

Location **18 Clifton Gardens London NW11 7EL**

Reference: **17/0998/FUL** Received: 20th February 2017
Accepted: 22nd February 2017

Ward: Garden Suburb Expiry 19th April 2017

Applicant: Mr BOAZ ZILBERMAN

Proposal: Conversion of existing semi-detached dwelling into four self-contained flats. Associated refuse/recycling storage. Provision of cycle parking and 3no. off-street parking spaces. Demolition of existing garage

Recommendation: Approve subject to conditions

1 Covering letter by Simon Miller Architects dated 22nd February 2017; Parking Assessment by Paul Mew Associates dated April 2017; Energy and Sustainability Statement by EAL Consult Building Suitability dated April 2017; Design and Access Statement by Simon Miller Architects dated 17Th February 2017; Drawing no. 414 PL00 Rev A; Drawing no. 414 EX01; Drawing no. 414 EX02; Drawing no. 414 EX03; Drawing no. 414 EX04 Rev B; Drawing no. 414 EX05 Rev A; Drawing no. 414 EX06 Rev A; Drawing no. 414 EX07 Rev A; Drawing no. 414 EX08 Rev A; Drawing no. 414-2PL-01 Rev B; Drawing no. 414-2PL-02; Drawing no. 414-2PL-03; Drawing no. 414-2PL-04 Rev C; Drawing no. 414-2PL-05 Rev B; Drawing no. 414-2PL-06 Rev B; Drawing no. 414-2PL-07 Rev B; Drawing no. 414-2PL-09 Rev B; Drawing no. 414-2PL-10.

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) 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 development hereby permitted is first occupied, the amenity area shall be subdivided and shall be implemented in accordance with the details indicated on Drawing no. 4142PL01 Rev B before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 5 Before the development hereby permitted is first occupied, the high privacy hedge enclosing the terrace for Flat 2 as indicated on Drawing no. 414 2PL01 Rev B shall be planted before first occupation or the use is commenced, shall not be higher than 1.2m and shall be retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 6 The layout of the residential units as indicated on the hereby approved plans shall be implemented and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (October 2016).

- 7 The building shall not be occupied until parking space(s) has/have been laid out within the site in accordance with the approved plan Drawing no. 414 2PL01 Rev B and shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 8 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 October 2016).

- 9 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 30% 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 Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 10 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.

- 11 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 12 The use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 13 Before the development hereby permitted is first occupied, 5 cycle parking spaces and the cycle storage facilities indicated on the hereby approved Drawing no. 414 2PL01 Rev B shall be provided and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 14 a) The building shall not be occupied until details of the vehicular gate at the rear of the site have been 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 that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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 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.

- 3 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

- 4 The Demolition and Construction Management Plan for the demolition of the existing rear garage and construction of the proposed replacement with parking spaces at the rear of the site to facilitate the new development shall take into consideration the likely impact of the proposed development on the pedestrian and highway safety due to the location of the access in a close proximity of the Scheduled footpath and the location of the primary school on Alyth Gardens.

The Demolition and Construction Management Plan will inform of how the Demolition and Construction activities will take place without impacting on the pedestrian and highway safety an any detrimental impact on the school operation in Alyth Gardens.

- 5 The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

Officer's Assessment

1. Site Description

The subject property is a two storey semi-detached single family dwellinghouse, located on the south eastern side of Clifton Gardens within the Garden Suburb.

The site does not fall within a conservation area and the proposal property is not listed. There are no protected trees on the site or protected assets in the vicinity.

At the time of the site visit, the property benefitted from numerous extensions including a part-single part two storey side and rear extension, which benefits from permitted development, and a loft conversion including a large dormer which complies with permitted development.

In addition, at the time of the site visit, the outbuilding had already been erected. Although this element does not benefit from a certificate of lawfulness, officers consider that it complies with the requirements of permitted development.

2. Site History

Reference: 16/6168/192

Address: 18 Clifton Gardens, London, NW11 7EL

Decision: Lawful

Decision Date: 12 October 2016

Description: Single storey rear and side extension. Rear dormer and 2 no. rooflights to front to facilitate loft conversion

Reference: 16/7861/HSE

Address: 18 Clifton Gardens, London, NW11 7EL

Decision: Approved subject to conditions (decision made under delegated powers)

Decision Date: 09 February 2017

Description: Part single, part two storey side and rear extensions

3. Proposal

The applicant seeks planning permission for the conversion of the property into 4no self-contained flats.

The proposed mix would be as follows:

- 2 x studio flats (1 bed 1p)
- 1 x 1 bed 2p flat
- 1 x 2bed 4p flat

The proposal would offer 3 parking spaces, 1 at the front as existing, and two at the rear from Alyth Gardens following the removal of the detached garage.

As mentioned above, the property benefits from numerous extensions, including the part single part storey side and rear extension (which has planning consent) and the roof extension. A certificate of lawfulness was sought for the loft conversion and this was considered to be lawful. However, at the time of site visit, it was established that a larger dormer extension had been constructed by the applicant. Since then, the dormer has been

reduced to a size with photographic evidence provided for the changes and now the roof extension is considered to comply with the requirements of Class B and C of the General Permitted Development Order 2015.

In addition, at the time of the site visit, the applicant had erected the outbuilding. Although there is no certificate of lawfulness for this element, the dimensions are considered to comply with permitted development.

In the interests of clarity, the proposed scheme does not rely on any additional extensions over and above what is considered lawful (roof extension and outbuilding) or previously approved extensions (rear/ side extensions assessed under reference 16/7861/HSE).

4. Public Consultation

Consultation letters were sent to 135 neighbouring properties.
8 responses have been received, comprising 8 letters of objection.

The objections received can be summarised as follows:

- Additional vehicular comings and goings adjacent to neighbouring gardens.
- Development commenced before permission granted
- Large outbuilding
- Monster exterior extension
- Intensification/ other properties converted into 2 flats but not 4.
- Noise and disturbance/ inconvenience during construction
- Extensions have resulted in loss of light
- Noise from future occupiers
- Pollution from exhaust fumes in rear gardens
- Rights of access for no.18 to access road at rear
- Reduce value of neighbouring properties
- Loss of privacy/ Extensions overlook
- Dangerous and a potential health risk to neighbours to have parking at the rear.
- More congestion by additional occupiers
- Increased parking pressures
- Unattractive changes
- Additional rubbish on street
- Flats are likely to be rented out
- Slowly pushing local residents out.

A site notice was erected on the 2nd March 2017.

Since the original submission, an amended site location plan has been provided to include the access path within the red line of the site. Neighbours have been reconsulted to consider the amended plan. At the time of writing, the following additional comments have been received:

- Four new dwellings with visitors at all times and associated parking problems.
- Change to the character of the road.
- Confirmation that flat roof will not be used as balconies

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, Policies CS NPPF, CS1, CS4, CS5 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08 and DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of conversion
- 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 suitable amenities will be provided for future occupiers
- Parking and Highways impact
- Sustainability

5.3 Assessment of proposals

Principle of conversion and Impact on the character of the area

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, particularly in town centre locations. However, they normally involve an intensification of use, creating more activity and which 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 flatbed accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The principle of conversion of the property is considered to be acceptable; the road is characterised by a mixture of conversions and single family dwellinghouses.

With regard to the London Plan 2016 and the Density Matrix found in Table 3.2, it is considered that the site can be defined as 'suburban' according to the London Plan definition and has a PTAL score of 2 (poor). The site is approximately 0.04 hectares in size and the development includes 4 self-contained flats. Calculations show that the proposed scheme's density would be 100 units per hectare, and falls outside of the density range of 35-95 u/ha for a suburban site of this size.

Although this is marginally in excess of the recommended density, this is not the only consideration to determine whether development is suitable. Planners acknowledge that the supporting text within the London Plan (2016) indicates that density calculations should not be applied mechanistically. The NPPF stipulates that planning decisions should "optimise the potential of the site to accommodate development" and development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. This calculation is therefore not considered as a reason for refusal in itself but is considered with other elements of the scheme discussed in more detail below.

The principle of converting the premises into four self-contained flats would be acceptable in principle and would not represent the over intensive use of the property.

Impact on the character of the area

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. However, whilst the NPPF advocates that planning should not attempt to impose architectural styles or particular tastes it is considered proper to seek to promote or reinforce local distinctiveness. Furthermore the NPPF stipulates that development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Consideration of design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality.

The impact of the extensions that have been implemented on the property have previously been assessed, and were considered acceptable.

As mentioned above, the proposed conversion would not be out of character.

A condition has been added to ensure that the outbuilding is used only in connection with the main building; this is indicated as a gym and storage for future residents and should not be used in any as a self-contained unit.

The siting of the refuse at the front is not considered to be uncommon on this section of the road, although it is accepted that there would be additional bins. Again, this is not uncommon in other flatted conversions on the road. Notwithstanding this, details of refuse storage are secured by a condition to ensure that there is no harmful impact to the streetscene.

The access at the rear has been established already, even if there is a question of whether the existing garage is in operation. Therefore the parking at the rear is not considered to be out of character.

The proposed development is considered to be in keeping with the general character of the area, and as such the proposal is considered to have an acceptable impact on the character of the area.

Impact on the amenities of neighbours

One of the Councils 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.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected. The Council's guidance advises that new development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of

the existing building and using an appropriate roof form to ensure that the amenities of neighbours are not harmed.

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

As mentioned, the extensions have already been considered acceptable and therefore there is no additional impact in terms of loss of visual amenity to neighbouring occupiers.

Whilst the proposed conversion would result in additional occupiers on the site it is important to consider that the existing dwelling including the extensions could accommodate up to 9 occupiers based on the number and size of bedrooms. The proposal would result in 4 households with up to 8 occupiers. Although it is accepted that these would be separate households, the level of activity can be argued to be comparable to some degree. On balance and subject to conditions, it is not considered that the proposed use would cause any greater harm on the amenities of neighbouring occupiers than the existing building (including extensions) would offer. Furthermore a condition has been added to ensure adequate sound insulation.

Whilst it is acknowledged that there would be additional vehicular movement at the rear by virtue of an additional parking space, it is not considered that this would cause sufficient noise and disturbance to warrant refusal of the application on this reason alone. The use of these parking spaces is likely to be intermittent and infrequent (i.e. leaving for work and arriving in the evening) and on balance it is considered acceptable.

Impact on the amenities of future occupiers

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan (MALP 2016). The minimum standards, as set out in the London Plan, are as follows:

- Single storey studio unit (1 occupier) is 39sqm/ 37sqm where there is a shower room instead of bathroom;
- Single storey 1 bed unit for 2 occupiers is 50sqm;
- Single storey 2 bed unit for 4 occupiers is 70sqm.

The proposed units would offer the following floor areas:

- Flat 1 is a studio unit (1p) providing a floor area of 37.4sqm;
- Flat 2 is a one bed unit (2p) providing a floor area of 73.3sqm;
- Flat 3 is a two bed unit (4p) providing a floor area of 83.7sqm;
- Flat 4 is a studio unit (1p) providing a floor area of 47.5sqm;

The proposed flats would meet and in the case of units 2, 3 and 4 exceed with the minimum space standards and this is acceptable.

All proposed residential development should provide suitable outlook and daylight for future units. It is considered that all habitable rooms would provide adequate outlook and daylight for future residents and this is acceptable.

The Sustainable Design and Construction SPD advocates that suitable outdoor amenity space should be provided for all new residential units. Table 2.3 within the Sustainable

Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room.

The proposed development would provide a communal garden with an area of 110 sqm for all flats. In addition, unit 2 would benefit from a private terrace with an area of 22.3sqm. This is considered to comply with the standards and offer ample outdoor amenity space for 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 is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision.

Impact on Highways

Highways officers have reviewed the scheme and provided a response on the highways implications of the proposed conversion of the house into flatted development and the demolition of the rearward garage.

The site currently benefits from one-off street parking space at the front and a detached garage at the rear of the site accessed from Alyth Gardens. The PTAL benefits from a rating for the site 2, which is considered to be low. The site is within a Controlled Parking Zone (CPZ) zone TF which operates an all-day restriction 0930 - 1800 Monday to Friday and 1400 to 1800 on Saturdays.

The site is within walking distance of a town centre location.

The proposal for 4 units (2 x studio, 1 x 1 bed, 1 x 2bed) would provide 3 off street parking spaces, one existing is to remain and 2 will be created to the rear of the property that will be accessed from Alyth Gardens.

In accordance with Policy DM17, the proposal would require the parking provision of 2-5 spaces. Taking into account the PTAL rating of 2 for the site, 4 parking spaces should be provided.

It is noted that the applicant has submitted a parking beat survey in support of the planning application. The parking survey has been updated over the course of the application and indicates that the availability of parking in the vicinity of the site would accommodate the overspill from this development.

In addition, taking that the proposal seeks a flatted conversion, the site being located in a CPZ and the site being within walking distance of town centre and local amenities, on balance the parking provision with a shortfall of 1 parking space would be acceptable on highway grounds.

In accordance with Policy 6.9 of the London Plan, new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 6.3 of the London Plan, the development would require the provision of 5 spaces (1 cycle space per studio and 1 bedroom unit and 2 cycle spaces per other sized dwellings). The plans indicate the provision of 4 spaces; however it has been conditioned that the store should accommodate 5 spaces to comply with this policy.

Bin storage has been proposed to the front of the property within 10m of the public highway. Further details would be conditioned with regards to the store, however in principle this is acceptable.

There is an existing access from Clifton Garden for one parking space. A second access is proposed at the rear of the site for 2 parking spaces.

The proposed rear access will be from Alyth Gardens; there is currently an existing garage at the rear of the site which is accessed from Alyth Gardens. The proposed access to the revised parking arrangement at the rear from Alyth Gardens remains as per the existing arrangement. It should be noted that there is a scheduled footpath that runs off the existing vehicular access from the rear and will remain. There is no vehicular right of way over the scheduled footpath.

As the access arrangement to the rear of the property is an established use the access arrangement is acceptable on highway grounds.

Highways have recommended that it is proposed to demolish the existing garage at the rear of the site to facilitate the new parking spaces and taking into consideration that the location of the access to the garage is in very close proximity to a primary school and the restricted nature of the access to the rear of the site, a robust Demolition and Construction Management Plan will need to be submitted explaining how this activity will be carried out with a minimum impact on highway and pedestrian safety.

This application is recommended for approval on highway grounds subject to the recommended conditions and informatives.

Sustainability

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 30% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy.

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

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

CIL

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 setting a rate of £35 per sqm (index related) on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm (index related).

As the proposal would not involve any net increase in floorspace and the extensions, which have prior consent, have been generally been completed, the proposal would not be CIL liable.

5.4 Response to Public Consultation

It is considered that the planning related objections have generally been addressed in the report above. The following responses are considered relevant to other comments:

"Development commenced before permission granted" - As addressed above, the extensions have consent and this was being constructed at the time of the site visit; it is not considered that the conversion however has been brought into use. Notwithstanding this, the assessment of the scheme would remain as above.

"Noise from future occupiers" - A condition has been added requiring suitable sound insulation which would mitigate the noise between the units themselves and also neighbouring properties.

"Rights of access for no.18 to access road at rear"- This is not a planning consideration.

"Loss of privacy/ Extensions overlook" - As above the application is not considering the extensions which have consent. There are no additional windows being introduced.

"Flats are likely to be rented out"- this is not a material consideration in the determination of the application.

"Confirmation that flat roof will not be used as balconies" - The current application does not include extensions to the building. The previous approval for the extensions (16/7861/HSE) has a condition which prevents the use of the flat roof for balconies. It is not considered to be justified to add this condition for the current application.

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 proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

