

LOCATION: 101 Station Road, London, NW4 4NT

REFERENCE: H/00869/14

Received: 17 February 2014

Accepted: 14 April 2014

WARD(S): West Hendon

Expiry: 09 June 2014

Final Revisions:

APPLICANT: Mr Djanogly

PROPOSAL: Single storey side extension and conversion of existing single family dwelling into 4no. self contained flats, including alterations to side fenestration, hard and soft landscaping, cycle store and refuse facilities.

RECOMMENDATION: Approve Subject to Conditions

- 1 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, 101 STA/S302, 101 STA/S100, 101 STA/S101, 101 STA/S102, 101 STA/S103, 101 STA/S300, 101 STA/S301 dated 14 April 2014 and 101 STA/PL300A, 101 STA/PL301A, 101 STA/PL302A, 101 STA/POL102A, 101 STA/PL 100B and 101 STA/L100A dated 09 June 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).

- 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 internal layout of the units as shown on approved plan numbers 101 STA/PL300A, 101 STA/PL301A, 101 STA/PL302A, 101 STA/POL102A and 101 STA/PL 100B dated 09 June 2014 shall be established. The established internal layout and use of space shall remain 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).

- 5 Before the development hereby permitted is occupied the parking spaces as shown on plan number 101 STA/L100A 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.

- 6 Prior to the commencement of development, details of the screening to differentiate between the private amenity space available to the two residential units on the ground floor of the property and the remaining two residential units on the upper floors of the property shall be submitted to the local planning authority. The approved screen shall be established prior to the first occupation of the units and the screening shall remain in place thereafter.

Reason:

To provide a sufficient standard of private amenity space to future residents of the units, in accordance with the Adopted Barnet Development Management Policies DM01 and DM02, the council's Residential Design Guidance SPD and Sustainable Design and Construction SPD.

- 7 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).

- 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).

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.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of

£36.04 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 £720.80 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 £2,700 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 at: 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.

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.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

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

Visit:

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

- 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.

1. MATERIAL CONSIDERATIONS

The National Planning Policy Framework 2012

The Mayor's London Plan: July 2011

Relevant Core Strategy (2012) Policies:

CS NPPF - National Planning Policy Framework - Presumption in Favour of Sustainable Development

CS5 - Protecting and Enhancing Barnet's character to create high quality places

Relevant Development Management (2012) Policies:

DM01 Protecting Barnet's character and amenity
DM02 Development standards
DM03 Accessibility and inclusive design
DM04 Environmental considerations for development
DM08 Ensuring a variety of sizes of new homes to meet housing need
DM17 Travel impact and parking standards

Supplementary Planning Documents and Guidance

Sustainable Design and Construction (2013)
Residential Design Guidance (2013)
Planning Obligations (2013)

Mayor's CIL

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 £36.04 per sqm on all 'chargeable development' in Barnet.

Barnet CIL

Barnet's Community Infrastructure Levy was approved at Full Council on 16 April 2013. Adoption of the Barnet CIL Charging Schedule is the 1st May 2013. All planning applications decided on or after that date will be subject to the charge at a rate of £135 per sqm on all 'chargeable development' in Barnet.

Relevant Planning History:

Site Address: 101 Station Road, London, NW4 4NT
Application Number: H/01777/09
Application Type: Section 192
Decision: Unlawful Development
Decision Date: 14/07/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension.**
Case Officer: Matthew Corcoran

Site Address: 101 Station Road, London, NW4 4NT
Application Number: 01794/09
Application Type: Section 191
Decision: Lawful Development
Decision Date: 06/11/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of rear / side dormer roof extension and loft conversion.**
Case Officer: Matthew Corcoran

Site Address: 101 Station Road, London, NW4 4NT
Application Number: H/03530/09

Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/11/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension.**
Case Officer: Matthew Corcoran

Site Address: 101 Station Road London NW4 4NT
Application Number: W14473B/06
Application Type: Full Application
Decision: Refuse
Decision Date: 11/12/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of property into 3 No. self-contained flats including two storey side extension, loft conversion including rear facing dormer window and off-street parking.**

Case Officer:

Site Address: 101 Station Road London NW4 4NT
Application Number: W14473A/06
Application Type: Full Application
Decision: Refuse
Decision Date: 17/08/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of property into 3 No. self-contained flats including two storey side extension, loft conversion including rear facing dormer window and off-street parking.**

Case Officer:

Site Address: 101 Station Road London NW4 4NT
Application Number: W14473C/07
Application Type: Section 192
Decision: Unlawful Development
Decision Date: 29/06/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Loft conversion (incorporating roof extensions).**
Case Officer: Matthew Corcoran

Site Address: 101 Station Road London NW4 4NT
Application Number: W14473/06
Application Type: Full Application
Decision: Withdrawn
Decision Date: 14/07/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of property into 4no. self-contained flats including two-storey side extension, loft conversion including rear facing dormer window and off-street parking.**

Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 48

Replies: 8

Neighbours Wishing To Speak: 3

Summary of response:

- The proposal will impact adversely on neighbouring properties access to light, particularly the kitchen window at 99 Station Road
- The proposal will result in the overdevelopment of the property
- The size and bulk of extensions is excessive and will be detrimental to the visual and residential amenities of occupants of neighbouring properties
- The proposal does not meet floor space standards as set out in the London Borough of Barnet's SPD
- The proposal will impact adversely on neighbouring properties through a lack of parking

Internal /Other Consultations:

None

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site features a two storey, semi - detached, five bedroom residential dwelling.

Proposal:

The application proposes a single storey side extension and the conversion of the existing property into four flats (2 X 1 bedroom and 2 X 2 bedroom).

The ground floor of the property would feature a 1 bedroom studio flat and a 2 bedroom 3 person flat.

The first floor would feature a 2 bedroom 3 person flat.

The second floor would feature a 1 bedroom studio flat.

The units would be accessed by a central staircase and would have access to three car parking spaces on the frontage of the site.

Amenity space would be provided at the rear of the site.

Planning Considerations:

The main considerations are:

- The principle of the proposed development
- The impact on the character and appearance of the property and surrounding area
- The impact on the amenity of future and neighbouring residents
- Whether there would be a sufficient parking allocation
- Other material planning considerations

The principle of the proposed development

Policy 3.3 of The London Plan recognises the pressing need for more homes in London whilst Policy 3.4 states that development should optimise housing output.

Section 15 of Barnet's Local Plan SPD: Residential Design Guidance states that conversions should follow the following principles:

- ☐ *conversions of houses into flats or HMOs, in roads characterised by houses will not normally be appropriate*
- ☐ *consideration should be given to local character and surroundings and conversions that harm this, (due to cumulative impacts of such conversions) will be refused*
- ☐ *the unit size should normally comply with Barnet's space standards highlighted in Appendix 2*
- ☐ *usable amenity space should normally be provided for the occupiers of all units*
- ☐ *consideration should be given to the necessary provision and associated activities such as car and cycle parking spaces, storage, hardsurfacing and refuse store at the earliest stage of design*
- ☐ *where conversion takes place, any impact on the amenity of future residents and neighbouring properties should be minimised.*

In terms of the principle of the proposed development, it is considered that the area surrounding the application property characteristically features residential properties, some of which have been converted into flats. As such, the principle of a residential conversion is considered acceptable.

The impact on the character and appearance of the property 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"*.

Section 2.8 of Barnet's Local Plan Development Management Policies states: *"where conversions are acceptable any external alterations should seek to minimise their impact on the external appearance of the property and local character... 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".

The area surrounding the application site characteristically features two storey, semi – detached residential dwellings. The proposal would involve the erection of a single storey side extension. The proposed side extension would appropriately feature materials and fenestration to match the existing property and is considered to sufficiently remain subordinate in scale to the original form of the property. The proposal is therefore considered to sufficiently maintain the character and appearance of the property and surrounding area.

The impact on the amenity of future and neighbouring residents

The proposed works would result in the creation of four 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 the garden on the rear of the site, which would provide sufficient private amenity space. In the event of approval it is recommended that fencing is established to distinguish between the amenity space available for the two flats on the ground floor and the two flats above, prior to the first occupation of the units.

Turning to the impact on neighbouring properties, it is considered that the alterations and extension, by virtue of their scale, siting and design, would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties to an extent that would warrant the refusal of the application on these grounds. Furthermore, it is considered

that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

Whether there would be a sufficient parking allocation

The site has a PTAL rating of 4 and currently provides access to two car parking spaces on the front of the street. The plans indicate that the frontage would be reconfigured to provide three car parking spaces.

Development Management policy DM17 states that there should be a maximum parking allocation of “1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and, iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)”. The proposed parking allocation is therefore considered to sufficiently comply with council parking standards.

Other material planning considerations

The plans indicate that bin storage would be provided on the site and that access to the rear of the site would remain from the side of the site and this is considered sufficient to comply with council standards.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The concerns raised have been addressed in the considerations 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

The proposed development would sufficiently maintain the character and appearance of the application site and surrounding area, would provide sufficient parking and amenity for future residents and would not impact adversely on the amenity of neighbouring residents to an extent that would warrant the refusal of the application on these grounds.

SITE LOCATION PLAN: 101 Station Road, London, NW4 4NT

REFERENCE: H/00869/14



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