

Location **Sunridge Court 76 The Ridgeway London NW11 8PT**

Reference: **16/2679/FUL** Received: 22nd April 2016

Accepted: 6th May 2016

Ward: Childs Hill Expiry 1st July 2016

Applicant: Mr Richard Levy

Proposal: Partial demolition and rebuild of third floor to create 9 additional bedrooms with ensuite bathrooms and guest toilet to existing residential elderly care home. New front porch. Provisions made for cycle parking, and installation of solar panels on the roof

Recommendation: Approve subject to conditions

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

- Proposed:

- 01/416/2/P05 Rev A (received: 28/04/16).
- 01/416/2/P07 Rev A (received: 04/07/16)
- 01/416/2/P08 Rev B (received: 04/07/16)
- 01/416/2/P06 Rev A (received: 28/04/16).
- 01/416/2/P09 Rev A (received: 04/07/16)
- 01/416/2/P10 Rev B (received: 04/07/16)
- 01/416/2/P02 (received: 28/04/16).
- 01/416/2/P03 Rev A (received: 28/04/16).
- 01/416/2/P04 Rev A (received: 28/04/16).

Existing (received: 28/04/16).

- 01/416/2/Sur05
- 01/416/2/Sur07
- 01/416/2/Sur08
- 01/416/2/Sur06
- 01/416/2/Sur02
- 01/416/2/Sur03

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) Notwithstanding the plans submitted, no development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building (including privacy screen for the proposed terrace) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 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 £7,525.00 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 £29,025.00 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 relates to a three storey building with mansard roof, currently in use as a care home.

The surrounding area is entirely residential.

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

2. Site History

No relevant history.

3. Proposal

- Partial demolition and rebuild of third floor to create 9 additional bedrooms (including lift overrun)
- New front porch
- Provisions made for cycle parking
- Installation of solar panels on the roof

4. Public Consultation

Consultation letters were sent to 43 neighbouring properties.

8 letters of objection have been received (summarised below):

- Harm the character of the area
- Strain on local utilities and services
- Overlooking/privacy issues
- Issues relating to the lack of off street parking
- Overdevelopment
- Increase in noise pollution and traffic
- Impact highway safety
- Overprovision of care homes

4 letters of support were also received.

5.1 Policy Context

National Planning Policy Framework:

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 document 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 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. 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. The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Barnet 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 11 September 2012.

Barnet Core Strategy Policies:- CS NPPF, CS1, CS3, CS4, CS5, CS9, CS12, CS13, CS14 and CS15

Barnet Development Management Policies Document Policies:- DM01, DM02, DM03, DM04, DM09, DM13, DM17.

Local Supplementary Planning Documents:

The Council has adopted two supplementary planning documents (SPD's), the Residential Design Guidance SPD (2013) and Sustainable Design and Construction SPD (2013).

5.2 Main issues for consideration

The main issues are considered to be:

- Principle of the proposed use
- Impact on the character and appearance of the street scene and general locality
- Impact on the amenities of neighbouring occupiers
- Standard of accommodation for future occupiers
- Impact on highway safety

5.3 Assessment of proposals

Principle of the proposed use

As the proposed scheme would not create a new care home but rather add space to an existing care home, the principle of the proposed development is considered acceptable.

Impact on the character of the area

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The Ridgeway and surrounding roads are entirely residential in character made up of semi-detached and detached properties set over two stories, many of which have been extended towards the rear and at roof level. The three storey building located on the application site departs from this character as it is three stories in height with a mansard roof occupying approximately a third of the roof space. The current application proposes to replace this mansard roof with a new fourth floor of modern appearance.

Several objections have been received relating to the excessive bulk and massing of the proposed extension likely to harm the character of the area. To address such concerns the applicant has taken care to set the flank walls in from the side elevations. In order to further reduce the impact on the street scene, planners requested the proposed front elevation be set in even further. When viewed from the street, the additional floor would now be slightly obscured from public view and while it may still add to the buildings overall bulk, this change is negligible and not so great so as to cause any harm to the character of the area.

In term of materials, a modern palette is proposed (when compared to the existing building) consisting of a mixture of metal and glass panelling. While these modern accents might be unlike other properties in the area the property itself is unique. It is also not located within a conservation area and therefore some evolution of the areas character is to be expected. The details of these materials would be secured through condition.

The proposed new front entrance is also considered to be a proportionate addition to the host property and would preserve the character of the area.

In conclusion the proposed fourth floor would preserve the character of the area in accordance with accord with Policy CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document (2012) (CS), Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) (DMP) and the thrust of Barnet London Borough Local Plan Supplementary Planning Document: Residential Design Guidance (2013). These, together, seek to protect and enhance Barnet's character to create high quality places.

Impact on neighbouring amenity

Outlook and visual impact:

It is considered that the design, size and siting of the proposed extension is such that they would have an acceptable visual impact and not result in any significant loss of outlook from neighbouring properties, including dwellings on The Ridgeway, Ridge Hill and Gresham Gardens. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

Daylight, sunlight and overshadowing:

Due to the sites orientation the gardens, serving residential properties to the rear, would be unaffected in terms of impact on light or overshadowing.

Noise and disturbance:

Several objections have been received concerning the increase in noise and disturbance associated with the proposed use. However, given the nature of the use (a care home) and the relatively small increase in number of occupiers (10 single bedrooms) the proposed situation is unlikely to create the levels of noise and disturbance which might be considered sufficient to warrant refusal of the application on these grounds alone.

Overlooking, privacy:

Attention has also been paid to the proposed terrace facing neighbouring gardens which would create issues of overlooking and loss of privacy. To address this issue, planners have attached a condition relating to privacy screens, which would need to be submitted to and agreed by the local authority before the units are occupied. These privacy screens would have a height of approximately 1.7m (less tall than the proposed extension) thus not affecting the amenities of neighbouring occupier or the character of the area.

The proposal would therefore preserve the living conditions of occupiers of neighbouring properties. In accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies 2012 and the Sustainable Design and Construction, and Residential Design Guidance SPDs, which, amongst other things, require development proposals to be designed to allow for adequate outlook and amenity space for neighbouring occupiers.

Impact on future amenity

As the proposal is for use class C2 accommodation, which has a communal element (and not self-contained use class C3 dwellings), it is accepted that the London Plan standards on the minimum internal space for new dwellings do not need to be strictly applied. The proposed rooms and en suite bathrooms however by far exceed the 12m² requirement for a double bedroom in Barnet's Sustainable Design and Construction DPD (2013). When account is taken of the wider design and layout of the individual units and the scheme more widely (including the communal elements) it is considered, on balance that the proposed units provide an adequate level of internal space. The proposal is therefore considered to be acceptable in this regard.

Any future residents would also have access to the existing garden at ground floor level and all rooms would also be provided with sufficient daylight and outlook.

Parking

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

While the proposal would not provide any off street parking, given the schemes circumstances, including its location just outside Golders Green Town Centre with a PTAL of 3 and the nature of the use proposed, it is not considered, on balance, that this would not result in any demonstrable harm. The lack of car parking provision proposed for the scheme is therefore found to be acceptable in this instance.

It is noted that a number of objections have been received that the development has inadequate parking and would result in unacceptable adverse impacts on the road network surrounding the site, highway safety and the amenities of neighbouring occupiers during both its construction and operational phases. However, for the reasons outlined, it is considered that the development proposed, is acceptable and compliant with development plan policies in respect of parking and other transport and highways related matters.

Impact on infrastructure

The scheme would be liable to make a contribution under both the Barnet and Mayoral Community Infrastructure Levy schemes. These contributions are considered to adequately address any infrastructure requirements arising from the scheme.

5.4 Response to Public Consultation

Harm the character of the area: Addressed in 'assessment of proposals' above.

Strain on local utilities and services: The additional units are unlikely to create such a strain on utilities and local services so as to warrant refusal of the application.

Overlooking/privacy issues: Addressed in 'assessment of proposals' above.

Issues relating to the lack of off street parking: Addressed in 'assessment of proposals' above.

Overdevelopment: Addressed in 'assessment of proposals' above.

Increase in noise pollution and traffic: Addressed in 'assessment of proposals' above.

Impact highway safety: Addressed in 'assessment of proposals' above.

Overprovision of care homes: The design and access stamen includes sufficient information to demonstrate a demand for the additional units.

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 application is recommended for APPROVAL.

