

LOCATION: Garages to the rear of 1-12 Gloucester Court, Golders Green Road, London, NW11 9AA

REFERENCE: F/05000/11 **Received:** 15 December 2011
Accepted: 15 December 2011

WARD(S): Golders Green **Expiry:** 09 February 2012
Final Revisions:

APPLICANT: Z A S Investments

PROPOSAL: Partial demolition and conversion of existing garages to the rear of Gloucester Court into 2no residential units. Alterations to include new front wall, windows and door with a new roof (Amended description).

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, Design and access statement, Drawings EMP/1, EMP/2, EMP/3, EMP/4; Chain of emails from applicant (Mr Zevy Shainfeld), dated 05/03/2012.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 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 the surrounding area.
- 4 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.
Reason:
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.
- 5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.
Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the floor plan layout as shown on the hereby approved plans must not be changed.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 7 The roof 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.

- 8 No windows or doors other than those expressly authorised by this permission shall be constructed in any elevations of the self contained units hereby approved facing the neighbouring properties.

Reason: To safeguard the privacy and amenities of the occupiers of the adjoining properties.

- 9 Before the building hereby permitted is occupied a sample of the proposed windows in the elevation facing Gloucester Court shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D & E of Part 1 to Schedule 2 of that Order shall be carried out within the area of the dwellinghouse hereby approved without the prior written permission of the local planning authority.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

- 11 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

Core Strategy (Submission version) 2011:

CS5.

Development Management Policies (Submission version)2011:
DM01, DM02, DM08, DM17.

ii) The proposal is acceptable for the following reason(s): -

The conversion of the garages into two self contained flats and proposed alterations are considered to be acceptable, in character with the surrounding area. The proposal would protect the character of this part of Golders Green and respect the setting of nearby buildings. The proposal would provide acceptable standards of amenity for future occupiers and respect the amenity of existing neighbouring occupiers. The proposal is acceptable on highways grounds.

- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy:

The relevant sections of the National Planning Policy framework are as follows:

Paragraph 49 of the NPPF states that "Housing applications should be considered in the context of the presumption in favour of sustainable development".

The government consider that "there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – ... by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation
- **a social role** – ... by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment ... "

In paragraph 21, the government encourages the effective use of land by reusing land that has been previously developed (brownfield land).

Paragraph 56 states “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

It is considered that the application complies with the above sections of the NPPF.

The Mayor's London Plan: July 2011

The Mayor of London, The London Plan, Spatial development strategy for Greater London, Consolidated with Alterations since 2004 is the development plan in terms of strategic planning policy. Relevant strategic policy includes 3.5.

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

Supplementary Planning Guidance:

Supplementary Planning Document on Sustainable Design and Construction (June 2007).

Supplementary Planning Document on Contributions to Education (2008).

Supplementary Planning Document on Contributions to Library Services (2008).

Supplementary Planning Document on Contributions to Health and Social Care (2009).

Core Strategy (Submission Version) 2011:

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

Policy: CS5.

Relevant Core Strategy Policies:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01, DM02, DM08, DM17.

Relevant Planning History:

Site Address: Garages to the rear of 1-12 Gloucester Court, Golders Green Road, London, NW11 9AA
Application Number: F/04319/10
Application Type: Full Application
Decision: Refuse
Decision Date: 16/12/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Conversion of existing garages to the rear of Gloucester Court into 2no self-contained studio flats.
Case Officer: Fabien Gaudin

Consultations and Views Expressed:

Neighbours Consulted:	84	Replies: 23
Neighbours Wishing To Speak	0	

The objections raised may be summarised as follows:

- Overlooking, loss of privacy
- Noise and disturbance
- Loss of view
- Loss of property value
- Construction works
- Overcrowding
- Inaccurate information
- Environmental impact – waste disposal facilitates, impact on sewage
- No change in the proposal since the previous refusal
- Blocking the fire escapes at the rear of Gloucester Court
- Shortage of street parking, garage availability and affordability
- Introduction of gas and electricity – fire hazard
- Security issues
- Pollution and congestion
- Studios proposed are one bedroom – no idea how many people will be accommodate
- No turning space between garages and external stairs – cars are parked outside

the garages

- The applicant has not carried out consultation in regard to the conversions of the garages, residents general view was that the conversion would not be a good idea
- No effort has been made to bring the garages into use for car parking or storage purposes
- Unsuitable location
- No amenity provision
- Restricted access for emergency services
- Landlord has intentionally not maintained the garages - eyesore
- Garage 10 is owned by a separate party
- Legal ownership issues in regard to the garages
- Current leases have a clause that the garages are to be used only for purpose of garaging and not be converted
- Appearance of the proposal

Internal /Other Consultations:

- Traffic & Development - No objection.

Date of Site Notice: 22 December 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a row of garages to the rear of Gloucester Court in Golders Green. The rear of the main building at Gloucester Court is used as access to some of the flats.

Proposal:

The proposals relate to the conversion of the existing garages to the rear of Gloucester Court into 2 self-contained studio flats. There will be external alterations which include the insertion of windows and doors to the external appearance of the garages. There will be partial demolition of the garages, which includes the roof to ensure that the building is compliance with building regulations.

Planning Considerations:

Character:

The proposed external alterations are considered acceptable. They would not harm the character of the area which is mixed.

Amenity:

There was a previous application (F/04319/10) at the application site for *conversion of existing garages to the rear of Gloucester Court into 2no self-contained studio flats*

which was refused in December 2010 on the grounds that the scheme did not provide acceptable levels of amenity standards and that there were issues of overlooking from outside into the proposed habitable rooms. The current planning application has addressed the Council's previous concerns and is not considered to be acceptable.

The application is in line with the National Planning Policy Framework (2012) which states that the government encourages the effective use of land by reusing land that has been previously developed (brownfield land). The garages are considered to fall under brownfield land and thus the proposal is considered to be acceptable.

It is considered that there is sufficient space to allow the occupants unrestricted movement within the premises. The flats exceed Barnet's minimum size of 30m² and the minimum space standards within The London Plan, policy 3.5.

In relation to the first issue (overlooking) for which the previous application was refused, it is considered that the applicant has now demonstrated that there will not be any issues of overlooking or loss of privacy. The agent has provided details within the Design and Access Statement which includes a film to be applied to the windows to prevent issues of overlooking and loss of privacy, this will be a permanent non removable material. The agent has confirmed that the glazing manufacturer will provide a sealed double glazed unit with the privacy film inserted between the glazing at the manufacturing stage. This is a permanent solution and cannot be removed for the lifetime of the windows.

Therefore, the proposed units along the access to flats on Gloucester Court would not give rise to unacceptable levels of overlooking from existing residents onto the habitable rooms of the proposed self contained units.

In addition, the vast majority of the existing flats on Gloucester Court have their rear windows and doors fitted with obscured glass, thus there would be no overlooking from the occupants of the existing flats to the future occupiers of the proposed self contained flats.

Although the site is within an area identified as being deficient in open space, there is a park within a walking distance and the proposed units will have other locational advantages in being close to transport and services as a result of it's edge of town centre location. Therefore, the Local Planning Authority does not consider that this in itself would be a sufficient reason to refusal.

Planning application (C/16786/06 – October 2006) at No. 20-31 Gloucester Court was approved for two self contained flats which is in extreme proximity to the application site. The officer's report stated that *"although the proposal does not include the provision of external amenity space, it is considered that, in this location, such development may be acceptable. In this particular case, the site is within a short distance walk to Golders Hill Park which provides good standards of amenity."*

It is not considered that the conversion would result in a demonstrable harm to the immediate area which will be detrimental to the character and appearance of Golders Green.

Highways:

The proposal is for the conversion of existing lockup garages at the rear of Gloucester Court and to provide 2 self contained studio flats. The garages have been unused and vacant for a long time.

There are also difficulties with the access to the garages as it is narrow (less than 2ms wide) and it is difficult for cars to manoeuvre from Gloucester Gardens due to an existing old side extension which partly blocks the access road. Cars cannot turn into the access road easily due to poor visibility.

In view of several factors including the location of the site and the following:

- The proposal is for a conversion
- The site is within a CPZ

Taking into consideration the above on balance the proposal is acceptable on highways grounds.

Contributions:

In accordance with the Councils Supplementary Planning Documents in relation to Health, Education and Libraries, the proposed development would require a financial contribution (plus associated monitoring costs) towards health, educational places/library provision within the borough via the discharge of the condition attached to the decision. This matter is conditioned.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal and the objections have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

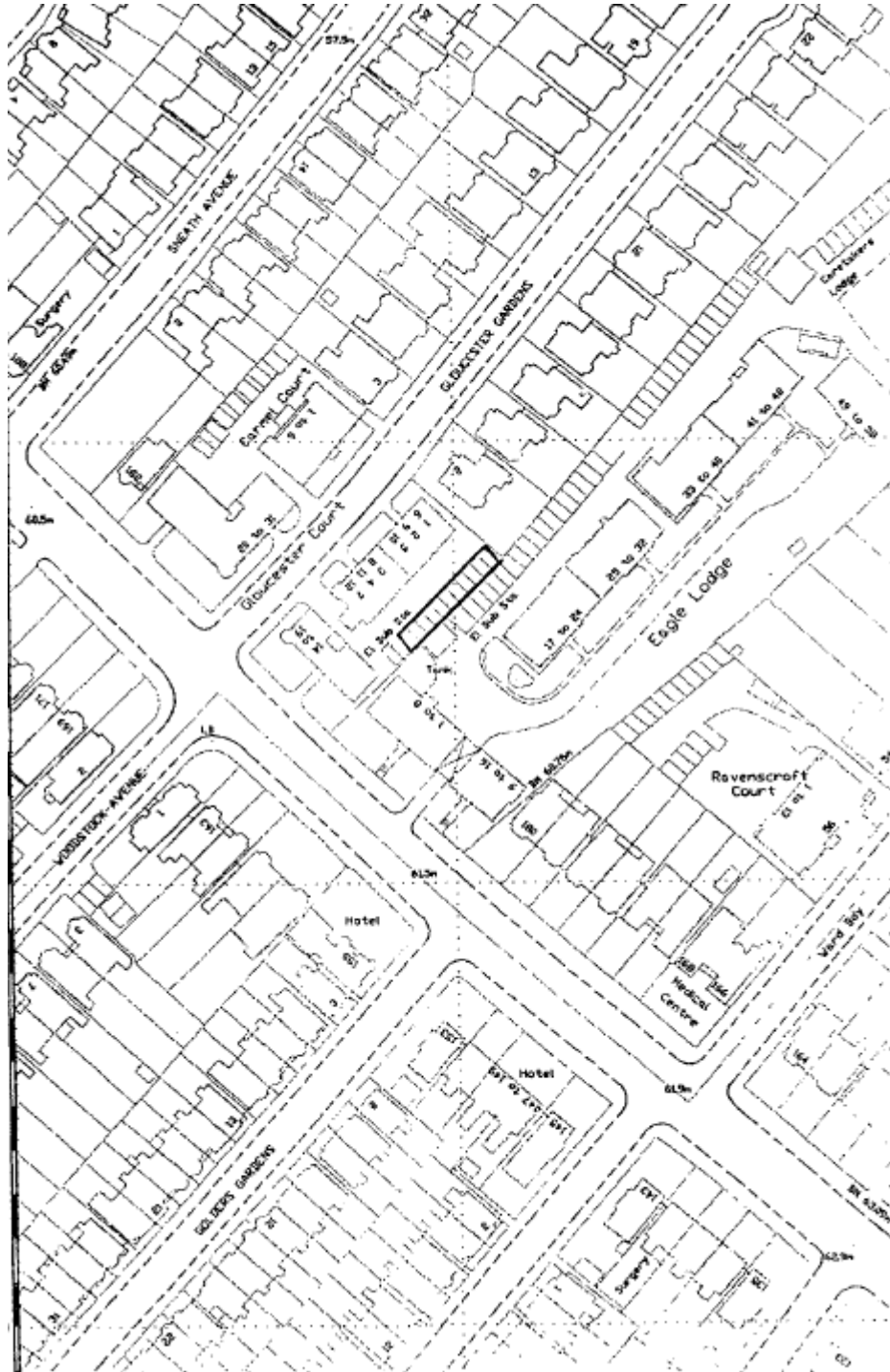
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

As conditioned, the proposal would provide further accommodation without detriment to the residential amenity of neighbouring and future occupiers. The proposal is acceptable on highways grounds. It is recommended the application be **approved** subject to the discharging of attached conditions.

SITE LOCATION PLAN: Garages to the rear of 1-12 Gloucester Court, Golders Green Road, London, NW11 9AA

REFERENCE: F/05000/11



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number LA100017674.