

LOCATION: 112 Station Road, London, NW4 3SN

REFERENCE: H/05114/14 **Received:** 17 September 2014
Accepted: 17 September 2014

WARD(S): West Hendon **Expiry:** 12 November 2014

Final Revisions:

APPLICANT: Mr & Mrs Friedman

PROPOSAL: Creation of 2no. additional self-contained studio flats at Ground Floor, provision of 2no. additional parking spaces, proposed additional crossover and bin storage area to the front. Proposed 2no. garden shed storage areas and associated landscaping to the rear garden area. Roof extension with 2no. rear dormer windows, 2no. side dormer windows on each side roofslope to facilitate additional floorspace within the existing roofspace for the upper floor flats (flats 3,4, 5 and 6).

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 112ST-PP2-01; 112ST-PP2-02 RevA.

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 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).

- 6 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.

- 7 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.

- 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).

- 9 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).

- 10 Before the development hereby permitted is occupied the parking spaces shown on Plan 11ST-PP2-02 RevA 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.

- 11 Before the building hereby permitted is occupied the proposed dormer window(s) in the side elevation facing 110 Station Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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).

- 12 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.

- 13 The floor layout will be implemented in accordance with plan 112ST-PP2-02 Rev A and shall be retained as such permanently thereafter.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties in accordance with policy DM01 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 £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 £1,019.20 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 £3,931.20 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.

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If the proposal is implemented it will be necessary for a new vehicle access to be constructed. For any new vehicle accesses or modifications to existing vehicle accesses the applicant must submit an application under Section 184 of the Highways Act (1980), which will require a separate authorisation from the Highways Authority. The proposed access design details, construction and location will be reviewed as part of the application.

Any costs for necessary works on the public highways including re location of street furniture and reinstatement of redundant crossover to footway level, will be carried out at the applicant's expense.

To receive a copy of our Guidelines for Developers and an application form please contact:., Traffic & Development Section, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

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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

National Planning Policy Framework

The Mayor's London Plan: July 2011

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 11th September 2012

Relevant Core Strategy Policies:

CS NPPF, CS1

Relevant Development Management Policies:

DM01,DM02, DM04, DM08 and DM17

Supplementary Planning Document: Sustainable Design and Construction
Supplementary Planning Document: Residential Design Guidance

Relevant Planning History:

Site history for current landparcel :

16288 - 112 Station Road, London, NW4 3SN

Case Reference: **H/05114/14**

Application:	Planning	Number:	H/02934/14
Validated:	30/05/2014	Type:	APF
Status:	APS	Date:	10/09/2014
Summary:	AREF	Case Officer:	Elizabeth Thomas
Description:	Conversion of existing 6no. flats into 11no. HMO rooms. Insertion of 6no. new dormer windows and removal of 6no rooflights at side and rear existing roofslopes to facilitate a loft conversion. Construction of new single-storey shed. Provision of new bin storage and bicycle storage.		

Application:	Planning	Number:	H/05114/14
Validated:	17/09/2014	Type:	APF
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Creation of 2no. additional self-contained studio flats at Ground Floor, provision of 2no. additional parking spaces, proposed additional crossover and bin storage area to the front. Proposed 2no. garden shed storage areas, pergola, and associated landscaping to the rear garden area. Roof extension with 2no. rear dormer windows, 2no. side dormer windows on each side roofslope to facilitate a loft conversion. First floor rear extension.		

Consultations and Views Expressed:

Neighbours Consulted: 103 Replies: 21 - (5 support)
Neighbours Wishing To Speak 3

The objections raised may be summarised as follows:

- Increased number of residents and visitors.
- Unacceptable levels of noise and disturbance.
- Out of character with the street.
- Increased number of cars and traffic.
- Cars will slow down and cause visual impairment to drivers.
- Not sufficient parking for occupants.
- Safety of drivers and pedestrians.
- Number of waste bins is unacceptable.
- Pergola will stop daylight.
- Loss of privacy.
- Overdevelopment.
- House already has too many extensions.
- Design ruins character and streetscene.
- Flat conversions are out of character.
- Converting an already extensively converted property is not really contributing to housing stock.
- Increased comings and goings.
- Dormers are out of keeping.
- Overintensive use of the site.

Date of Site Notice: 25 September 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site occupies a pair of semi detached properties on the corner with Audley Road.

The Council is aware that works have been undertaken at the property in recent months.

Proposal:

The application relates to the conversion of the existing 2 ground floor flats comprising 1 x 3 bedroom and 1 x 2 bedroom into 4 studio flats providing 2 additional flats. The proposal also comprises of alterations to the roof including new dormer windows to provide additional floorspace within the roofspace for the existing

upper floor flats namely flat 3, 4, 5 and 6 and alterations to the front to provide additional parking spaces on the front forecourt. In total there will be 8 self contained units within the property.

Previous history:

A planning application was submitted which proposed to convert the existing property into a 11 bed house in multiple occupation (HMO) in 2014. The proposal was recommended for approval but refused at committee for the following reason:

The proposed development by reason of the number of bedsits proposed would represent an overdevelopment of the site resulting in increased comings and goings from the additional households within the building and likely to infringe upon the residential amenities of neighbouring occupiers contrary to policies CS NPPF, CS1 and CS5 of the Barnet Local Plan Core Strategy (2012), policy DM01 of the Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2013).

The proposal has sought to address the previous reason for refusal by reducing the number of units to 8 self contained flats. Even with the additional 2 units there will be 3 less individual households than the previously proposed 11 room HMO.

Planning Considerations:

The application has been amended since its initial submission removing the pergola from the rear of the property and removing the first floor rear extension.

The main considerations are covered in three main areas:

- * Principle of use;
- * Intensification and impact on amenity of adjoining properties;
- * Impact on living standards of current occupiers

Principle of use:

The property has been in use as 6 self contained units and as such the principle of flats has already been established. The proposal will provide an additional two units at the site. The existing ground floor comprises of 1 x 3 bedroom unit and 1 x 2 bedroom unit. The provision to provide four studio units is not considered to result in the over-intensification of the site. The total number of inhabitants based on the new units being studio one person units will result in 1 less person at the dwelling than the existing situation based on each of the existing rooms being occupied by only one person. However, even if guests were to stay in the studio units the total number of inhabitants would be similar to the existing maximum that could reside in the existing flats.

Impact on amenity of adjoining properties:

The pergola and first floor extension have been removed from the proposal and as

such there will be no impact in terms of loss of light to neighbouring occupiers.

The proposed alteration to the mix of units on the ground floor is not considered to significantly increase comings and goings to the site.

Amenities of future occupiers:

The proposed works would result in the creation of two additional flats to provide a total of eight units. 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 sufficient amenity space.

The ground floor studio flats comply with the London plan standards for a 1 person dwelling.

Each of the units will have access to external amenity space by way of direct access from the rear or through the existing side passage.

Extensions to roof and outbuildings:

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”*.

The existing roof is already converted accommodating rooms for the upper flats. The proposed roof extensions are considered to be in keeping with the character of the host property and surrounding area. The dormers are considered to be appropriate and would sit comfortably within the roofslope and provide additional headspace for the existing units.

Within the rear garden two garden sheds are proposed. These are considered to be of a proportional scale for the size of the garden. A condition has been added to ensure these buildings are used ancillary to the residential flats.

Traffic and highways

Any new crossover will be subject to a separate crossover application.

Two new parking spaces will be provided for the studio units and these are considered to be acceptable. Landscaping conditions requires the provision of soft landscaping to the front to soften the appearance on the streetscene.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be covered in the above 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

The application is recommended for APPROVAL.

SITE LOCATION PLAN: 112 Station Road, London, NW4 3SN

REFERENCE: H/05114/14



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