

Location **57 St Georges Road London NW11 0LU**

Reference: **15/06513/FUL** Received: 23rd October 2015
Accepted: 13th November 2015

Ward: Golders Green Expiry 8th January 2016

Applicant: Mr Scot Schwager

Proposal: Part First floor part two storey rear extension. Conversion of garage into habitable space including rooms in roof space. Single storey side extension. Conversion of single dwelling into 2 no. self-contained units. New front porch. Provision of 2 no. parking spaces, cycle storage, refuse store and associated amenity space

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 4759_01, 4759_02, 4759_05, 4759_06 and Site Location Plan.

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 a) Before the development hereby permitted is first occupied, 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.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

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).

- 4 Before the building hereby permitted is first occupied the proposed window(s) in the first floor flank elevations and first floor rear elevation of the two storey rear extension 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).

- 5 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. 4759_05; 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 Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 6 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).

- 7 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).

- 8 The premises shall be used for C3 and for no other purpose (including any other purpose in Class C3 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.

- 9 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).

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to E of Part 1 of Schedule 2 of that Order shall be carried out within the area of the dwellings hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 11 Prior to the first occupation of the new dwellinghouse (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(1) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

- 13 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

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 and the Applicant engaged with this prior to the submissions of this application. 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.
- 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 £1015.00 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 £3915.00 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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 CIL 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 at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: 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

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

Officer's Assessment

1. Site Description

The application site relates to a detached dwellinghouse on the southern side of St Georges Road. The host site has a triangular plot with the side boundary to the west of the site adjoining the rear gardens of properties along Wentworth Road. The area is characterised predominantly by single family dwellings. The applicant property is not listed nor located on land designated as Article 2(3) (Conservation Area).

The application dwellings benefits from a number of existing extensions including single storey side and rear extensions as well as a substantial wrap around rear and two sided dormer.

2. Site History

Reference: C09319

Address: 57 St Georges Road London NW11

Decision: Refused

Decision Date: 28 January 1987

Description: Extension and alteration of roof to form habitable rooms in roofspace

Reference: C09319A

Address: 57 St Georges Road London NW11

Decision: Approved subject to conditions

Decision Date: 29 April 1991

Description: Garage at side to replace existing

Reference: C09319B/00

Address: Adjacent 57 St Georges Road London NW11

Decision: Refused

Decision Date: 27 March 2000

Description: Erection of a two storey house attached to side of No57 following removal of existing garage.

3. Proposal

The application seeks permission for a part single, part two storey rear extension, conversion of garage into habitable space including rooms in the roofspace, a single storey side extension and new front porch to facilitate the conversion of the property into 2 self-contained units. The proposed part single, part two storey rear extension would have a depth of 3 metres. The ground floor element of the rear extension would be 3.2 metres in height with a flat roof, set away 1 metre from the common boundary with no. 55 St Georges Road. The two storey element would be set away from the boundary with No. 55 by 2.7 metres and would have a width of 3.7 metres, a height of 5.8 metres to the eaves level and maximum height of 7.4 metres to the top of a pitched roof.

The single storey side garage would be converted into habitable space and extended to the rear by a maximum of 2.9 metres in depth and also at roof level incorporating a pitched roof leading to a small crown roof of a maximum height of 5.4 metres. The proposed front porch would replace and existing front porch and would have a width of 2.3 metres, a

height of 3.6 metres to the top of a pitched roof and a depth of 0.9 metres. The proposal would also include soft landscaping and 2 no. off-street car parking spaces to the front.

4. Public Consultation

Consultation letters were sent to 83 neighbouring properties.
10 responses have been received, comprising 10 letters of objection.

The objections received can be summarised as follows:

- Overlooking
- Impact on parking and highway safety
- Extensions are too extensive
- Loss of light
- Out of character
- Disturbance from construction work
- Security issues.
- Negatively impact house values in the area.

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 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 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, DM04, DM08, DM17.

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

-Principle of the conversion and impact upon the character and appearance of the area:

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 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 dwellings.

Paragraph 2.8.1 of the Development Management Policies DPD states that the conversion of existing dwellings into flats can have a cumulative effect that is damaging to 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 particularly where they are highly accessible. However, even in such locations they can harm the character of areas by changing external appearance and increasing activity. Such activity can often involve more people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries.

St Georges Road features a number of properties which have been converted, with VOA records showing that properties 4, 6, 9, 20, 35, 38 and 60 have contained flats within the street. No express permission however has been granted since 2012 (when the current policy framework was adopted) for conversions in the street. An application for the conversion of the adjacent site (no.55) was refused in 1987 through application no.

C09708. Three reasons were given however the principle of the development was not objected.

Policy DM01 acts to protect Barnet's character and amenity. Paragraph h. from this policy states the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. Whilst it is accepted that flats do exist in the local area, St Georges Road as well as the top of Wentworth Road is clearly characterised by single family units.

The external alterations to the building would include two entrances, one at the front and one to the side. As such, the building would still appear as a single family dwelling when viewed from the street and is not considered to significantly alter the character and appearance of the host property.

The proposed scheme would involve the conversion of the property into two self-contained units of family sized units, including a 2 x 3 bed, 4 person units. The units would effectively be split down the middle of the property from side to side at ground and first floor level. As such, the building would in practice form a pair of semi-detached family sized units that would both have access to the rear garden amenity area at ground floor level. As such, it is not considered that the proposal hereby submitted would lead to a significant increase in the intensity of use on the site to an unacceptable degree.

-Living Conditions of the future occupiers and impact on the amenity of neighbouring occupiers.

The proposed unit to the front would be a 3 bedroom, 4 person unit with a floor area of approximately 118.1sqm. The proposed unit to the rear would also be a 3 bedroom, 4 person unit with an internal floorspace of approximately 102.2m². The minimum floorspace requirement for 3 bedroom, 4 person units for houses is 87m² and both units would meet this requirement.

Both units would have access to private, usable rear amenity areas and would have a private amenity area of 43m² for unit 1 and 31m² for unit 2. This would meet the requirement for outdoor amenity space of 5m² per habitable room. As such, it is considered that the proposal would provide a satisfactory level of amenity for the future residents.

With regard to the impact on neighbouring occupiers, the proposed two storey rear extension would be set away from either neighbouring boundary by over 2 metres and would project no more than 3 metres in depth. It is noted that given the orientation of the properties along Wentworth Road, the windows in the rear extension would look onto gardens of those properties. However, given that there are existing windows in the rear elevation that look onto the same gardens currently and is already within the recommended 10.5 metre distance. It is not considered that the proposal would result in overlooking and loss of privacy over and above what currently exists on the site. In addition, the proposed windows in the first floor rear elevation of the two storey rear projection and the windows to be inserted in the side elevations would be conditioned to be obscure glazed and fixed shut above 1.7 metres of the internal floor of each room. This would ensure that the privacy of neighbouring occupiers would not be compromised over and above what exists on site, without compromising the outlook from habitable room windows of the proposed units.

Given that the rear of the building is south facing, it is not considered that the proposal would result in loss of light to the properties along Wentworth Road, which are south of the host site.

-Parking and refuse

The proposal would include 2 no. off-street parking spaces, with one utilising an existing dropped kerb. It is noted that a new dropped kerb would also be created for an additional off-street parking space. However, this is in close proximity to the existing dropped kerb and is not considered to significantly impact upon highway safety over and above the existing situation on the site. As such, it is considered that the proposed new dwelling and this would comply with the Council's DM17 policy with regards to the provision of 2 to 1.5 spaces per unit for detached houses and would not have a detrimental impact upon parking pressure within the area or highway safety.

The refuse would be situated to the front of the property. However, this would be behind an existing 2 metre high fence and would not be visible from the street and would be considered acceptable.

5.4 Response to Public Consultation

Mainly addressed in appraisal above.

Impact on house prices is not a material planning consideration.

It is not considered that the proposal would result in security issues over and above what exists on site.

Noise and disturbance from construction work is not a material planning consideration.

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.

