

Location **3 And 5 Holly Park Road London N11 3HA**

Reference: **17/4575/FUL**

Received: 17th July 2017

Accepted: 20th July 2017

Ward: Coppetts

Expiry 14th September 2017

Applicant: Mr Gabriella and Richard Novicelli

Proposal: Conversion of 3 Holly Park Road into 3no self-contained units following part single, part two-storey rear extension to lower ground and ground floor levels. Extension to roof including raising of main roof ridge height insertion of 2no windows to front gable and 1no windows to rear gable. Extension to roof to 5 Holly Park Road including raising of main roof ridge height insertion of 2no windows to front gable and 1no windows to rear gable to create habitable rooms in roofspace.

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan Rev 1, Existing Plans Rev 1, Existing Elevations Rev 1, Existing Sections Rev 1, Proposed Plans Rev 3, Proposed Elevations Rev 3, Proposed Sections Rev 3.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 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).

- 4 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).

- 5 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

- 6 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition 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 April 2013).

- 7 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).

- 8 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.

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

- 10 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing 5 Holly Park Road or 69 Beaconsfield Road.

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).

- 11 The development hereby permitted shall be implemented in its entirety and completed in full in accordance with the plans hereby approved within 9 months of the commencement of the development hereby approved. If the development hereby permitted is not implemented in its entirety and completed in full in accordance with the plans hereby approved within 9 months of the commencement of the development any buildings or structures erected at the site in connection with this permission shall be demolished and removed from the site in their entirety within 3 months of the failure to complete the development within 9 months of the development being commenced.

Reason: To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers at either adjoining property and is compliant with policy DM01 of the Barnet Development Management Policies Document (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. 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 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 4 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 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 £ payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local

Government at
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>
for further details on exemption and relief.

Officer's Assessment

1. Site Description

This proposal relates to 2 no. three storey late-Victorian terrace townhouses Nos 3 and 5 Holly Park Road; both of which are currently single family dwellinghouses.

No.3 and No.5 are both set at a lower level to the neighbouring No.7 Holly Park Road. No.3 Holly Park Road adjoins the garage of No.1 Holly Park Road.

The properties are located in within a street of identical terrace properties. The general feature of the street includes ground floor projecting bays, contrasting plaster decorative lintels and signature arched twin casement windows within the front gables.

At basement level, No.5 has an existing full width conservatory measuring 4.5m in depth.

The dwellings are not listed and are not located in a conservation area.

2. Site History

Reference: 17/4700/FUL

Address: 3 Holly Park Road, N11 3HA

Decision: Approved subject to conditions

Decision Date: 18.09.2017

Description: Conversion of dwelling house into 2no self-contained flats following part single, part two-storey rear extension (lower ground and ground floor levels)

Reference: 17/1955/FUL

Address: 3 and 5 Holly Park Road, N11 3HA

Decision: Refused

Decision Date: 30.05.2017

Description: Part single, part two-storey rear extension to lower ground and ground floor levels. Raising of main roof ridge height and insertion of 2no gable windows to front and 2no gable windows to rear to create 3no self-contained flats for no. 3 Holly Park Road. Raising roof ridge height and insertion of 2no gable windows to front and 2no gable windows rear to create a habitable extension to roof for no. 5 Holly Park Road

Reference: B/01330/12

Address: 5 Holly Park Road, N11 3HA

Decision: Approved subject to conditions

Decision Date: 15.05.2012

Description: Single storey rear conservatory. New rear patio with steps.

3. Proposal

At No 3 Holly Park Road - the proposal involves Part single, part two-storey rear extension to lower ground and ground floor levels. Raising of main roof ridge height and insertion of 2no windows to front gable and 1no window to rear gable and conversion of house into 3no self-contained flats.

At No.5 Holly Park Road - the proposal involves Raising of main roof ridge height and insertion of 2no gable windows to front and 2no gable windows at rear to create habitable rooms within the roof space of the single family dwellinghouse.

4. Public Consultation

Consultation letters were sent to 89 neighbouring properties. 5 objections were received. The nature of the objections can be summarised as follows:

- Proposed development will add to on-street parking pressures
- Concerns about bin storage areas
- Lack of outdoor amenity space

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 2031. 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.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

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:

- 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 the proposals would provide suitable living conditions for future occupiers of the proposed dwellings.

5.3 Assessment of proposals

Both No. 3 and No. 5 Holly Park Road are currently in single family dwellinghouses.

Principle of Conversion to Flats

Previous application ref: 17/4700/FUL dated 18.09.2017 granted planning permission for the conversion of No. 3 Holly Park Road to 2 no self contained flats and therefore the principle of the conversion of this property to flats has been established.

However, it should be noted that a number of properties along Holly Park Road have been converted into flats or have been granted planning permission for flat conversions. As a result, the character of the street has evolved into what can now be described as mixed in nature. On this basis, the principle of the conversion of no 3 Holly Park Road to flats is considered acceptable.

Joint Roof Extensions

Both No.3 and No.5 are set at a lower level to the rest of the adjoining terrace properties. The proposal will raise the ridge height of No.5 by 1.6m and No.3 by 1.7m to match the ridge height of No.7 Holly Park Road. Given that these properties are located on the end of terrace and No.3 adjoins only a single storey garage, it is considered that this increase in height to both properties would not have an adverse impact on the character of both buildings or the character of the surrounding area.

In addition, given that the proposal will match the ridge height of No.7 and the separation distance with the other neighbouring properties, it is considered that this element would not cause demonstrable harm to amenity of the neighbouring residents to an extent that would warrant a reason for refusal if the ridge height was jointly raised.

Previously refused application on the site raised no objections to the principle of the conversion to flats and also found the joint roof extension to be acceptable. The proposed joint roof extension is the same as proposed by application 17/1955/FUL and is therefore again considered to be acceptable. The success of the current application therefore hinges on whether the previous reasons for refusal relating to the proposed extensions and quality of the proposed accommodation have been addressed. These were as follows:

1. The proposed rear extension by reason of its siting, excessive depth, bulk, massing and design fails to be subordinate to the existing dwelling and would constitute a disproportionate, discordant and incongruous addition to the existing dwellinghouse which would subsume its character and appearance and fail to reflect the design of the original dwelling, to the detriment of the character and appearance of the existing dwellinghouse, the street scene and the locality.
2. The proposed part single, part two storey extension by reason of its design, siting, size and relationship with the neighbouring property, would have an overbearing impact

and result in a loss of outlook and loss of light to adjoining neighbouring property at No.5 Holly Park Road and a prominent and overbearing impact to Nos. 67 and 69 Beaconsfield Road, to the detriment of the visual and residential amenities to the occupiers of these neighbouring properties.

3. The proposed flat conversion fails to provide adequate private amenity space for future residents and a high quality of internal accommodation in terms of its layout. The proposal would therefore provide a poor quality of accommodation for future residents.

Part single, part two storey rear extension to No.3

Refused application 17/1955/FUL proposed a rear extension to No.3 measuring 6.9m in depth at basement and ground floor levels, extending the full width of 4.64m at ground floor and a width of 3.6m at first floor with a 1.04m gap to the shared boundary with No.5, the two storey extension standing at 6m with a flat roof proposed.

The Officer's report for that application noted that the depth of the extension was more than double what guidance sets out as being normally acceptable for a terraced property (3m), that the ground floor extension was more than half the width of the existing dwelling, the scale and design of the rear windows do not respect the form and scale of the original building and that the proposed flat roof was considered to be unacceptable.

As submitted, the current application proposes rear extension of reduced depth measuring 4.0m at basement level and 2.63m at ground floor level extending the full width of the property.

Given the depth is now 4.0 and would not extend beyond the depth of the existing conservatory at No. 5, this element is now considered to be acceptable.

The reduction of the depth of the ground floor element from 6.9m to 2.63m as per the submitted drawings is welcomed, however the submitted drawings also proposed that the ground floor element be across the full width of the rear of the property, whereas in the refused application there was a 1.0m gap to No. 5. A flat roof was still proposed in the submitted drawings.

Amendments were requested by the LPA and as amended the proposal affords:

- Reduction to the width of the ground floor element (from 4.6m to 2.4m) and inclusion of a more suitable hipped roof form to ensure that the extension is subordinate to and respectful of the character and appearance of the host building.
- Amendment to scale and design of the rear windows to respect the form and scale of the original building
- Stacking issue addressed
- Private amenity space provided for two of the proposed flats

Based on these amendments, the proposed rear extension is now considered to be acceptable both in terms of impact on character and appearance and impact on neighbouring properties.

It is also a material consideration that identical rear extensions were approved under planning application 17/4700/FUL

Quality of Accommodation

Space Standards

All of the proposed flats meet the minimum London Plan / National residential space standards as follows:

Flat 1 - Lower Ground Floor 1 bed 2 person, 50.72 sq m.

Flat 2 - Ground Floor Studio, 37.82 sq m

Flat 3 - First and Second Floors 2 bed 3 person, 73.01 sq m

The proposal is therefore considered to be acceptable in this respect.

Amenity Space

Refused application 17/1955/FUL proposed 50 sq m of amenity space with only basement Flat 1 having access to this space. The Officer's report concluded that the lack of amenity space for the occupiers above basement level was unacceptable and this formed a reason for refusal.

The current application originally proposed 60 sq m of amenity space, again for the sole use of the basement flat, with the other 2 no. flats having no access to amenity space.

An amendment was requested by the LPA and plans for amended to show that 2 of the flats proposed now have access to private amenity space (Lower ground 1 bed, 24.6 sq m) and Ground floor studio, 25.2 sq m.

Whilst it is not ideal that the largest flat (first and second floor, 2 bed 3 person) will not have access to private amenity space, on balance it is considered that the improved arrangement which provides private amenity space for 2 of the 3 flats is considered acceptable and sufficient to overcome the previous reason for refusal.

Stacking

As originally submitted, the drawings showed the living area of the ground floor studio above the bedroom of the basement (Flat 1) bedroom meaning that the stacking issue highlighted within the previous refused application had not been addressed.

An amendment was requested by the LPA and provided by the applicant that satisfactorily addressed the identified stacking issue through a re-organisation of the internal accommodation and the proposal is now considered to be acceptable in this respect.

Highways

No off-street parking is proposed. Holly Park Road has no parking restrictions. The existing dwelling does not benefit from any off street car parking.

The maximum parking standards set out in policy DM17 expect development to provide parking as follows:

1 bed flats - 1 to less than 1 space.

2 bed flats - 1.5 to 1 space.

On this basis the proposed flat conversion should provide parking at a range of between 1 and 3.5 spaces.

The existing terraced house generates an on street parking demand of between 1 and 1.5 spaces and it is considered that, as the proposed 3 no. flats would generate a similar demand to the existing single family dwellinghouse, the proposal is considered to be acceptable on car parking / highway grounds.

Refuse Storage

Para 15.18 of the Residential Design Guidance seeks to ensure that bin and refuse storage provision is provided within the curtilage of the building. In this instance the applicant has provided refuse storage facilities and siting for the units to the front of the property within its curtilage and a condition will be attached for the submission and approval of a waste bin storage facility and to ensure bins are stored in the designated approved storage area, other than on collection days.

5.4 Response to Public Consultation

Addressed within the body of the report.

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

It is a material consideration that the principle of conversion to 2 no. flats and the proposed rear extensions have been approved under application 17/4700/FUL (approved 18.09.2017).

Similarly, refused application 17/1955/FUL found the joint roof extension to be acceptable.

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable 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. The previous reasons for refusal have been satisfactorily addressed. This application is therefore recommended for approval.

