

**LOCATION:** Annexe, 47 Station Road, Barnet, Herts, EN5 1PR

**REFERENCE:** B/03574/14

**Received:** 02 July 2014

**Accepted:** 08 July 2014

**WARD(S):** Oakleigh

**Expiry:** 02 September 2014

**Final Revisions:**

**APPLICANT:** Demco

**PROPOSAL:** Conversion of existing garage/flat to 3 bedroom house, including two storey rear extension (to ground floor and lower ground floor) and single storey front extension to form bay window

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: PM.14.4, PM.14.5 C, PM.14.2 C, PM.14.1, PM.13.010 E & PM.14.8 B & PM.13.014 B.

**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 Plan PM.14.2.B 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 this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 6 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).

#### **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 £1,522,50 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 £5,872.50 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](mailto:cil@barnet.gov.uk).

#### Relief or Exemption from CIL

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

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

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or 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](http://legislation.gov.uk)

Visit:

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

## 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, 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:

<b>Site Address:</b>	47 Station Road New Barnet Barnet Hertfordshire EN5 1PR
<b>Application Number:</b>	N06370B/06
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Refuse
<b>Decision Date:</b>	15/02/2007
<b>Proposal:</b>	<b>Demolition of detached garage at side and construction of side and rear extensions to basement level, ground floor, first floor and roof to accommodate 7 No. self-contained flats. Provision of 9 No. off-street parking.</b>

**Site Address:** 47 Station Road, Barnet, Herts, EN5 1PR  
**Application Number:** B/02930/11  
**Application Type:** Full Application  
**Decision:** Refuse  
**Decision Date:** 09/09/2011  
**Proposal:** **Extensions and alterations to existing garage/annexe to side of No. 47 Station Road including lower ground and ground floor rear extension and creation of 2 additional floors to form a 4 storey building to facilitate the provision of 3no. self-contained flats. Provision of 3no. off-street parking spaces.**

**Site Address:** 47 Station Road, Barnet, Herts, EN5 1PR  
**Application Number:** B/03360/12  
**Application Type:** Full Application  
**Decision:** Approved  
**Decision Date:** 29/04/2013  
**Proposal:** **Extensions and alterations to existing garage/annexe to side of No.47 Station Road including lower ground and ground floor rear extension to facilitate conversion into 2no. self contained flats. Provision of 2no. off-street parking spaces. Alterations to existing rear balcony to No.47 Station Road.**

**Site Address:** Annexe, 47 Station Road, Barnet, Herts, EN5 1PR  
**Application Number:** B/05109/13  
**Application Type:** Outline Application  
**Decision:** Refuse  
**Decision Date:** 17/12/2013  
**Proposal:** **Demolition of existing two-storey building and erection of a three-storey building with rooms in roof space to provide 3 self-contained flats. (Outline application for Appearance, landscaping, layout and scale).**

**Site Address:** Annexe, 47 Station Road, Barnet, Herts, EN5 1PR  
**Application Number:** B/00128/14  
**Application Type:** Full Application  
**Decision:** Refuse  
**Decision Date:** 24/04/2014  
**Proposal:** **Conversion of existing two-storey garage/flat into 1no. four-bedroom house including lower ground and ground floor rear extension.**

Consultations and Views Expressed:

Neighbours Consulted: 101      Replies: 5 objections received.  
Neighbours Wishing To Speak: 0

The objections raised may be summarised as follows:

- The drawings are not accurate [Officer Note: Since the receipt of this letter, amended drawings have been received which correct the discrepancies].
- The previously approved scheme was amended to take the balcony away from No. 45, and to change fenestration in the rear, all to preserve the privacy of the neighbours.
- Proposed double doors and balcony would adversely affect privacy of neighbours.
- Front bay window is not in keeping with the character of the surrounding houses or the subservient nature of the host building.
- Design does not reflect that of neighbours.
- Proposal would block light to neighbours.

Date of Site Notice: 07 August 2014

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site as outlined in red on the submitted site location plan is currently occupied by a single storey building containing a studio at ground floor level, and further residential floorspace within the roof space. The building is adjacent to a large semi-detached dwelling, which as a result of the ground level changes has three visible storeys when viewed from the front. Both buildings share a vehicular access and the buildings appear attached such that the application site appears as an ancillary building to the main larger dwellinghouse. This part of Station Road is characterised by two storey semi-detached buildings of a similar size and design to each other, with regular spaces between them which add to the character of the area.

### Proposal:

This application proposes a two storey rear extension and single storey front bay window to the building, to facilitate its conversion into a separate three bedroom house.

The proposed rear extension would measure approximately 3.5 metres in depth. It would have a width, ridge height and eaves height matching those of the existing building, and as such would project no closer to the boundary with the neighbouring building than the existing structure.

The front bay window would measure 2.3 metres in width by 0.9 metres in depth, and would be single storey only with a flat roof.

### Planning Considerations:

This application follows the refusal of outline application B/00128/14. As such, it is necessary to assess whether the current scheme overcomes the previous reasons for refusal and whether any new objections are introduced.

### **Character**

The first reason for refusal related to the visual impact of the previous proposal, which included a roof extension, on the character of the area. In the current application, the main existing building would remain at the same height. The proposed two storey rear extension would reflect the form and appearance of the existing building. As such, the first reason for refusal attached to the previous application is considered to have been overcome. Given that the existing building is a stand-alone building, and that the bay window projects only 0.9m beyond the main front elevation wall, the proposed front bay window would be a subordinate feature and would not be out of keeping with the character and appearance of the host dwelling or the streetscene.

### **Impact on neighbours**

In relation to the second previous reason for refusal, the proposal would remain in close proximity to the flank elevation of No. 45 Station Road. That building is split into flats. However, given that the height and roof form of the latest main building would not change, the second reason for refusal attached to the previous scheme would be

overcome. Given the depth of the approved extension to the existing building, projecting only slightly beyond the rear of the neighbouring property, the extension is not considered to be detrimental to the amenities of the occupants of the neighbouring property.

#### **Quality of amenity for future occupants**

The proposed unit would meet the necessary minimum floor space requirements and room space requirements. It would provide adequate outdoor amenity space and a good outlook from habitable rooms.

#### **Parking**

The site would provide two off street parking spaces, which is sufficient for a site of this size. This arrangement is considered to be acceptable.

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

Dealt with in the planning appraisal.

### **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, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. The previous reasons for refusal have been overcome and this application is therefore recommended for APPROVAL.



**SITE LOCATION PLAN:** Annexe, 47 Station Road, Barnet, Herts, EN5 1PR  
**REFERENCE:** B/03574/14



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