

LOCATION: 8 Cumbrian Gardens, London, NW2 1EF
REFERENCE: F/00671/12 **Received:** 18 February 2012
Accepted: 20 February 2012
WARD(S): Golders Green **Expiry:** 16 April 2012
Final Revisions:

APPLICANT: Property Ideal Ltd
PROPOSAL: Part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CG11-PP-EX-01; CG11-PP-02 RevA.
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 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 windows other than those expressly authorised by this permission shall be constructed in the elevations of the extension hereby approved facing the neighbouring properties, unless agreed in writing by the Local Planning Authority.
Reason: To safeguard the privacy and amenities of the occupiers of the adjoining properties.
- 6 The floor plan layout and rear garden amenity area as shown on the hereby approved plans must not be changed without the prior written permission of the local planning authority.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 7 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any

subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 8 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 9 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): GBEEnv1, GBEEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H18, H23, H26, H27, M14
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).
Design Guidance Note 7 - Residential Conversions.

Core Strategy (Publication Stage) 2010: Policy CS5, DM01, DM02, DM06.

- ii) The proposal is acceptable for the following reason(s): -
The conversion of the property into eight self contained flats and proposed extension is considered 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 application is acceptable on highway 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.

- 3 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £792.05.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development 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 will be sent a 'Liability Notice' that will provide 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, this is also available from the Planning Portal website.

The Community Infrastructure Levy 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 statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework (2012):

The determination of planning applications is made mindful of Central Government advice and the Development 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 basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

'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 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

The Mayor's London Plan: July 2011:

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 2031. It forms part of the development plan for Greater London.

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.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H18, H23, H26, H27, M14

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).

Design Guidance Note 7 - Residential Conversions.

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.

The Council submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS4, CS5, CS9.

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, DM06, DM14.

Relevant Planning History:

Site history for current landparcel :

79140 - 8 Cumbrian Gardens, London, NW2 1EF

Case Reference: **F/00671/12**

Application:	Planning	Number:	F/00671/12
Validated:	20/02/2012	Type:	APF
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.		

Application:	Planning	Number:	F/03852/11
Validated:	14/09/2011	Type:	192
Status:	DEC	Date:	15/11/2011
Summary:	LW	Case Officer:	Elizabeth Thomas
Description:	New front porch. Single storey rear extension. Single storey outbuilding in the rear garden ancillary to the main house. Roof extension including hip to gable with rear dormer window to facilitate a loft conversion.		

Consultations and Views Expressed:

Neighbours Consulted: 56 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Clutter the road with more cars.
- More noise.
- Drainage problems.
- Work has already been started without permission.
- Overlooking and loss of privacy.
- The appearance of the area would be ruined and the area is family orientated.
- Traffic and parking would be a great problem.
- Concerned builders are working at 7, drilling and banging. Not fair on neighbours in the area with small children.
- Object to another house being turned into flats. Many in the road already or single rooms lets.
- The effect on traffic flow, parking and access for the emergency services have already been in play last year when a fire engine could not gain access to our road.
- Mains pipe for all amenities was laid to accommodate small houses built especially for small families.
- Salubrious and beautiful Golders Green Estate is fast growing into a slum.
- Only a certain percentage of the original house/garden area is permitted to be built on.
- There is no overhead buildings allowed to ground floor extensions.
- Enlarged and improved properties have ruined pavements for others. The registered owners of these properties should be made to repair/make payment for the damage caused to public property caused by personal building works. When persons fall who pay the compensation.

Internal /Other Consultations:

Date of Site Notice: 01 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a semi detached dwelling located in the Golders Green ward. The property falls in a predominately residential location and does not fall within a conservation area. A certificate of lawfulness has been issued for various extensions to the property including a new front porch. Single storey rear extension. Single storey outbuilding in the rear garden ancillary to the main house. Roof extension including hip to gable with rear dormer window to facilitate a loft conversion.

Proposal:

The proposal relates to a part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.

Planning Considerations:

Principle of self contained units

The principle of converting the premises into three self contained flats would not harm the residential character of the area and would not represent the over intensive use of the property. There are examples of conversion permissions in the Golders Green Estate as follows:

- 54 Cumbrian Gardens - 3 flats in 2007
- 34 Pennine Drive - 2 flats in 2010
- 77 Pennine Drive - 2 flats in 2009
- 71 Pennine Drive - 2 flats in 2011
- 57 Cleveland Gardens - 2 flats in 2011
- 10 Cleveland Gardens - 2 flats in 2011
- 145 Cheviot Gardens - 2 flats in 2011
- 5 Cheviot Gardens - 2 flats in 2007
- 80 Cheviot Gardens - 3 flats in 2009
- 76 Cotswold Gardens - 2 flats in 2011
- 56 Cotswold Gardens - 2 flats in 2009
- 124 Cotswold Gardens - 2 flats in 2007
- 44 Cotswold Gardens - 2 flats in 2011

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 involving the redevelopment of sites 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 houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages 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 but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The proposal is not considered to be out of character within its context and would not result in harm to the surrounding area.

Living conditions of future occupiers

The proposed units comply with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan July 2011. The proposal is considered to provide adequate internal space for the future occupiers.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This will be enforced by condition.

Living conditions of neighbouring occupiers

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours' amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Unitary Development Plan Policies D5 seek, amongst other things, to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to this issue.

The proposed extensions to the property are considered to be acceptable and appropriate. The extensions proposed will not result in an overdevelopment of the site and are considered to harmonise well with the existing property. There are other examples in the surrounding area where two storey side extensions have been implemented and therefore this element of the proposal is not considered to be harmful to the streetscene. By virtue of the bulk, design, size, height and siting of the proposed extensions it is not considered that there will be any loss of amenity to the neighbouring residential occupiers.

Other matters

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. This matter is conditioned.

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012. The proposal would be liable to pay the Mayoral CIL contributions.

The provision of 3 parking spaces meets the Council's maximum standards.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to 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

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring properties or be out of context. Given its street context, the bulk and mass of the proposed development is considered acceptable. The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 8 Cumbrian Gardens, London, NW2 1EF

REFERENCE: F/00671/12



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