

**LOCATION:** 209 Hendon Way, London, NW2 1JJ

**REFERENCE:** F/03106/13

**Received:** 19 July 2013

**Accepted:** 22 July 2013

**WARD(S):** Golders Green

**Expiry:** 16 September  
2013

**Final Revisions:**

**APPLICANT:** Lionrule Investments Ltd

**PROPOSAL:** Single storey rear extension. Part single and part two storey side/rear extension including 3no. rooflights. Alterations to the front driveway to provide 3no. car parking spaces; 3no. bike shed; provision of bins enclosure to facilitate conversion of an existing single family house into 3no. self-contained flats. Retention of existing outbuilding to be used as communal gym.  
(AMENDED DESCRIPTION)

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (date received 22-July-2013); Drawing no. 209HW-PP2-01 (date received 18-July-2013); Drawing no. 209HW-PP2-02 Rev A (date received 08-Aug-2013).

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 policies DM01 of the Adopted Barnet Development

Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 4 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 Access of construction vehicles shall be carried out outside peak periods, before 10:00am and after 4:00 pm only.

Reason:

To ensure that the proposed development does not prejudice highways safety on TfL roads.

- 6 No construction vehicle shall park on the A41 unless a line closure is requested from TfL.

Reason:

To ensure that the proposed development does not prejudice highways safety on TfL roads.

- 7 No construction materials/ skips shall be kept on the footway or carriageway on A41 Hendon Way at all times.

Reason:

To ensure that the proposed development does not prejudice highways safety on TfL roads.

- 8 Prior to the 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 policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 9 Before the building hereby permitted is occupied the window(s) of proposed communal gym in the side elevation facing no.207 and the glazed panel closest to the boundary with no. 207 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 Adopted Barnet Development Management Policies DPD (2012).

- 10 Before the building hereby permitted is occupied the proposed bedroom window of the unit labelled 'Flat B' on the approved plans in the side elevation facing no.207 Hendon Way shall be glazed with obscure glass only and shall be permanently retained as such thereafter.

Reason:

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

- 11 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 12 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

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).

- 12 Before the development hereby permitted is occupied the parking spaces shown on Plan 209HW-PP2-02 Rev A 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 policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

- 14 The sub-division of the amenity areas shall be implemented as indicated on drawing no. 209HW-PP2-02 Rev A and retained as such on site 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 Adopted Barnet Development Management Policies DPD (2012).

- 15 The use of the proposed communal gym hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 16 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.

- 17 The floor plan layout as shown on the hereby approved plans must be implemented and retained as such thereafter.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

## INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 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. Your planning application has been assessed at this time as liable for a £2,933.00 payment under Mayoral CIL.

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 a £11,313.00 payment under Barnet CIL.

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.

If affordable housing or charitable relief applies to your development 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 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 Community Infrastructure Levy 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: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

- 3 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 Council of 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 email: [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Framework (2012):

The determination of planning applications is made mindful of Central Government advice and the Development 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 basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

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

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

### The Mayor's London Plan: July 2011:

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.

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.

### Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM17.

### Other Material Considerations:

Residential Design Guidance (April 2013)  
Sustainable Design and Construction (April 2013)

## Planning Obligations SPD (April 2013)

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Sustainable Design SPD provides detailed guidance and sets out how sustainable development will be delivered in Barnet. Section 2 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Chapter 15 of the Council's Guide 'Residential Design' seeks to revise and upgrade Design Guidance Note 7 which deals with Residential Conversions. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design conversions which would receive favourable consideration by the Local Planning Authority and sets out how the council considers applications for the conversion of single family homes into two or more self-contained units.

Included advice specifies that when conversions seek new exterior alterations, such as replacement windows, doors or porches, these should reflect the prevailing local character and enhance, not disrupt, the streetscape. Conversions in appropriate locations should not have any detrimental effect; they should not raise privacy issues, parking problems or have adverse effects on residential amenity. The council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

The Planning Obligations SPD sets the requirements for different scales of development and obtaining Planning Obligations for open spaces, transport, community facilities and environmental requirements. It has been adopted alongside the Barnet's CIL Charging Schedule in May 2013, which replaces the previous obligations towards Education, Libraries and Health, and is a flat rate charge for all development as specified in the CIL Charging Schedule.

### Relevant Planning History:

#### **Site history for current landparcel :**

112157 - 209 Hendon Way, London, NW2 1JJ

Case Reference: **F/03106/13**

<b>Application:</b>	Planning	<b>Number:</b>	C/15460/03
<b>Validated:</b>	02/07/2003	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	04/08/2003
<b>Summary:</b>	APC	<b>Case Officer:</b>	Laura Knight
<b>Description:</b>	Single storey side extension and conversion of garage to habitable room.		

<b>Application:</b>	Planning	<b>Number:</b>	F/01970/13
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**Validated:** 30/05/2013 **Type:** APF  
**Status:** WDN **Date:** 04/07/2013  
**Summary:** WIT **Case Officer:** Denisse Celi  
**Description:** Single storey rear extension. Part single and part two storey side/rear extension including 3no. rooflights. Alterations to roof including a loft conversion. Alterations to the front driveway to provide 3no. car parking spaces; 5no. bike shed; provision of bins enclosure to facilitate conversion of an existing single family house into 5no. self-contained flats.

**Application:** Planning **Number:** F/03106/13  
**Validated:** 22/07/2013 **Type:** APF  
**Status:** REG **Date:**  
**Summary:** DEL **Case Officer:** Denisse Celi  
**Description:** Single storey rear extension. Part single and part two storey side/rear extension including 3no. rooflights. Alterations to roof including a loft conversion. Alterations to the front driveway to provide 3no. car parking spaces; 3no. bike shed; provision of bins enclosure to facilitate conversion of an existing single family house into 3no. self-contained flats. Retention of existing outbuilding to be used as communal gym. (AMENDED DESCRIPTION)

#### Consultations and Views Expressed:

Neighbours Consulted: 53 Replies: 5  
Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- Direct impact and disturbance to neighbours
- Excessive development
- Out-of-character
- Congestion
- Number of units will cause noise and pollution.
- Loss of privacy
- Loss of light
- Removal of any trees could further reduce privacy
- Limited parking for the proposal.
- Have seen cars reversing on the A41, increasing motor incidents a further conversion will only make it worse.
- At present kitchen and bathrooms are all sited away from the adjoining property, the relocation of these areas next to adjoining property will increase noise even with insulation.
- Design is poorly planned.
- Concern about outbuilding being used as accommodation.
- Substantial extension has taken place and further planned contrary to Barnet's guidance.
- Extremely small parking spaces.
- Not enough bin provision.
- Extensions are excessive
- Loft conversion already carried out.
- Property previously used as HMO with untold inconvenience to neighbours.

#### Internal /Other Consultations:

- Transport for London, Road Network Development – no response at the time of writing.
- Highways –No objection on highways grounds however application should be referred to the Transport for London (TfL).

Date of Site Notice: 01 August 2013

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is a single family dwelling located on northbound side of Hendon Way (A41) within the Golders Green Road. The property is not listed and does not lie in a conservation area.

The property has undertaken various extensions that the applicant believes comply with the permitted development criteria including a loft conversion involving a rear dormer and a hip to gable alteration. In addition, planning permission was granted for a single storey side extension including conversion of the garage into a habitable room under planning reference C/15460/03. The property has a large area of hard standing for vehicle parking to the front of both buildings.

### Proposal:

The proposal relates to the following development:

- Single storey rear extensions.
- First floor rear / side extension.
- Conversion of property into 3no self-contained units
- Retention existing outbuilding to be used as communal gym.

At ground floor there are two proposed rear extensions. The extension at the recessed wall near the boundary with no. 207 Hendon Way has a depth of 2.5 metres at the boundary and after 1 metre set in from the boundary projects a further 0.5 metres. Following amendments, it is considered that the extension on this side of the property would ensure that the bay window of no.207 is not enclosed and the neighbours' amenities are not detrimentally impacted by this extension.

At the existing projecting wing near the boundary with the detached property, the extension will have a depth of 3 metres. Both extensions will have flat roof with a height of 3 metres from the original terrace.

The proposed first floor side extension will be set in 0.8 metres from the front and will match the set back approved at no.211. The extension will have a width of 1.75 metres and maintain a gap of 1.2 metres from the boundary for a depth of 2.1 metres. From this point the extension will be 0.4 metres closer to the boundary for a length of 5.5 metres. At the rear, the first floor side/rear extension will return to a gap of 1.2 metres from the boundary and will have a depth of 2.5 metres from the rear wall.

The outbuilding which has been built will be used as a communal gym; it does not benefit from planning permission and a certificate of lawfulness has not been issued. The outbuilding has a height of 2.5 metres at the eaves and a maximum height of 3.5 metres.

### Planning Considerations:

#### Principle of self contained units

The principle of converting the premises into three self contained flats would not harm the residential character of the area and would not represent the over intensive use of the property. There are examples of conversion permissions on this section of Hendon Way such as:

- 211 & 213 Hendon Way- conversion of both properties into 6no flats with associated extensions (F/00340/12).
- 223 Hendon Way – demolition of dwelling and erection of building to accommodate 6no flats (C15920A/04)
- 219 Hendon Way – conversion into 3no self-contained flats (F/03873/10)
- 185 Hendon Way – conversion into 2no self-contained flats (C15471A/06)

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 an important 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 proposal is not considered to be out of character within its context and would not result in harm to the surrounding area.

### Density

The density of the proposed scheme has been assessed against Policy 3.4 of the London Plan 2011 and the Density Matrix found in Table 3.2. It is considered that the site can be defined as 'suburban' according to the London Plan definition and has a PTAL score of 2. The site is approximately 0.043 hectares in size, proposes 3 flats with a total of 12 habitable rooms. The scheme will therefore provide 69.77 units per hectare and the number of units per hectare complies with the Density Matrix and is considered to be acceptable in this respect.

The proposed development of the site is therefore not considered to detrimentally harm the established density of the area and is in accordance with the London Plan.

### Living conditions of future occupiers

The proposed units comply with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan July 2011 and is considered to provide adequate internal space for future occupiers.

The proposed ground floor unit nearest to no.207, identified as Flat A, will have an internal floor space of 50.6 sqm which exceeds the minimum gross internal area (50 sqm) for a 1 bedroom unit with 2 occupiers.

The proposed ground floor unit on the other side near the boundary with no. 211, identified as Flat B, will have an internal floor space of 56.5 sqm which exceeds the minimum gross internal area (50 sqm) for a 1 bedroom unit with 2 occupiers. Flat B provides a study room however this fails to meet the space standards of a single bedroom (minimum area 8sqm) and therefore it is not considered a bedroom.

The proposed maisonette unit, identified as Flat C, will have an internal floor space of 113 sqm which exceeds the minimum gross internal area (86sqm) for a 3 bedroom unit with 5 occupiers (2 double rooms and 1 single room)

Three off-street parking spaces for the residential units will be provided which meets the standards required. Highways have been consulted and have no objections. In addition, following amendments the parking spaces have been re-arranged to accommodate a larger turning space as advised by Highways.

The proposed layout ensures that bedrooms are stacked towards the front of and living/ dining areas are stacked on to the rear. Two bedrooms of Flat C however are stacked within the loft above the living area of that however as the rooms correspond to the same unit this is considered acceptable. Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring

residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision.

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. There is approximately 122sqm of existing garden space; each unit has been allocated its own private amenity space which will be accessed directly from the property, and there is a communal play area. Flat A, has been allocated an area of approximately 35.75 sqm of outdoor amenity space; Flat B has an area of 21.09 sqm outdoor amenity space and Flat C has an area of 21sqm outdoor amenity space. Although the amenity space allocated for Flat C is below the requirement (the unit requires at least 25sqm), given the provision of a communal play area and Clitterhouse Playing Fields sited within 400 metres of the property, this is considered acceptable and does not justify refusal of this application.

### Living conditions of neighbouring occupiers

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours' amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Policies DM01 and DM02, seeks to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity. The relevant Residential Design SPD offers guidance for the assessment.

At ground floor, these extensions are modest in size and could be implemented under permitted development. At the boundary with no. 207, there would only be ground floor rear extension with a modest depth. At the other boundary with no.211, the extension at ground floor will project an additional 0.4 metres beyond the extension at no.211 and therefore the impact is negligible.

At first floor, the extension has been sited a significant distance away from the boundary and has been set in from the front to create subordination. The extensions are similar in size as that approved and implemented at no.s 211-213 under permission F/00340/12 and therefore the development is not considered to be out of character.

In addition, the first floor side extension is subordinate in size and maintains a suitable gap between the properties at the front of the property; the gap is reduced at the centre of the side extension however as this is set back from the front elevation it is not considered that the views through the site are compromised significantly. The roof will be a pitched roof and although it does not match the gable end roof, it is considered that this is a more sympathetic addition than a gable end subordinate roof.

The amendments negotiated at first floor have addressed issues regarding loss of light, outlook and privacy, particular to the bedroom rear window of the flat at no.211; the modest extension at first floor in addition to the gap between the flank walls is

considered acceptable and will not enclose this window to the detriment of the occupier.

The existing raised terrace will be altered to accommodate the gardens for each unit. However, the terrace will not project any further than existing and therefore there is no increase in overlooking.

The outbuilding as built is sited on the boundary and spans the width of the property. Although the outbuilding is relatively large in size, the garden is at a lower level than the dwelling, the outbuilding is sited at the rear of the garden and given the vegetation surrounding the site, it is not considered that the outbuilding is detrimental to the amenities of neighbouring occupiers or the character of the area.

It will be conditioned that the proposed gym remains ancillary to the main building and approval of this application will not grant permission for this element as a self-contained unit; objectors have been advised that should this be the case, the planning enforcement team should be informed so that an investigation can be carried out. Furthermore, the existing windows of the outbuilding on the flank wall fronting no. 207 and the panel of glass closest to the boundary with no.207 have been conditioned to be obscured glazed to ensure that this property is not directly overlooked.

Although the proposal does rely on extensions, following amendments, the extensions are considered to be modest in size and have been reduced to ensure that there is minimum impact on neighbouring properties.

### Community Infrastructure Levy

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1<sup>st</sup> of May 2013. The proposal is liable for the increase in floorspace which has an area of 83.8 sqm. Therefore the Mayoral CIL required is **£2,933.00** and the Barnet CIL required is **£11,313.00**.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Amendments to the scheme are considered to have addressed the objections regarding stacking of the living spaces.

The highways team has been consulted and consider that the provision of 3 parking spaces meets the standards and therefore the development is acceptable on highways grounds. In addition, the amended plans being recommended for approval accommodate a larger turning space for cars and it is considered that this addresses the concerns with regards to the small parking spaces. The parking spaces meet the space standards required by highways.

A condition has been added to ensure that the windows of the gym facing no.207 Hendon Way as obscured glazed prior to occupation. In addition, it has been conditioned that the outbuilding shall only be used ancillary to the main property and not as a self-contained unit.

Extensions that have been carried out on the property have either received planning permission (the garage conversion and side extension) or have been carried out as permitted development and therefore do not require planning permission.

Planning permission was granted for a similar conversion for 6 units at no. 211 and 213 Hendon Way under reference F/00340/12.

The trees on the site are not protected and therefore the removal of these trees cannot be prevented and refusal cannot be recommended on this basis alone.

All other planning related objections are considered to have been addressed in the report above.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

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

#### **5. CONCLUSION**

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring properties or be out-of-context. Given the existing conversions in the area, the proposal is deemed acceptable. The application is recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 209 Hendon Way, London, NW2 1JJ

**REFERENCE:** F/03106/13



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