

**Location**                      **128 Station Road London N3 2SG**

**Reference:**                      **15/01860/FUL**                      Received: 24th March 2015  
Accepted: 25th March 2015

Ward:                              Finchley Church End                      Expiry 20th May 2015

Applicant:                      Mr J Lipman

Proposal:                      Part single part two storey rear extension, Conversion from single dwelling house into 2x2 bedroom flats and 1 no. studio flat to create a total of 3 units.

**Recommendation:** Approve subject to conditions

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

Site Location Plan; 4651/11; 4651/12; 4651/13

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 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 Development Management Policies DPD (adopted September 2012).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing no 130 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 6 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
- b) 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.
- c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 7 Prior to the first 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 Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 8 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such 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 Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 9 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

#### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## **Officer's Assessment**

### **1. Site Description**

The application site is located on the north-western side of Station Road, within the Finchley Church End ward. To the south-east of the site lies the railway line. The area is predominantly residential in character.

The existing host building is a semi-detached, two-storey residential dwelling house.

The neighbouring property; 130 Station Road benefits from a part single, part two-storey rear extension which results in a two -storey blank wall along the boundary with the host application property.

The site holds no specific designation and is not located within a Conservation Area.

### **2. Site History**

Reference: F/05692/14

Address: 128 Station Road, London, N3 2SG

Decision: Lawful

Decision Date: 16 December 2014

Description: Roof extension involving two rear dormer windows to facilitate a loft conversion. Single storey rear extension.

### **3. Proposal**

This application seeks consent for a part single part two storey rear extension and the conversion of the existing single family dwelling house into 2x2 bedroom flats and one studio flat to create a total of 3 units.

### **4. Public Consultation**

74 consultation letters were sent to neighbouring properties.

6 objections have been received

The views of objectors can be summarised as follows;

- Inconsistent plans
- Overlooking
- Loss of privacy
- Insufficient parking
- Strain on public services
- Works started on site prior to consent
- Property should remain a single dwelling

### **5. Planning Considerations**

#### **5.1 Policy Context**

##### National Planning Policy Framework and National Planning Practice Guidance

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 Government's 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 2015

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.

### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.
- Relevant Development Management Policies: DM01, DM02, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 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. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

### Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

- 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. The SPD 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.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be

consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions 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.

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- The impact of the proposed extensions
- The impact of the proposed conversion of house into flats
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

Extensions and alterations

The property benefits from roof extensions and single storey rear extension. It should be noted that the roof extensions and the single storey rear extension to the existing, original two-storey rear projection are permitted under a lawful certificate of lawfulness application, detailed above.

Under this application it is proposed to continue the ground floor rear extension across the full width of the property to the same depth as the one permitted under the certificate of lawfulness application.

At first floor it is proposed to continue the proposed extension across the full width of the property at the same depth as the existing, original projection.

The proposed part single, part two-storey extension is not considered to be harmful to the character of the host property or wider area. There are no alterations proposed to the front elevation under this application and therefore the proposals bring no further impact to the street scene than what is already consented.

Although slightly larger than other rear extensions overall, the ground floor element is similar to other extensions in the area and the first floor element although wide, is modest in depth, not projecting any further than the existing first floor element.

The proposed extensions are not considered to be harmful to the amenities of neighbouring occupiers. In regards to the attached neighbour 126 Station Road, both ground floor and first floor elements proposed under this application do not project any

further than existing features at both levels. The proposed extension will not be visible to them and therefore do not result in any loss amenity to these occupiers.

In regards to the impact to neighbouring occupiers at the non-attached 130 Station Road, as detailed above this property benefits from an existing part single, part two-storey rear extension which results in a two -storey blank wall along the boundary with the host application property. The proposed first floor element, sitting on the same footprint as the ground floor is approximately 1m off the shared boundary with this neighbour is not considered to detrimentally impact upon this property.

The proposed part single part two storey rear extensions are considered to be acceptable additions to the host residential property, and are considered to be in character with the established vernacular.

#### Principle of conversion of property into 3 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.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

*."The conversion of existing dwellings into flats can have a cumulative effect that damages 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 but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."*

It is recognised that it is not always appropriate to allow the conversion of a single family dwelling house into flatted accommodation. However, in the case of this application it is considered to be acceptable. Both from conducting the site visit and looking at the VOA website it is clear that a number of other properties along the street have undertaken similar works.

## Living conditions of future occupiers

It is considered that the current application complies with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan 2015 and is considered to provide adequate internal space for future occupiers.

One of the two bedroom units would occupy the full ground floor space with a separate, direct access to a private garden. Given a separate study is provided within this unit this would technically be counted as a three bedroom unit. This unit would have an internal floor area of 92m<sup>2</sup> this meets minimum gross internal area for a three bedroom unit.

The other two bedroom unit would occupy the full first floor, with access to a communal amenity space, shared with the studio flat. This unit would have a floor area of approximately 68m<sup>2</sup> this meets minimum gross internal area for a two bedroom unit.

The proposed studio flat would occupy the attic space, with access to a communal amenity space, shared with the first floor flat. This unit would have a floor area of approximately 42m<sup>2</sup> this meets minimum gross internal area for a studio unit.

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 units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision. The proposed internal stacking is considered appropriate and acceptable, helping to ensure a minimum of noise disturbance between the units.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> per habitable room. It is proposed to split the existing rear garden into two, with the ground floor unit being provided the area directly adjacent the dwelling and the other units provided with the area to the rear of the garden. The ground floor unit would be provided with approximately 45.5m<sup>2</sup>, exceeding the minimum requirement. The communal garden provided for the first floor and loft studio unit would be 36m<sup>2</sup>, which would be acceptable.

An appropriate area for the storage of recycling and refuse bins has been provided at the front of the site, and cycle storage is provided at the rear adjacent to the entrance to the communal garden. This is considered to be acceptable.

The proposed development offers one parking space for the three units. Given the sites close proximity to Finchley Central underground station, and the sites PTAL rating of 3 this is considered to be acceptable.

The proposals are considered to be acceptable. It is considered that subject to compliance with the attached conditions, the proposed development as amended would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

## 5.4 Response to Public Consultation



The number of objections has resulted in this application being referred to the Planning Sub-Committee. The objections regarding overlooking and loss of privacy are noted. However, it is considered that the ground floor windows proposed to the side elevation do not result in an unacceptable loss of amenity to neighbouring occupiers. Nonetheless, a condition requiring these windows be obscure glazed has been applied to this application.

The issues raised in regards to insufficient parking are noted, but the scheme is considered to meet the Council's parking standards and as detailed above, the close proximity to the underground station provides alternative transport solutions.

It is noted that objection is raised to the works starting prior to consent being given. However, the applicants do this at their own risk and any proposals will only be given consent if appropriate and within the remits of the Councils Policies and Design Guidance.

The objection raised in regards to the property remaining as a single unit is noted. However, the character of Station Road and the conversion of such dwelling houses in to several flats along Station Road has already been established with consent being given to other sites.

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and support the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development as amended would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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