

**Location**                      **48 Ravenscroft Avenue London NW11 8AU**

**Reference:**                      **17/5689/S73**                      Received: 5th September 2017  
Accepted: 5th September 2017

Ward:                              Golders Green                      Expiry 31st October 2017

Applicant:                      Mr A Levy

Proposal:                      Variation of condition 1 (Plan Numbers) pursuant to planning permission 17/2412/FUL dated 20/06/2017 for `Conversion of existing property into 4no. self-contained flats including a single storey rear extension. Associated amenity space, refuse storage area and provision of 2no. off-street parking spaces. Retention of roof extension including rear dormer window. Demolition of existing outbuilding.` Amendments include retention of the rear outbuilding with modifications in size height and screening

**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: 4810\_PA\_01 (received 30/05/2017), 4810\_PA\_02, 4810\_PA\_03 (received 22/05/2017), 4810\_PA\_04C, 4810\_PA\_05a, 4810\_PA\_06 (received 30/05/2017), 1711-PL—1.3B, 1711-PL-1.4A , 1711-WD-02.4A, 4810\_PA\_09

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 the original permission ref 17/2412/FUL (dated 20/06/2017)

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 extensions shall match those used in the existing building.

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 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.

- 6 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.

- 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 a) Before the development hereby permitted is first occupied or the use first commences, parking spaces and turning spaces as shown on Drawings 1711-PL-1-3B shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 9 Before the development hereby permitted is first occupied, the existing amenity space shall be subdivided and laid out in accordance with the details on Drawing 1711-PL-1-3B 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).

- 10 Before the building hereby permitted is first occupied the proposed window(s) facing Croft Court Hotel, No. 44 Ravenscroft Avenue on the western flank wall of the single storey rear extension hereby approved shall be glazed with obscure glass only 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 October 2016).

- 11 The roof of the single storey rear 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).

- 12 No flat within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. The cycle parking and cycle storage shall be permanently retained thereafter.

Reason: 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.

- 13 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).

- 14 The works hereby approved under this application shall be undertaken prior to the building first being occupied and permanently maintained thereafter in accordance with the details hereby approved.

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).

#### **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 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](http://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 £1015 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 £3,915 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](mailto: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](http://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](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](http://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 alteration if required to the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Reinstatement of any redundant crossovers, removal or relocation of any existing street furniture or alteration to road markings would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works. You may obtain an estimate for this work from the Crossover Team in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

## **Officer's Assessment**

### **1. Site Description**

The application site is a detached dwellinghouse located on the northern side of Ravenscroft Avenue. Croft Court Hotel, No. 44 Ravenscroft Avenue is located to the east of the application site. No. 50 Ravenscroft Avenue is located to the west of the application site. Eagle Lodge, a flatted development, is located to the north of the application site.

The detached dwellinghouse has an existing rear dormer window, 2 no. existing hip to gable roof extensions and an existing two storey rear extension. The property is currently being converted to four self-contained flats.

The application site is not located within a conservation area and nor does it contain a listed building nor is adjacent to a listed building.

### **2. Site History**

Reference: 17/2412/FUL

Address: Lane 48 Ravenscroft Avenue, London, NW11 8AU

Decision: Approved subject to conditions

Decision Date: 20.06.2017

Description: Conversion of existing property into 4no. self-contained flats including a single storey rear extension. Associated amenity space, refuse storage area and provision of 2no. off-street parking spaces. Retention of roof extension including rear dormer window. Demolition of existing outbuilding. (AMENDED DESCRIPTION).

The single storey rear outbuilding is to be demolished and removed from the application site.

Reference: 16/6615/FUL

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Conversion of existing property into 5no self-contained flats. Conversion of garage into habitable room, insertion of window to replace garage door. Single storey rear extension. New

outbuilding to rear. Associated refuse and recycling store, parking, amenity space. , .

Decision: Withdrawn.

Decision Date: 10 April 2017

Reference: 16/8101/FUL

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Conversion of existing property into 5no self-contained flats. Conversion of garage into habitable room, insertion of window to replace garage door. Single storey rear extension. New

outbuilding to rear. Associated refuse and recycling store, parking, amenity space.

Retention of roof extension including rear dormer window (AMENDED DESCRIPTION).

Decision: Refused.

Decision Date: 20 March 2017

Reference: 16/0308/192

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Two storey rear extension. Removal of chimney. Conversion of garage into habitable room, insertion of window to replace garage door. Erection of outbuilding to rear garden.

Decision: Lawful.

Decision Date: 1 February 2016

### **3. Proposal**

The proposal seeks to amend the drawings in regard to the footprint, height and mass of the rear outhouse. The proposal seeks to amend the drawings in regard to the footprint, height and mass of the rear outhouse. The depth has been reduced by 2.5 metres to 5.5 metres; the pitched roof altered to a flat roof with a retained eaves height at 2.5 metres. The width is maintained at 8.5 metres.

### **4. Public Consultation**

Consultation letters were sent to 97 neighbouring properties.

Four objections have been received, and one comment, although the latter was not submitted directly to the Council. In summary the objections are:

- The third revision
- Still overcrowded
- The building is an eyesore
- Why does a garden store need a toilet?
- The building will be turned into separate living accommodation

No objections to the revised plans for the outbuilding provided the drawings are adhered to i.e. the elevations are removed, the building is reduced in size and suitable trees are planted along the boundary fence.

Although the Council has received four separate planning objections and it is therefore technically permissible for consideration of the application to be made under delegated powers; it is nevertheless considered appropriate for the matter to be considered by the committee given that the earlier decision was made by the committee.

### **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, CS10, CS11,
- Relevant Development Management Policies: DM01, DM07, DM13

The Council's approach to development 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.

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 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:

- The suitability of the design changes to the existing outbuilding
- The implications for amenity standards within the site
- The effect on neighbour amenity.

### **5.3 Assessment of proposals**

The rear outbuilding as built is a large structure within the garden. The alterations will ensure that the proposal is more contextual. The depth has been reduced by 2.5 metres and together with the change of the pitched roof from a ridge height of 4 metres to a flat roof of 2.5 metres, the bulk and mass is now acceptable. The eaves height will remain at 2.5 metres. The render material will remain but an improved painting scheme will help the appearance further. The reduction in the mass and scale will also result in a reduction in the fenestration.

Internally, it will remain sub divided into a bicycle store, garden store, garden room and communal wc. There is no objection to these facilities in an outhouse, and which is not uncommon in Barnet, but an additional condition will be added to ensure that the space is not used as separate and independent residential accommodation.

#### **- The implications for amenity standards within the site**

The present structure occupies a large area of the rear part of the garden and the reduction in the footprint will make the area, in particular that behind the outhouse, more usable. The reduction in the height and mass will ensure that the individual garden plots are less in shadow and will receive more light. In particular, the plot to the rear will feel less oppressive and unpleasant to use as an amenity space as a result of the alterations. As a result of the alterations, the garden areas for each of the flats are as follows:

- o Flat A 49.10sqm
- o Flat B 71.25sqm
- o Flat C 80.10sqm
- o Flat D 68.55sqm

#### **- The effect on neighbour amenity**

The outhouse as it stands has no material effect on the light, outlook, aspect or privacy to adjacent residents. Nevertheless it does remain a highly visible feature. However, the height, scale and bulk ensure that the building draws attention to itself in a part of the garden where it should be more discreet. The reduction in the height and footprint and other measures will make the structure less obvious and therefore improve the openness of the rear gardens of the neighbouring properties. This will be of particular benefit to the residents of Eagle Court. The alterations will ensure that the amenity of adjacent residents is protected and will improve in regard to light, outlook and aspect.

#### **5.4 Response to Public Consultation**

The issues raised by the objectors are covered above.

#### **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 amendment to the condition would not give rise to any unacceptable impacts on the character and appearance of the application site, the street scene and the locality, or have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

