

LOCATION: 108 Holden Road, London, N12 7EA

REFERENCE: B/00061/14

Received: 06 January 2014

Accepted: 06 January 2014

WARD(S): Totteridge

Expiry: 03 March 2014

Final Revisions:

APPLICANT: Mr & Mrs Tang

PROPOSAL: Conversion of a single family dwelling house into 3no. self contained flats, including part single, part two storey side/rear extension, conversion of garage into habitable space and extension to roof including 4no. front roof-lights, 1no. side roof-light, 2no. rear dormers and 1no. side dormer to facilitate a loft conversion. Alterations to side fenestration. Refuse facilities, hard and soft landscaping.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan, Drawing Nos. 60/01, 02, 03, 04, 07, 08, 11 (received 6 January 2014), Drawing Nos. 60/06B, 05B, 09B, 10B, 12A, (received 25 February 2014)

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 Before the development hereby permitted is occupied the parking spaces shown on Drawing 60/05B (received 25 February 2014) 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.

- 5 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).

- 6 The property shall be used as self-contained units as shown on 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.

- 7 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 8 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.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 9 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

- 11 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).

INFORMATIVE(S):

- 1 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.

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 £3990 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 £15390 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.

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.

- 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 or by telephoning: 0208 359 7294.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 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

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 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 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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM08 and DM17.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted in April 2013. This 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.

Included advice 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.

In respect to amenity, development 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.

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Application Number:	B/03958/13
Application Type:	Prior Approval Householder Notification
Decision:	Prior Approval Required & Refused
Decision Date:	08/10/2013

Proposal: **Single storey rear extension with a proposed depth of 6 metres, eaves height of 3 metres and maximum height of 3 metres.**

Application Number: B/04246/13
Application Type: Section 192
Decision: Lawful Development
Decision Date: 11/10/2013
Proposal: **Extension to roof including rear dormer window with roof lights to facilitate a loft conversion. Two storey rear extension. Conversion of the garage into habitable room.**

Application Number: B/04932/13
Application Type: Full Application
Decision: Refuse. **1)** Rear extension would subsume the rear elevation of the existing building, not appearing subordinate to, but dominating the existing building. **2)** Front hardstanding area would dominate the frontage and not reflect the planted and soft landscaped character of neighbouring frontages. **3)** Extension and use would result in overintensive use of the building, resulting in increased comings and goings, to the detriment of the character of the area. **4)** Inadequate unit sizes, floor to ceiling heights and access to rear garden would not provide satisfactory quality of amenity for future occupants. **5)** Proposal would result in the loss of a single family sized house, and the provision of low-priority unit sizes.
Decision Date: 18/12/2013
Proposal: **Conversion of a single family dwelling house into 5 self-contained flats following a two storey rear extension, conversion of garage into habitable space, and roof extension involving 1 side dormer window, 2 rear dormer windows and a total of 7 roof lights to the front and rear elevations, to facilitate a loft conversion. Provision of 5 car parking spaces, refuse facilities and amenity space.**

Application Number: B/05167/13
Application Type: Full Application
Decision: Refuse. **1)** Front hardstanding area would dominate the frontage and not reflect the planted and soft landscaped character of neighbouring frontages. **2)** Overintensive use of the building, resulting in increased comings and goings, to the detriment of the character of the area. **3)** Inadequate stacking would not provide satisfactory quality of amenity for future occupants.
Decision Date: 19/12/2013
Proposal: **Conversion of a single family dwelling house into 4 self contained flats including a two storey rear extension and roof extension involving 2no. dormer windows and 2no. rooflights to rear elevation and 5no. rooflights to front elevation.**

Consultations and Views Expressed:

Neighbours Consulted: 101 **Replies:** 9 letters of objection received.
Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- There is a shortage of family houses in the Borough, demonstrated by the number of flats deconverted back into houses.
- Proposal has inadequate provisions for parking, and if the front garden is converted then it is a loss of front amenity space.
- The road can be congested and the proposal would compound the parking problems.
- Increased noise levels would be impossible to contain, and would be detrimental to the amenities of neighbours.

- Proposal would not be in keeping with the character and appearance of this property.
- Proposal would be an overintensive use of this building.
- Proposal would overlook neighbouring properties and result in a loss of light.

An objection has been received from Cllr Coleman, raising the following concerns:

- Concern about the loss of a much needed family house
- The rear extension would be out of keeping with the neighbouring properties
- Already congested Holden Road would see more traffic movements.

A letter has been received from The Rt Hon Theresa Villiers MP asking that consideration be given to her constituent's request that this application be referred to the Planning Committee.

LBB Traffic and Development

- The proposal is for conversion of single family dwelling into 3 x 3-bedroom self-contained flats. A total of 3 off street parking spaces are proposed at the forecourt of the property.
- The proposed parking provision is in accordance with the parking standards in the Local Plan and is acceptable on highways grounds for a development at this location.
- If the proposal is implemented it will be necessary for the existing vehicle crossover to be modified and for a new vehicle crossover to be constructed by the Highway Authority. Any street furniture affected by the proposal will be re located at the applicants' expense. The tree section will be consulted regarding the highways tree in the vicinity of the proposed crossover.

Thames Water

- No objections with regard to sewerage infrastructure capacity.

Date of Site Notice: 30 January 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains an Edwardian two-storey semi-detached dwelling. The neighbouring buildings to the north are similar pairs of semi-detached buildings. The neighbouring building to the south is a purpose built flatted development.

Proposal:

This application proposes extensions to the existing single family dwelling to facilitate the conversion into three flats (2x three bedroom, and 1x two bedroom plus a further study/bedroom). The extensions comprise a part two storey, part single storey rear extension with a depth of three metres. It would be set 2 metres from the common boundary with the attached neighbouring property. The single storey element would have a flat roof, and would be set 1.6 metres from the boundary with the non-attached neighbouring building. The two storey element would be set approximately 3.9 metres from the non-attached neighbouring building. It is also proposed to replace the roof over the existing two storey side projection with a roof of a greater

eaves and ridge height.

The extended dwelling would be split into three flats, with Flats 1 and 2 occupying the ground and first floor, and flat 3 occupying the first and second floor. An off-street parking area would be created to the front of the site for three cars to park. To the rear, the substantial rear garden would be subdivided to form three separate amenity areas.

This application has been submitted following the refusal of two previous planning applications, as detailed in the History section above. The changes between the previous applications and the current scheme are as follows:

- The size of the rear extension is smaller than that proposed under planning application B/04932/13, but the same in size and siting to that proposed under planning application B/05167/13 (to which the LPA raised no objections).
- The number of units has been reduced to three, with associated changes to the internal configuration.
- The extent of hardstanding to the front of the site has been reduced in area, with additional soft planting and landscaping proposed.
- A dormer window is proposed to be inserted into the side roofslope of the side extension, where previously a side dormer window was not proposed.

Planning Considerations:

The site circumstances and Development Plan policies have not changed since the determination of the previous planning applications. As such, it is necessary to assess whether the changes made since the previously refused scheme overcome the previous reasons for refusal, and whether the changes made introduce any additional concerns.

Impact on the frontage of the plot

In the current scheme, additional soft landscaping is proposed to be installed to the front parking area to further soften the impact of the three proposed parking spaces. This soft landscaping would improve the resultant appearance of the frontage of the building, and result in a frontage more akin to those to neighbouring buildings. It is considered that the character and appearance of the frontage of the building would be acceptable, reflecting the character of neighbouring plots. It would not be detrimental to the locality.

Nature of the use of the building

The number of units proposed to be created has been reduced to three units. Units of this size are identified within Policy DM08 of the Development Management Policies DPD as being a medium priority. As such, units of this size are supported by DM08. In relation to the intensity of the use of this plot, it is noted that a number of neighbouring properties, originally constructed as single family dwellings, have been subdivided into flats with many containing two or three flats. Therefore, the intensity of the proposed use would not differ materially from other previously implemented conversions. In terms of the impact of the conversion on the character of the area, there are a number of flat conversions in the vicinity, as well as purpose built flatted developments. Holden Road is not characterised wholly by single family dwellings, and the proposal would not be contrary to the mixed character of the area. As a result of the character of the area, and the nature of the proposed conversion, it is

not considered that the proposed use of this building for three flats would be detrimental to the character or appearance of the street scene or the wider locality.

Quality of internal accommodation

In the previously refused planning application, the vertical stacking would have resulted in quiet rooms to one flat having a poor relationship with noisier rooms to other flats. In the current application, the stacking has been arranged to ensure that appropriate uses of rooms are adjacent to each other. The room sizes to the proposed units all meet the minimum requirements, and each unit has access to outdoor amenity space. The quality of internal accommodation is therefore considered to be acceptable.

Other Matters

No objections were raised by the LPA to planning application B/05167/13 in respect of the impact of the extensions proposed on the character of the dwelling. It is noted that a two storey rear extension, projecting 3 metres rear of the original rear wall of the dwellinghouse and set 2 metres from the side boundary of the curtilage of the dwelling has been confirmed as lawful development, thereby not requiring express planning permission. The extensions proposed to the rear of the building are of an identical depth and distance from the boundary to that granted a lawful development certificate. Therefore, extensions of this massing and in this location can be constructed whilst this building is in use as a single family dwellinghouse. As a result of this, it is still considered that the proposed extensions would have an acceptable impact on the character and appearance of the dwelling. Furthermore, it is not considered that the proposed extensions would cause any harm to the amenities of the occupants of any neighbouring property.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of objections raised have been addressed in the appraisal above. It is noted that the proposal would provide units of medium priority to the Borough. The Traffic and Development team have confirmed that sufficient off-street parking is proposed to comply with the relevant policy, and have raised no objections to the proposal with regard to highway safety. The proposed internal layout includes quieter rooms located adjacent to the boundary wall with the attached neighbouring property, and this would reduce any noise and disturbance experienced as a result of the proposed conversion.

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

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

SITE LOCATION PLAN: 108 Holden Road, London, N12 7EA

REFERENCE: B/00061/14



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2013. All rights reserved. Ordnance Survey Licence number LA100017674.