

Location Flat 1 Teseo House 124 Granville Road London NW2 2LD

Reference: 15/02798/FUL

Received: 6th May 2015

Accepted: 19th May 2015

Ward: Childs Hill

Expiry 14th July 2015

Applicant: Mr Mark Gishen

Proposal: Single storey rear conservatory and conversion of the existing 2no. flats into 1no. self-contained 3 bed flat. Infill of the existing void area on the flank elevation at single storey level.

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: E-100; E101; E102; P-100 RevB; P-101 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 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 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).

- 3 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.

- 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).

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 a four storey residential building with flat roof. The building is relatively new being built within the last three years. The property is flanked on either side by industrial units. There is parking for the development to the rear of the site accessed from the front of the site under an existing undercroft. To the rear the ground floor rear flat has a raised terrace area with screening around it.

2. Site History

F/03325/11 - Demolition of existing B1 building. Erection of a new 4 storey building to accommodate 12no self-contained flats including amenity space and 7no parking spaces to the rear. (OUTLINE) - Approve following legal agreement - 31.05.2012

F/02083/12 - Reserved matters application seeking approval for access and landscaping, in relation to application F/03325/11 for "demolition of existing B1 building. Erection of a new 4 storey building to accommodate 12no self-contained flats including amenity space and 7no parking spaces to the rear" dated 31/05/12 Approved subject to conditions - 21.08.2012

F/05180/13 - Submission of details for condition 12 (Sustainable Homes) pursuant to planning permission F/03325/11 dated 31/05/12 - Approved - 20.11.2013

3. Proposal

Single storey rear conservatory and conversion of the existing 2no. flats into 1no. self-contained 3 bed flat. Infill of an existing void area on the flank elevation at single storey level.

4. Public Consultation

Consultation letters were sent to 14 neighbouring properties.

19 responses have been received, comprising 10 letters of objection, 9 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Internal walls moved so that a large part of the common area in the lobby would be reduced.
- Small courtyard and fire/emergency doors leading to that courtyard would be enclosed within this extended flat.
- The platform/balcony over the car park will change the appearance of the building.
- Set a precedent for building over cars
- Block natural light from the existing door in side elevation.
- Blocking of fire exit.
- Structural impact of works on building.
- Changes to landscape to the rear.

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 2050. 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, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to development as set out in Policy DM01 is to minimise the 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

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:

- 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

Planning permission was approved in 2012 for the demolition of existing B1 building. Erection of a new 4 storey building to accommodate 12no self-contained flats including amenity space and 7no parking spaces to the rear. The building has now been completed and is occupied.

The conservatory will have a flat roof to match the height of the existing ground floor level and will sit under the balconies of the units above.

The ground floor is divided into 2 flats, the rear of which has the benefit of a small rear terrace area to provide outdoor amenity space. The proposal seeks to construct a conservatory in this area. Whilst the proposal will result in the loss of some outdoor amenity provision, it is considered that given that this can be overlooked by occupiers of the development using the rear parking area, this is not considered to be private amenity space as usually required. Taking this into consideration along with the fact that the site backs on to Childs Hill Park and all other units in the development will still have the use of balconies for on site outdoor provision it is considered that the loss of this terrace area to provide a conservatory is acceptable.

In addition, the total number of units will be reduced with the 2 existing ground floor flats converted into one unit. The amalgamation of the units to provide a total of 11 flats is considered to be acceptable.

The proposal has been amended since its initial submission to omit the previously proposed balcony raised terrace which would have projected out over an existing car parking space and to omit an extension to the terrace of the front flat . The parking arrangement to the rear of the site is to remain as per the existing arrangement.

A side infill extension is proposed in an existing void of the building adjacent to the neighbouring industrial unit. Given that the extension is on ground floor this is not considered to be harmful to the outlook or light to the other residential units within the block. There will be little public visibility of the extension being set behind an existing projection which blocks it from the streetscene. The extension by virtue of its siting, design and single storey nature is not considered to give rise to any loss of amenity to the residential units nor is the proposal considered to be out of context with the character and appearance of the host property or surrounding area.

5.4 Response to Public Consultation

Certificate A of the application form was originally signed by the agent to declare that there are no other interested parties. Further clarification has been sought on this point and the agent has confirmed that it is his understanding that there is no other freehold/leasehold interest. The agent is advised that if this information is inaccurate this may invalidate any permission.

Subsequent to discussions with the agent, notice has been sent to all freehold/leaseholders of the block. Certificate B has now been signed and submitted.

The application has been amended since the initial submission of the proposal to remove the raised balcony above an existing parking area and the terrace extension to the ground floor flat.

The agent has advised that the side access door to the void does not constitute a fire exit.

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 supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

