

**LOCATION:** 57A Nether Street, London, N12 7NP

**REFERENCE:** F/02487/14

**Received:** 02 May 2014

**Accepted:** 19 May 2014

**WARD(S):** West Finchley

**Expiry:** 14 July 2014

**Final Revisions:**

**APPLICANT:** Mrs Xia

**PROPOSAL:** Erection of single storey front extension. External alterations with new windows and doors to front and side elevations

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 63/01, 63/02B, 63/03B.

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

Reason:

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

- 5 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy 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.

## **1. MATERIAL CONSIDERATIONS**

**The application was deferred at the last meeting of the committee to allow officers to undertake further consultation.**

National Planning Policy Framework

The Mayor's London Plan: July 2011: 3.4, 3.5

Relevant Local Plan Core Strategy DPD (Adopted 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). The Core Strategy was adopted by the Council on September 11 2012.

CS NPPF, CS1, CS5.

Relevant Local Plan Development Management DPD (Adopted 2012) Policies:

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.

DM01, DM02, DM04, DM14, DM17

Local Plan Supplementary Planning Document Residential Design Guidance (2013) and Local Plan Supplementary Planning Document Sustainable Design and Construction (2013)

Following adoption of the Local Plan - Core Strategy (CS) and Development Management Policies (DMP) documents in September 2012, Barnet has one of the most up to date Local Plans in the country. In order to help implement the CS and DMP the Council adopted two supplementary planning documents (SPDs) following consultation.

Both SPDs complement each other, with the first one covering design aspects of all residential developments, whilst the second SPD concentrates on the technical and construction side of all developments.

One of these is the Residential Design Guidance Supplementary Planning Document (RDG SPD) which provides a clear and consistent message on how we manage change within Barnet's suburbs. The SPD consolidates and updates the existing framework for residential design which mainly focused on improvements to the existing housing stock (Design Guidance Notes on Extensions, Conversions, Porches, and Hardstandings and Vehicular Crossovers).

The Sustainable Design and Construction Supplementary Planning Document (SD&C SPD) was first published in 2007. Since 2007, alongside Barnet's Local Plan Core Strategy and Development Management Policies documents, the London Plan has also undergone a full review and the National Planning Policy Framework has been published. The current SPD has been updated to reflect this.

Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	B/00257/14
<b>Validated:</b>	28/01/2014	<b>Type:</b>	PAH
<b>Status:</b>	DEC	<b>Date:</b>	28/02/2014
<b>Summary:</b>	PANR	<b>Case Officer:</b>	Prior Approvals Officer
<b>Description:</b>	Single storey rear extension, with a proposed depth of 5.16metres from the original rear wall, eaves height of 3metres and maximum height of 3metres.		
<b>Application:</b>	Planning	<b>Number:</b>	F/00305/14
<b>Validated:</b>	27/01/2014	<b>Type:</b>	PAD
<b>Status:</b>	DEC	<b>Date:</b>	21/03/2014
<b>Summary:</b>	PAG	<b>Case Officer:</b>	Denisse Celi
<b>Description:</b>	Change of use from B1 office to C3 residential (2 x 3 bed flats)		
<b>Application:</b>	Planning	<b>Number:</b>	F/00322/14
<b>Validated:</b>	27/01/2014	<b>Type:</b>	PAD
<b>Status:</b>	DEC	<b>Date:</b>	21/03/2014
<b>Summary:</b>	PAG	<b>Case Officer:</b>	Denisse Celi
<b>Description:</b>	Change of use from B1 office to C3 residential (3 Units)		
<b>Application:</b>	Planning	<b>Number:</b>	F/02202/12
<b>Validated:</b>	11/06/2012	<b>Type:</b>	APF

**Status:** DEC **Date:** 07/09/2012  
**Summary:** REF **Case Officer:** Junior C. Moka  
**Description:** Demolition of existing two storey building and erection of three storey building to accommodate 9no self-contained residential units. Associated disabled parking space.

**Application:** Planning **Number:** F/02487/14  
**Validated:** 19/05/2014 **Type:** S73  
**Status:** PDE **Date:**  
**Summary:** REF **Case Officer:** Tassama Amlak  
**Description:** Erection of single storey front extension. Roof extension including 2no. side dormers to facilitate a loft conversion. External alterations with new windows and doors to front and side elevations {AMENDED DESCRIPTION}.

**Application:** Planning **Number:** F/04328/12  
**Validated:** 30/11/2012 **Type:** APF  
**Status:** DEC **Date:** 11/04/2013  
**Summary:** REF **Case Officer:** James Stone  
**Description:** Change of use from B1 to residential including ground floor front extension, partial demolition and creation of new entrance and terrace to side elevation. Alterations to ground and first floor fenestration. Extension to roof including new mansard roof to facilitate 4no. self-contained units..

**Application:** Planning **Number:** F/04614/13  
**Validated:** 11/10/2013 **Type:** APF  
**Status:** DEC **Date:** 06/12/2013  
**Summary:** REF **Case Officer:** James Stone  
**Description:** Change of use from office to residential including demolition works and extensions to create 3 flats. Provision of 3 parking spaces and other ancillary works.

### Consultations and Views Expressed:

Neighbours Consulted: 31 Replies: 8  
Neighbours Wishing To Speak: 3

The objections raised may be summarised as follows:

- Proposal contrary to the Local Plan.
- The site is in a non-residential use and any change to this raises concerns.
- Overlooking and loss of privacy.
- Proposal will result in overdevelopment of site from a two storey office to a three flat unit with roof extension.
- Noise and disturbance.
- On-street parking already an issue and this will increase the problem (previous applications have been refused for lack of parking).
- Loss of light as loft conversion will increase the height of the building.
- The proposed access to flats 1 and 2 is a private access and not owned by the applicant and it cannot therefore be closed off as shown on the plans.
- If allowed the proposal will convert this from a private to a public access which will result in loss of privacy.
- Request that a condition be attached to replace the boundary fence.
- Prior approval has been granted to convert the premises to residential.
- The proposal will result in the loss of employment floorspace contrary to

Policy DM14.

- The proposed dormers would be out of character and contrary to Policy DM01.
- Proposal will result in substandard accommodation.
- The proposed density is contrary to London plan Policy.
- If approval is to be granted the applicant should make a contribution towards open space improvements as the site is within an area of deficiency.
- Proposed extensions are unnecessary for an office building.
- The applicant in previous applications to convert the property to residential has argued that it is un-lettable as offices – if this is the case then why are they now proposing to extend it?
- Information submitted is contradictory and conflicting. There is no design and access statement which makes it difficult for residents to understand what is proposed.
- Proposal would be obtrusive and overbearing.
- The proposal does not provide sufficient amenity/garden space.
- Loss of a tree.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

57A Nether Street is a detached two storey building located on the north side of Nether Street close to the junction with Birkbeck Road. The property is currently vacant but was last used as offices (Use Class B1).

### Proposal:

The application when originally submitted was for the erection of a single storey front extension. Roof extension including 2 no. side dormers to facilitate a loft conversion. External alterations with new windows and doors to front and side elevations.

Since the application was submitted the plans have been amended and the roof extension and roof terrace over the ground floor front extension have now been omitted from the plans.

The proposed ground floor front extension would be 3m deep; 6.7m wide and 3m high. The extension would have a flat roof and would extend forward the existing side elevation adjacent to no. 55 Nether Street but would be set between 2.5-3.2m off the side boundary with no. 59 Nether Street.

In addition the proposal would insert two new doors and two new windows at ground floor in the side elevation facing No. 59 Nether Street. The windows at first floor

would remain as existing. There would be no changes in the rear elevation or the side elevation facing No. 55 Nether Street. Two new windows are proposed at first floor in the front elevation.

The application shows the building remaining as an office.

### Planning Considerations:

The main considerations are as follows:

- Impact of the proposed extension on the streetscene
- Impact of the proposed alterations to the amenity of adjoining residents.

Nether Street is characterised by two storey terraced Edwardian properties. However, both the application site and the adjoining building (No.55) are of a different design and mass. 57A is a two storey gable fronted property which is set 5m back behind the front building line of both the adjoining properties. The proposal is for the creation of a small single storey flat roofed front extension which would bring the front building line of the property forwards 3m. The proposed extension has been designed to reflect and respect the design of the existing building and is considered to accord with current council guidelines and policy DM01 of the adopted Local Plan.

The proposed elevational alterations are considered to reflect and respect the design of the existing building in terms of size and scale of opening. Whilst the proposed elevational alterations in the side elevation are at ground floor there is a drop in levels between the application site and the adjoining property No. 59, in order to address concerns regarding overlooking and loss of privacy if Members are minded to approve the application then a condition requiring a 1.8m high fence to be erected along the boundary is considered to address this issue. The proposed new windows in the front elevation would reduce the current four windows to two which would line through with those proposed in the ground floor front extension. These changes are considered to enhance the appearance of the building in accordance with current council guidelines and policy DM01 of the adopted Local Plan.

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

Some of these have been considered in the appraisal. However, the following additional comments can be raised:

- The application is not for a change of use. The existing and proposed plans show the building as an office and it is on this basis that the application is being considered. The proposal will therefore not result in the loss of any office floorspace and is in accordance with Policy DM14 of the adopted Local Plan.
- The application is for a small extension. The application is not for a change of use. The existing and proposed plans show the building as an office and it

is on this basis that the application is being considered. The proposal will therefore not result in the loss of any office floorspace and is in accordance with Policy DM14 of the adopted Local Plan.

- The application is for a small extension which would increase the floorspace at the site by 20sqm. The proposal is therefore not considered to result in additional parking pressure.
- The proposed increase in floorspace is not considered to result in an intensification of the use that would lead to an increase in noise and disturbance to such a level as to warrant a refusal.
- The loft conversion has been omitted from the plans and as a result the building will not increase in height. The proposal is therefore not considered to result in loss of light.
- The use of the accessway is a civil matter and not a material planning consideration. The proposed new doors are within an existing wall which is in the ownership of the applicant.
- A boundary fence condition is recommended if Members are minded to approve the application.
- The application is for an extension to existing office floorspace therefore concerns about substandard accommodation; amenity space and density are not material to the determination of this application.
- As the application is for a 20sqm extension a Design and Access Statement is not required. The plans have been amended.
- The trees are at the rear of the premises and would not need be affected as a result of the current proposals which are to the front and side of the property.

#### **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 this proposal complies with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommended for approval.

**SITE LOCATION PLAN: 57A Nether Street, London, N12 7NP**

**REFERENCE: F/02487/14**



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