

LOCATION: 36 Alexandra Grove, London, N12 8HG

REFERENCE: F/00475/14

Received: 29 January 2014

Accepted: 24 February 2014

WARD(S): West Finchley

Expiry: 21 April 2014

Final Revisions:

APPLICANT: Alexandra freehold Company Ltd

PROPOSAL: Extension to roof including 1no. rear, 1no side dormer and 5no. front rooflights, 2no. rear rooflights and 1no. side rooflight to create 1no. self contained flat.

RECOMMENDATION: Approve Subject to Conditions

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

0353_00_001 - site plan
0353_00_003ab - proposed ground and first floors
0353_00_005a - proposed second /loft floor
0353_00_007 - proposed roof plan
0353_00_101a - proposed front elevation
0353_00_102a - proposed rear / proposed section AA
0353_00_103a - proposed side elevation
0353_00_010 - location plan
0353_00_011 - site layout plan
0353_98_103 - existing roof plan
0353_98_201 - existing front and rear elevations
0353_98_203 - existing side elevation

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 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).

- 5 Before the development hereby permitted is occupied, details of the subdivision 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).

- 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 Prior to the occupation of the unit, 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 £2,065.00 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 £7,965.00 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.

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 Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing

sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

In reviewing the Councils' weekly list for planning applications, Thames Water has identified this application as one of interest to us. Whilst we recognise that there is no statutory requirement for you to consult us, we would respectfully ask to be pro-actively consulted on all similar applications in future, so that the adequate provision of water industry infrastructure can be assessed and considered as part of the decision process.

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 DPD (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, DM04, DM08, 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 Address: 36 Alexandra Grove N12
Application Number: C02545B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/05/1986
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Conversion to five self-contained flats, first floor rear extension & provision of four car parking spaces.

Consultations and Views Expressed:

Neighbours Consulted: 93 Replies: 10
Neighbours Wishing To Speak: 0

Date of Site Notice: 6 March 2014

The following matters were raised in the submissions:

- Out of character with the area
- Loss of light
- Overlooking
- Loss of privacy
- Lack of parking
- Amenity space
- Soundproofing / noise and disturbance
- Against dormer windows on the front elevation of No. 36

Consultation with Highways

Highways do not raise a concern with the proposal.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a two storey semi-detached residential flat building, containing 5 self-contained flats (currently including 3 x two bedroom flats and 2 x one bedroom flats). The property is located on the north-eastern side of Alexandra Grove in the ward of West Finchley.

Proposal:

Initially the proposal included a larger side dormer and a larger single bedroom self-contained flat. Amended plans were received, reducing the size of the side dormer and reducing the size of the flat. The amended plans are the subject of this report.

The application seeks permission for the following works:

- Extensions to the roof including one (1) rear dormer window measuring 4.3 metres wide and with a variable height of between 1.5 and 2.2 metres, and one (1) side dormer window measuring 1.6 metres wide and 1.4 metres high;
- The installation of five (5) front rooflights, one (1) side rooflight and two (2) rear facing rooflights; and
Use of the converted loft space for a one bedroom self-contained flat measuring 58sqm in area.

Planning Considerations:

The main issue in this case are considered to be covered under the two main areas:

- Whether the principle of residential units is appropriate for the area;
- Whether the proposal will provide suitable accommodation for future occupiers;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

Principle of self-contained units

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.

The existing building was converted into flats in the 1980s and there is evidence that there are a significant proportion of converted residential properties in the locality. Therefore the proposed self-contained flat is not considered to detract from the mixed character of the area, which accommodates both converted properties and single family dwelling houses.

Living conditions of future occupiers

Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local

character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

This policy also explains that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

The extensions to provide for the new self-contained flat are designed to allow for adequate daylight to the proposed unit. The proposal is consistent with the Council's Sustainable Design and Construction SPD (2013) in relation to gross internal area, layout, privacy and access to daylight and the external manifestation of the building respects the constraints of the site and does not detract from the residential amenity of character of the area

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

In line with Table 2.1 within the Sustainable Design and Construction SPD (and the London Plan Standards), the proposed flat meets the required Gross Internal Area standard (the bedroom is measured to be 12.3sqm and the living room/kitchen measures 25.34sqm), and in accordance with policy within Council's Development Management Policies, the external manifestation of the building respects the constraints of the site.

The proposed habitable room windows in the building are in line with Table 2.4 of the Council's Sustainable Design and Construction SPD which advocates that there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms and 10.5 metres to neighbouring gardens.

In accordance with the Table 2.4 of the Council's Sustainable Design and Construction SPD, all habitable rooms proposed will have a reasonable outlook and be sufficiently large enough for light and ventilation to serve the varying room sizes. It is considered that the habitable rooms will provide a suitable level of amenity for future residents in accordance with Policy DM02 of Council's Development Management Policies.

The proposal accords with the outdoor amenity space Table 2.3 within the Sustainable Design and Construction SPD, which indicates that 15sqm amenity space for the new flat should be provided. Amenity space is provided at the rear of the site in a communal area that is approximately 80sqm in area. This area is suitable to accommodate the amenity space for flats 3, 4, 5 and 6 adequately.

In terms of meeting the requirements for waste from the site, a planning condition has been included require an appropriate supply of and accessibility to refuse bins at the site.

Noise Transmission

Noise can be a significant nuisance in urban areas. 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 properties. The applicant should achieve the required sound insulation levels and this will be enforced by an appropriate condition attached to the decision. This issue will also be addressed at the building regulations stage.

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

DM17 states that parking should be provided in accordance with the London Plan standards, except in the case of residential development, where a maximum of 1 space per unit for development consisting of one bedroom flats may be acceptable. The development site indicates space for approximately 4 off street parking spaces and there is no capacity to increase off street parking at the front of the site.

The development site has a Public Transport Accessibility Level (PTAL) of 3, the site has direct access to local bus routes that run along Alexander Grove, is in walking distance to West Finchley Tube Station and the North Finchley Town Centre. In addition, the site has access to walking and cycling routes. It is considered that the proposal will not unreasonably impact the parking demand in the local area.

Whether harm would be caused to the living conditions of neighbouring residents

The proposal would not result in a loss of privacy for neighbouring properties. The new side elevation dormer window (located on the north-western side of the building) is positioned approximately in line with or slightly above the roofline of the adjoining residential flat building. Therefore occupants of the proposed unit will only have views across the roofline of the adjoining building. It is noted in addition, that windows located on the flank wall of the adjoining residential flat building are obscured glazed and so visual privacy into neighbouring units will not be compromised by the side dormer. Furthermore, the proposal will not result in loss of sunlight or outlook for adjoining properties.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

The proposed modifications to the building are considered to be modest in scale and subordinate to the original building. The side and rear dormers are not inconsistent with the design guidelines provided in Council's Residential Design Guidance SPD (2013) and the extensions respect the overall character of the street.

Community Infrastructure Levy

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 sqm. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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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.

3. COMMENTS ON GROUNDS OF OBJECTIONS

These matters have been addressed in the main body of the report.

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 proposal is in accordance with the guidance and policies contained in the Barnet Local Plan and so is recommended for **APPROVAL**.

**SITE LOCATION PLAN:
REFERENCE:**

**36 Alexandra Grove, London, N12 8HG
F/00475/14**

