

Location **97 Lichfield Grove London N3 2JL**

Reference: **16/6793/FUL** Received: 24th October 2016
Accepted: 2nd November 2016
Ward: Finchley Church End Expiry 28th December 2016

Applicant: Mr Ronan O'Mahony

Proposal: Conversion of existing property into 3no. self-contained flats with rooms in roofspace. Single storey side and rear extension. Rear dormer and roof extension and addition of 2no rooflights to front elevation. Associated amenity space, refuse and recycling store

Recommendation: Approve subject to conditions

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

- 01 C (Location and Block Plan)
- 02 B (Plans as existing)
- 03 (Sections and Elevations as existing)
- 14 H (Floor Plans as proposed)
- 15 C (Elevations & Roof Plan as proposed)
- 16 F (West (side) Elevation and section A-A as proposed)

Planning Statement
Sustainability Statement

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 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).

- 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 ground floor bedroom window(s) of the rear unit in the east elevation facing onto the shall be glazed with obscure glass only (to 1700mm in height from external ground level) 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 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 6 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 7 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).

- 8 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 pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 9 Prior to the first occupation of the new dwellinghouse(s) (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 March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 10 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 6% 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 Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

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 £952 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 £,3762 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.

- 3 The applicant is advised that 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 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 street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

Officer's Assessment

1. Site Description

The application relates to an end of terrace, two storey dwelling located on the north side of Lichfield Grove, within the ward of Finchley Church End.

The street is residential in character, with a range of semi-detached and terraced properties of various styles.

2. Site History

Reference: 16/4644/192

Address: 97 Lichfield Grove, London, N3 2JL

Decision: Unlawful

Decision Date: 12 August 2016

Description: Rear dormer and roof extension to facilitate loft conversion. Addition of No. 2 rooflights to front elevation.

Reference: 16/2546/192

Address: 97 Lichfield Grove, London, N3 2JL

Decision: Lawful

Decision Date: 15 June 2016

Description: Rear roof extension involving a rear dormer window with Juliette balcony and 2 no. rooflights to front to facilitate loft conversion.

Reference: 16/3191/PNH

Address: 97 Lichfield Grove, London, N3 2JL

Decision: Prior Approval Not Required

Decision Date: 14 June 2016

Description: Single storey rear and side extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.74 metres and a maximum height of 3.43 metres.

Reference: 16/2653/PNH

Address: 97 Lichfield Grove, London, N3 2JL

Decision: Prior Approval Not Required

Decision Date: 31 May 2016

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.77 metres and maximum height of 2.77 metres.

Reference: 16/2615/PNH

Address: 97 Lichfield Grove, London, N3 2JL

Decision: Prior Approval Required and Refused

Decision Date: 28 April 2016

Description: Single storey rear extension with a maximum depth of 6metres from the original rear wall. Eaves height of 2.7metres and maximum height of 3.4metres.

3. Proposal

The application seeks consent to erect a single storey side and rear extension, roof extension with rear dormer and addition of 2no rooflights to front elevation to facilitate conversion of the existing property into 3no. self-contained flats. The proposal also

includes the re-instatement of the front roof gable dormer feature and the provision of associated amenity space, refuse and recycling store.

A number of amendments have been made to the original proposal. These can be summarised as follows:

- Reduction of proposed rear extension from 6m to 3.9m with 1m stepped element at 3.48m along the boundary;
- Relocation of front door of proposed rear unit (flat B);
- Proposed rear unit (flat B) reduced from 2 bedroom to studio unit;
- Removal of proposed first floor rear terrace area; and
- Alterations to proposed provision of rear private amenity space.

4. Public Consultation

Consultation letters were sent to 112 neighbouring properties. 7 responses have been received, comprising 7 letters of objection.

The objections received can be summarised as follows:

- Existing character of street is of single family houses;
- Conversion of house to 3 flats is not acceptable;
- Overdevelopment of the site through large extensions;
- Additional self-contained unit to the rear will adversely affect neighbouring amenity through additional noise/disturbance and light pollution;
- Overlooking from proposed first floor balcony/terrace;
- Loss of light from size of proposed development;
- Visual impact of additional number of bins;
- Loss of outdoor space;
- Lack of private amenity space to the rear.
- Existing sound proofing is not sufficient. Will be worse with multiple units;
- Access to proposed rear unit is unsuitable for wheelchairs and pushchairs;
- No additional off-street parking provided; and
- Limited parking capacity within the existing street.

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, CS9.
- Relevant Development Management Policies: DM01, DM02, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of conversion of existing property into flats;
- 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;
- Whether adequate accommodation would be provided for future occupiers;
- Highways safety and parking provision; and
- Any other material considerations.

5.3 Assessment of proposals

Principle of development

In assessing whether flats are appropriate in this location, policy DM01 of Barnet's Development Management Policies states that consideration should be given to the character of the road and where proposals involve the loss of houses in roads characterised by houses, this will not normally be appropriate.

From conducting a site visit and reviewing the planning history and council tax records, it is evident that along Lichfield Grove, there are number of conversions, some of which have been recently granted planning permission. While the proposal would result in the loss of a single family dwelling, the presence of numerous existing flats within the street would mean that the proposal is unlikely to have a significant impact on the character of the street.

The proposal would provide 2 x studio units and 1 x 2 bedroom unit. Officers consider the mix of units to be acceptable subject to all other matters being found satisfactory.

Impact on character and appearance of existing property and surrounding area

In addition, Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

From the site history, it is noted that the application site has been subject to a number of Lawful Development Certificates submitted under the Permitted Development Regulations for the erection of a 6m single storey rear extension, loft conversion and rear roof extension. However, at the time of submission, no works have been carried out to implement the certificates. As such they are given little material weight in Officers' consideration of the current application. The Council's Residential Design Guide SPD advises that for semi-detached properties, a rear extension of 3.5m is considered to be acceptable. The applicant has submitted revised plans to illustrate a reduced extension of 3.5m along the boundary with a 1m stepped element which would project a further 500mm. Taking into account the SPD guidance and the revised plans, Officers consider that the proposal is acceptable in relation to the character of the existing property.

In terms of the other proposed alterations, the proposal would re-install a pitched roof on the front elevation gable which will align the property in terms of appearance with many of the others properties along this street. Officers' consider that this will improve the overall external appearance of the building. The installation of 2no rooflights on the front roof elevation is not considered to adversely affect the character of the existing building. At the rear, the proposed rear dormer is identical in design and scale as was submitted in the Lawful Development Certificate. Although the proposed dormer would occupy the majority of the rear roof, its projection is not considered significant to create a disproportionate addition. On balance, given that there appear to be a number of other large dormers on the street and that the proposed works could be carried out under permitted development, officers are satisfied with this proposed element of the scheme. The addition of a Juliet balcony on the first floor and rear dormer could also be carried out under permitted development. The raising of the height of the rear extension is fairly small and is not considered to result in any adverse impacts.

Impact on amenity of neighbouring residential occupiers

As the proposed rear extension has been reduced to a level considered acceptable under the Residential Design Guide SPD and is only single storey, the proposal is not considered to have a detrimental impact on the residential amenity of the neighbouring properties. It is noted that there is one very small window on the rear elevation of the adjoining property (no.95 Lichfield Grove). Given the size of the window, it does not appear to be a principle window or serve a main habitable room and as such the presence of an extension along the boundary is not considered to have a detrimental impact in terms of loss of light.

The only additional windows are being proposed on the ground floor and as such Officers' do not consider that the proposal would result in increased levels of overlooking onto the neighbouring properties. As stated above the installation of Juliet balconies can be done under permitted development, any overlooking is not considered to significant to warrant a refusal of the application.

A number of objections are concerned that a self-contained unit at the back of the property, accessed via the side of the property will bring adverse levels of noise and disturbance. Officers' consider that a residential property is not out of keeping and given that the unit has been reduced from a 2 bed to studio unit and the main entrance has been relocated off the side elevation, any associated noise/disturbance is not considered to be significant that would cause a detrimental impact.

Whether the building would provide suitable living conditions for future occupants

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. The proposal would provide:

- 2 x studio bedroom units on the ground floor (38sq.m and 47sq.m)
- 1 x 2 bedroom unit for the first and second floor (74.2sq.m)

The proposed units would exceed the minimum space standards as contained within the London Plan. Each of the units would be dual aspect and are considered to officer acceptable levels of outlook for future occupiers. A daylight / sunlight report has been submitted to demonstrate that the proposed residential units would receive acceptable levels of light. Officers consider that with the findings of the report, the amenity for future occupiers would be satisfactory.

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m² should be provide per habitable room for flats. The rear garden to the rear has been subdivided into 3 separate areas; each of which would exceed the SPD requirements.

Highways safety and parking provision

Policy CS9 of the Barnet Core Strategy 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 of the Barnet Development Management

Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for the residential use:

For 1 bedroom units	0.0 to 1.0 space per unit
For 2 and 3 bedroom units	1.0 to 1.5 spaces per unit

Based on the above parking standards the parking requirement for the proposed development is calculated as follows:

2x1b a range of 0.0 to 1.0	0.0 to 2.0 spaces required
1x2b a range of 1.0 to 1.5	1.0 to 1.5 spaces required

This equates to a parking provision range of between 1.0 and 3.5 spaces to meet the requirements of Policy DM17. The site has a PTAL rating of 3 which is considered to be a moderate level of accessibility. Therefore the Planning Authority would seek a provision of parking somewhere in the middle of the range.

The existing property as a 3 bedroom dwelling does not provide any off-street parking and the proposal does not seek to provide any either. As a 3 bedroom dwelling, it would have a parking provision of 2 off-street spaces. Therefore there would be a shortfall of parking would be 1 space. The Council's Traffic and Development team has assessed the proposal and taking into account the existing site conditions, and that the existing CPZ along this street is only for 1 hour, the addition of 1 extra car is not considered to raised significant highways issues. As such they have raised no objections to the proposed development.

5.4 Response to Public Consultation

Principle of conversion is not acceptable - There are a number of existing conversions within Lichfield Grove and therefore the proposal is not considered to be detrimental to the character.

Overdevelopment and large extensions - The proposed rear ground floor extension has been reduced from 6m in depth to 3.48m along the boundary with a 1m stepped element and further 500mm projection. This is reflective of the guidance contained within the Residential Design Guidance SPD. Taking into account the reduction in depth and the orientation of the site, the extension is not considered to result in the loss of light of neighbouring properties.

Additional noise/disturbance and light pollution - The proposed rear unit has been reduced from a 2 bedroom unit to a studio flat. Potential comings and goings have therefore been reduced and are not considered to result in a further increase which would result in unacceptable levels of noise/disturbance or light pollution.

Overlooking from proposed first floor balcony/terrace - This has been removed from the proposal and replaced with a Juliet balcony.

Outdoor amenity space to the rear - Barnet's Sustainable Design and Construction SPD advices for flats that 5sq.m is provided for each habitable room. The proposal meets this requirement.

Existing sound proofing is not sufficient - A condition will be attached to ensure that the property complies with the relevant sound proofing standards.

Provision of car parking - The Council's Traffic and Development team have assessed the proposed parking arrangements and have raised no objections.

Visual impact of additional bins - As the proposal is only for the provision of 3 units, the number of bins is not considered to be excessive that would result in adverse visual impacts. A condition was been attached to seek for further details of proposed enclosures and screened facilities of waste and recycling bins.

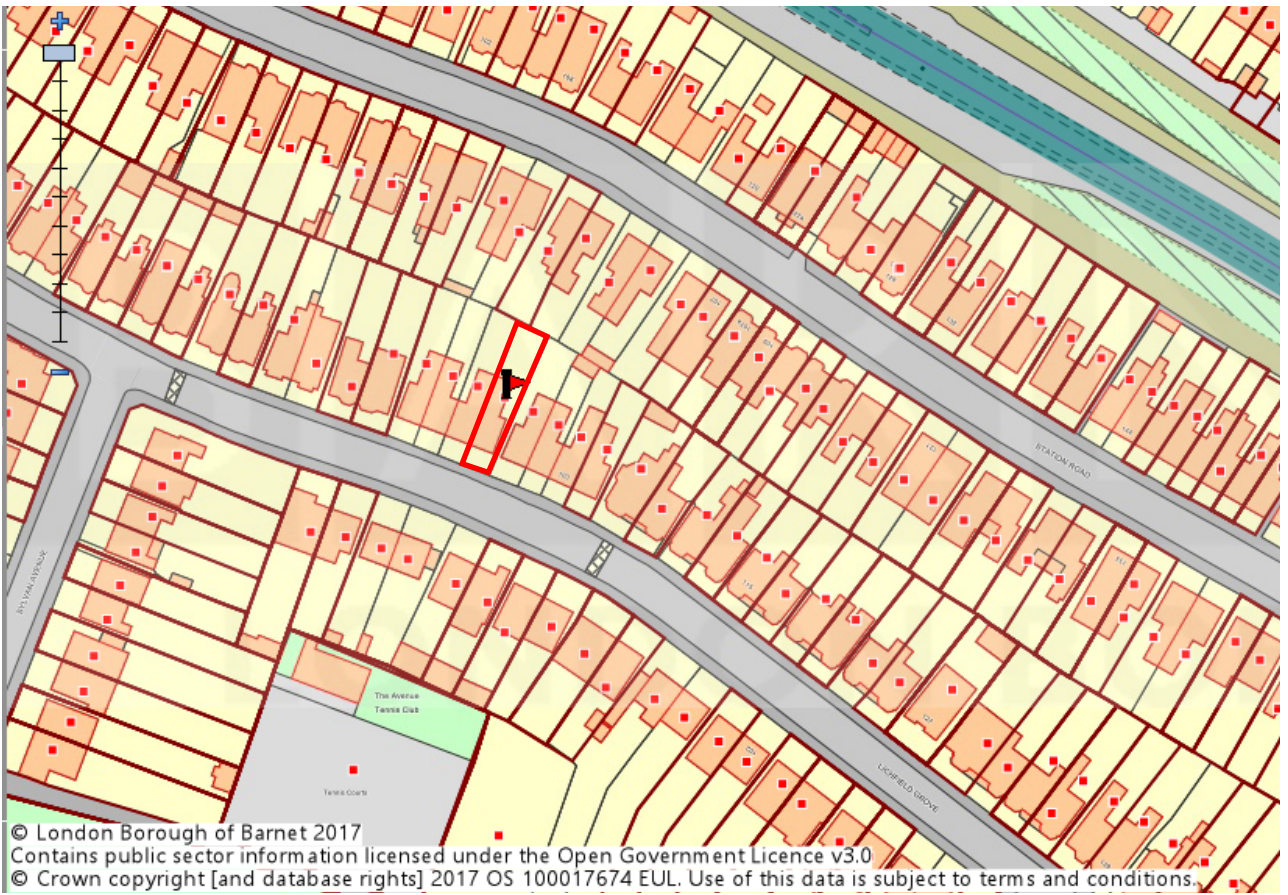
Access to proposed rear unit is unsuitable for wheelchairs and pushchairs - The side access measure approximately 1m in width which is considered suitable for wheelchairs and pushchairs to be able to pass through if required.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would not have an unacceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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