'.

Although the proposal would result in the loss of a single family dwelling ; given that many of the adjoining units have been sub-divided into flats; the location of the site within close proximity of the Brent Street Town Centre; the proposed conversion is considered acceptable in principle.

The proposal will not result in harm to the character of the area and the way it functions.

To accord with Policy DM01 new development is expected to respect the constraints of the site, and that it should not result in overdevelopment or over-intensification. The creation of 2 flats is not considered to be over intensive within this location.

The impact on the character and appearance of the application site and surrounding area

The 2012 National Planning Policy Framework states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.



No external changes are proposed as a result of the conversion. The previously proposed first floor rear extension has been removed from the proposal. The property has previously implemented a large roof extension including hip to gable and rear dormer which has recently been carried out

The impact on the amenity of future and neighbouring residents

The proposed works would result in the creation of two flats. Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy". In addition to this, section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

The proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed flats would have access to sufficient amenity space with access to the rear garden from the side passage for the upper unit. The ground floor flat has access from the rear doors and/or side passage. A condition has been imposed on the application for details of the sub-division of the amenity space to ensure that the rear garden area is split appropriately between the two units.

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree. It is not considered that additional movement from 2 separate households will be harmful.

Highways and parking

The continued provision of 2 parking spaces for use by the occupants of the proposed development is in accordance with highways parking standards, as the property is located very close to transport links such as Hendon Central Tube Station which is just over a 10 minute walk away.

The proposal is acceptable on highway grounds subject to the following conditions and informatives.

## 5.4 Response to Public Consultation

The previously proposed first floor rear extension has been removed from the plans. The proposal now comprises of the conversion of the property into 2 self contained flats.

The Traffic and Development team have reviewed the application and given that 2 off street parking spaces are currently provided and the site's location it is considered to be acceptable on highways grounds.

The market value of properties is not a material planning consideration.

The access arrangements for the site has been amended. The proposal now comprises of a single front entrance.

Although the proposal will result in the loss of a family house, given the number of properties already converted in both Sydney Grove and Heriot Road it is considered that the character of the area is not one predominately of single family dwellings and as such the provisions of policy DM01 are not applicable.

## 6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## 7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



**Location** 19 Victoria Road London NW7 4SA

**Reference:** 15/07342/HSE

Received: 2nd December 2015

Accepted: 2nd December 2015

**Ward:** Mill Hill

Expiry 27th January 2016

**Applicant:** Mr James Hyams

**Proposal:** Part single, part two storey side and rear extensions. Formation of side dormer. New front porch

AGENDA ITEM 9

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 15/2011/1, Design and Access Statement (Received 02-December-2015) and 15/2011/2A (Received 25-January-2016).

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the first floor side elevation and side dormer facing No. 21 Victoria Road shall be glazed

with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

**Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## **Officer's Assessment**

### **1. Site Description**

The application site relates to a chalet style detached bungalow on the northern side of Victoria Road. The site is not located within a Conservation Area and the host property is not Listed. Neighbouring property No. 17 Victoria Road has been extended to the rear at ground and roof level and No. 21 Victoria Road benefits from a single storey rear extension and front porch extension. The host property contains an existing ground floor extension.

### **2. Site History**

Reference: W03717

Address: 19 Victoria Road London NW7

Decision: Approved subject to conditions

Decision Date: 01 November 1972

Description: Single storey rear extension

### **3. Proposal**

This application proposes a 'Part single, part two storey side and rear extensions. Formation of side dormer and new front porch'. The single storey side extension would have a depth of 12.3 metres (almost the same depth of the bungalow), 1.5 metres wide, 3.3m high to the eaves and 5 metres high to the top of the pitched roof. It would be almost built up to the side boundary with No. 17 Victoria Road. This side element would wrap around the rear of the property and would extend beyond the rear elevation by approximately 1 metre. The proposed first floor would be built over the ground floor rear extension and would have a depth of 4 metres, the same width as the existing ground rear element of 5.9 metres. The eaves height would remain at 3.2 metres as is the existing eaves and the maximum height to the top of the roof would remain at approximately 7.3 metres. . The proposed first floor extension would have the same ridge height as the existing main dwelling and would not project any closer to any adjoining common boundary than the existing building.

The front porch extension would have a width of approximately 2 metres, a depth of 1.2 metres, a height to the eaves of 2.5 metres and a height of 4.1 metres to the top of the pitched roof.

The proposed side dormer would have a width of 1.5 metres, a height of 1.8 metres and a depth of 3 metres, placed centrally within the side elevation roofslope facing No.2 1 Victoria Road.

### **4. Public Consultation**

Consultation letters were sent to 10 neighbouring properties.

3 No. responses have been received, comprising of objections.

The objections received can be summarised as follows:

\*Possible cumulative effect on streetscene

\*Dormer windows usually set back and usually smaller in size

\*Removal of window to front elevation will affect the streetscene

Councillor Sury Khatri has requested that the application be heard at committee.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

#### Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

It is noted that there is a similar extension at No. 42 Victoria Road that was allowed at Appeal under reference APP/N5090/A/06/2014876, dated 19/09/2006. The proposal as part of that particular application included the continuation of the pitched roof at first floor level of the bungalow at the same height as the original towards the rear. The Inspector stated that as the extension would not increase the overall height of the building and that the design would match the original property, it was not considered to result in harm to the character and appearance of the surrounding area and the host property.

It should be noted also that No. 17 have built a similar rear element and No. 15 have received a recent approval for the same.

Given that the design of the above mentioned properties and the host property as part of this application are similar in size and design, that the proposal as part of this application would also extend the building rearwards at the same height as the existing building and would also match the design of the existing property, and that there are various other properties along this stretch of Victoria Road that have extended in a similar fashion, it is not considered that the proposal would result in harm to the surrounding area or the host property.

It is noted that the proposed roof extension would be 4 metres in depth and the eaves and maximum height would remain as existing, however, given the sloping nature of the roof extension it is not thought that the rear extension would have any further impact on the

neighbouring amenities. In addition, given that the rear of the properties along this stretch of Victoria Road are north facing, it is not considered that the proposed roof extension would result in a significant loss of light to any neighbouring occupier. Moreover, given that No. 17 Victoria Road and No. 21 Victoria Road have both been extended to the rear, it is not considered that the proposed first floor rear extension would result in a perceived sense of enclosure or an overbearing impact when viewed from the rear windows of rear amenity areas of wither neighbouring property.

The proposed single storey side element would be an acceptable addition to the host property and would not have an adverse impact on the current streetscene or neighbouring amenities.

The proposed side dormer window would be obscure glazed and the size and design of the proposed dormer would not be out of character with the design of other dormers within the vicinity.

The front porch would be similar to that which exists at No 21 and would not affect the current streetscene or character of the area in general.

The proposal includes the removal of the front window towards the west side of the front elevation in order to accommodate the roof of the proposed front porch. It is not thought that this will have a material harm on the building or streetscene and with the inclusion of a front window to the proposed side element; this addition would allow for a balancing of the fenestration to the front of the property and is an acceptable change to the frontage.

The proposal would comply with the aforementioned policies and Council Residential Design Guidance and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

#### **5.4 Response to Public Consultation**

Mainly addressed in appraisal above.

#### **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

#### **7. Conclusion**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for Approval, subject to conditions.



19 Victoria Road NW7



This page is intentionally left blank