

**Location**                            **3 Glebe Crescent Hendon London NW4 1BT**

**Reference:**                        **16/2298/FUL**                            Received: 8th April 2016  
Accepted: 8th April 2016

Ward:                                    Hendon                                        Expiry 3rd June 2016

Applicant:                            Mr & Mrs Jonathan Greenwood

Proposal:                              Conversion of single dwelling house to 2 no. self-contained flats

**Recommendation:** Refuse

**Informative(s):**

- 1     The plans accompanying this application are: Planning Statement dated April 2016; 0460/000; 0460/001; 0460/201 Rev A; 0460/202 Rev A.
- 2     In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) 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 applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

**Officer's Assessment**

**1. Site Description**

The site property is a two storey semi-detached dwellinghouse located on Glebe Crescent; a residential street which lies within the Hendon ward of the South area.

No. 1 Glebe Crescent: granted planning permission for conversion to 2 x flats in 2005 (W/12618/C/05).

No. 3 and 5 Glebe Crescent: both sites have previously been served with enforcement notices to cease use as flats without the benefit of planning permission.

The property is not listed and does not fall within a designated conservation area.

**2. Site History**

Reference: 15/00882/192

Address: 3 Glebe Crescent, London, NW4 1BT

Decision: Lawful

Decision Date: 15 April 2015

Description: Replacement of existing rear dormer windows with 2no. Juliette balconies

Reference: 15/00886/HSE

Address: 3 Glebe Crescent, London, NW4 1BT

Decision: Approved subject to conditions

Decision Date: 9 April 2015

Description: Two storey side extension including extension to roof with 2no. rooflights

Reference: H/05547/14

Address: 3 Glebe Crescent, London, NW4 1BT

Decision: Refused

Decision Date: 3 December 2014

Description: Two storey side extension, first floor rear extension, alterations to roof involving hip to gable extension and rooflights to front and rear, new front porch and associated refuse store, to facilitate conversion of house into three self-contained flats.

Reference: H/03774/14

Address: 3 Glebe Crescent, London, NW4 1BT

Decision: Lawful

Decision Date: 22 August 2014

Description: Extension to roof including hip to gable to facilitate a loft conversion. Single storey side extension.

### **3. Proposal**

The application seeks to convert the property into 2no flats as follows:

- flat 1 (1bed unit) located on the ground floor with a GIA of 76m<sup>2</sup>
- flat 2 (3bed unit) located on the first and second floors with a GIA of 110m<sup>2</sup>

### **4. Public Consultation**

Consultation letters were sent to 148 neighbouring properties.

0 responses have been received

### **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 2016

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**

## Principle of flats

The application site is located in a residential street characterised by detached and semi-detached single family dwelling houses. Policy DM01 of Barnet's Development Plan Documents states that development proposals should be based on an understanding of local characteristics and conversions of dwellings into flats in roads characterised by houses will not normally be appropriate. Single family homes are the predominant character of the street. The principle of flats in this location would be inappropriate as flats are not a characteristic of the area and introducing flats in this location would fail to understand its local characteristics. Although planning permission has previously been granted for a house to flat conversion at No. 1 Glebe Crescent the majority of properties are single family dwelling houses. It should also be noted that permission for 1 Glebe Crescent predates current policy and such a precedent is therefore given less weight when making a decision.

As is made clear in the National Planning Policy Framework, the character of an area is made up of much more than its physical appearance, but includes how it functions and contributes to local identity and sense of place. Taking account of such considerations, the proposal would breach Policy DM01 to the extent that it would erode the well-established character of this part of Glebe Crescent as an area of family housing. Furthermore, Policy DM08 (ensuring a variety of sizes of new homes to meet housing need) states that development should provide an appropriate mix of dwelling types and sizes in order to provide choice within the borough and that for market housing homes with 4 bedrooms are the highest priority. The proposal would result in the loss of a family home and replacement with smaller flats. The concern is not only with this proposal but the cumulative effect of further subdivisions, which would be difficult for the Council equitably to resist if we set aside the Council's policy without good reason. The proposal is therefore considered to be contrary to policy DM01 and therefore unacceptable.

The applicant has raised examples of other conversions on the road, however further investigations into the properties in question has found that they have been the subject of enforcement action where either a notice has been served or no further action taken in the cases of sites being used as flats for a continuous period of 4 years.

Those properties which are being used as flats or HMOs without the benefit of planning permission cannot be taken into consideration given that they have not been assessed against planning policies.

The development plan includes Barnet's Local Plan which comprises a suite of documents including the Council's Core Strategy and its Development Management Policies Development Plan Documents (DPD), which were both adopted in 2012. The most relevant policy within the DPD is DM01 ('Protecting Barnet's character and amenity'). Criterion (h) of the policy states: "Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate". Criterion (i) of policy DM01 is also of relevance, insofar as it states: "Loss of houses in roads characterised by houses will not normally be appropriate".

The development would result in the loss of a house within an area characterised by a large majority of single family dwellings; the development is considered to be at variance with the established character of the area and contrary to policy DM01.

Even though there may be the odd property that is not a single family dwelling, there is no doubt that it is a 'road characterised by houses' for the purposes of criteria (h) and (i) of

policy DM01. The building forms part of a street frontage where the majority of houses appear to be single family dwellings.

#### Living conditions of future occupiers

Both flats meet and exceed the required Gross Internal Area as required by Policy 3.5 (table 3.3) of the Mayor's London Plan. Amenity space has been shown to be provided in accordance with Table 2.2 of the Barnet Sustainable Design and Construction SPD.

Policy DM01 (Barnet's Local Plan, 2012) states that 'development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.' Bedroom 2 of Flat 1 (located on the ground floor) is served by a small obscure glazed window and bedroom 2 of Flat 2 (located within the loft) is serviced by 1no rooflight; bearing the LPA's policies in mind, it is considered that Bedroom 2 of both flats are considered to have a severely limited outlook to the detriment of any future occupier and is considered a reason for refusal.

#### Parking

No provision of parking has been made for the proposed flats however there is a crossover and a hardstanding at the front of the site which could accommodate 1-2no cars. In the event of an approval, such details could be conditioned.

#### Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition would be attached in the event planning permission is granted to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO<sub>2</sub> reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition [is attached/would be attached in the event planning permission is granted] to ensure compliance with the Policy

In terms of water consumption, a condition would be attached in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

#### **5.4 Response to Public Consultation**

N/A

## **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**

For the reasons highlighted above, the proposal is not considered to accord with the requirements of the Development Plan and is therefore recommended for REFUSAL.

