

Location **1B And 1C Sneath Avenue London NW11 9AJ**

Reference: **18/0590/FUL**

Received: 29th January 2018

Accepted: 29th January 2018

Ward: Golders Green

Expiry 26th March 2018

Applicant: Mr & Mrs George & Stella Constant

Conversion of existing 1 bedroom flat (Flat C) to a 2 bedroom flat, roof extensions including hip to gable and 3no. rooflights to front and new gable window to side elevation to facilitate a loft conversion. Changes to front and rear fenestration (Flat B)

Proposal:

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: 1230/11, 1230/12, 1230/14, 1230/15, 1230/16, 1230/17, 1230/18.

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 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevation facing 188 Golders Green Road 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 April 2013).

- 6 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).

Informative(s):

- 1 Submitted Plans are: 1230/11, 1230/12, 1230/14, 1230/15, 1230/16, 1230/17, 1230/18,

- 2 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

- 3 The applicant is advised that condition 9 pursuant to planning permission reference F/03767/13 states that the floor plan layout as shown on the hereby approved plans must not be changed. The applicant is advised if they are seeking to implement this planning application then the condition would need to be removed or varied.
- 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.

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.

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.

- 5 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.

- 6 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. If the refuse vehicle is expected to travel over an unadopted

road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. 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 site features a two storey semi-detached property that is located on the north side of Sneath Avenue close to the junction with the Golders Green Road. The application site has an existing first floor rear extension and wrap around rear/side dormer for a loft conversion. The site falls within the Golders Green ward and is outside any of the Borough's Conservation Areas. Sneath Avenue is a residential street where a number of properties have had alterations and there are a number of converted properties.

The majority of properties in Sneath Avenue do not have the benefit of off street parking and a Controlled Parking Zone (CPZ) operates between the hours of 11am-12pm and 2-3pm Monday to Friday for the on-street parking.

2. Relevant Site History

Reference: F/03352/14

Address: 1 Sneath Avenue London NW11 9AJ

Description of Development: Variation of Condition 1 approved plans pursuant to planning permission F/00558/12 dated 21/06/12 amendments to include alterations to internal layout.

Decision: Approve subject to conditions

Decision Date: 3 September 2014

Reference: F/03767/13

Address: 1 Sneath Avenue London NW11 9AJ

Description of Development: Removal of Condition No 9 (layout) pursuant to the previously approved application ref F/00558/12 dated 21 June 2012 for conversion of dwellinghouse into three no self-contained flats including two storey side/rear extension. Provision of refuse and 6no bicycle storage in front. Alterations to roof including 1no rooflight to the front and 1no rooflight to the rear elevation. Removal to include changes to layout.

Decision: Refused

Decision Date: 17 October 2013

Reference: F/00558/12

Address: 1 Sneath Avenue London NW11 9AJ

Description of Development: Conversion of single dwellinghouse into three self-contained flats including two storey side/rear extension. Provision of refuse and 6no bicycle storage in the front. Alterations to roof including 1no rooflight to the front and 1no rooflight to the rear elevation

Decision: Approve subject to conditions

Decision Date: 21 June 2012

Reference: F/03916/11

Address: 1 Sneath Avenue London NW11 9AJ

Description of Development: Alterations to roof including wrap around rear/side dormer to facilitate a loft conversion

Decision: Lawful

Decision Date: 16 November 2011

3. Proposal

Planning permission is sought for the conversion of an existing 1 bedroom flat (Flat C) to a two bedroom flat to include roof extension involving hip to gable and 3no. rooflights to front and new gable window to side elevation to facilitate a loft conversion. Changes to front and rear fenestration (Flat B).

- The second floor would be extended to increase the floor area from 52.6sqm (Flat C) to 69sqm.
- The proposed roof extension involving hip to gable rooflights to front and new gable window to side elevation to facilitate a loft conversion would provide for a two bedroom property on the second floor
- To the front elevation a larger window would be added at first floor and one window at ground level
- To the rear elevation a larger window would be inserted at first floor of the first floor rear extension and a three panned window in the existing rear dormer.
- It would result in the insertion of one window in the south flank elevation.

4. Public Consultation

21 consultation letters were sent to neighbouring properties.

9 objection received.

The objection received can be summarised as follows:

-Impact on parking, noise and the roof will be overbearing and will result in harmful loss to the street scene outlook.

It is out of character and harm the streetscene, conversion to flats will result in overcrowding, small rear garden will result in loss of privacy, reduce light which will harm residential amenity.

Internal Consultation-

Highways - No objection

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the

development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, 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 the proposal would detract from the character and appearance of the street scene
- Whether harm would be caused to the living conditions of neighbouring and future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether there is a sufficient level of amenity for future occupiers
- Whether the development would be sustainable

5.3 Assessment of proposals

Whether the proposal would detract from the character and appearance of the street scene

The proposed extensions to the roof would enlarge existing extensions that are considered to detract from the appearance of the existing dwelling. The existing two storey side extension roof and dormer relate awkwardly to the remainder of the dwelling. Whilst the proposed extension is somewhat larger it would have a more cohesive design and would have an improved impact character of the area. Furthermore, the proposed roof extension involving the hip to gable and 3 no front rooflights to front and new gable window to side elevation to facilitate a loft conversion is identical to attached property no 3 Sneath Avenue. The introduction of the proposed roof extension involving the hip to gable and 3 no front rooflights to front would balance the pair of semi-detached properties and as such would enhance to the character of the area.

There are many examples of similar large roof extensions in the vicinity including those at no.3 and no.46 approved in 2017.

It is considered that the proposal is not a visually obtrusive form of development which would detract from the character and appearance of the street scene. Therefore, it is considered acceptable.

Whether harm would be caused to the living conditions of neighbouring residents

Arguably the most affected properties in this regard are those directly adjoining. Following a site visit, it was noted that attached property no 3 has already built a number of extensions, in the form of an existing single storey rear extension, first floor rear extension and roof extension involving hip to gable and 3no rooflights to front to facilitate a loft conversion. Further, the proposed development is for the most part contained within the second floor level of the building and the alterations are minimal in nature. Therefore, the proposal would not harm the amenity of occupants at no 3.

No 2 Ambrose Avenue is sited approximately 8.5m from the shared boundary with the application site. Given this separation distance and the fact that the new side window in the roof would be obscure glazed, there would not be a harmful loss of privacy. Furthermore given the intervening distance the extension would not appear overbearing or visually domianting. It is considered that it would not harm the amenities of occupiers at no 2 Ambrose Avenue.

Overall, it is considered that the proposed development would not harm the visual or residential amenities of future residents or neighbouring occupiers.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Highways Officers have no objection to the increase in size of the existing 1 bed flat to a two bed two person unit or associated roof alterations. This level of intensification will not impact significantly on the performance and safety of the surrounding highway network or its users. The proposals would have an acceptable impact on highway and pedestrian safety and the free flow of traffic.

Whether there is a sufficient level of amenity for future occupiers

The proposal complies with the internal space standards and standards prescribed by the Sustainable Design and Construction SPD (adopted October 2016) and the current London Plan. Further, all units are double aspect allowing sufficient opportunities for light and cross-ventilation. The rear garden would be only accessible to the occupiers of the ground floor unit. However, taking into account the constraints of the site and the need to provide smaller units as they utilise existing stock, it is considered that the lack of access to amenity space for the upper flat in itself would not cause such harm that it would warrant refusal of this planning application. Therefore, the proposal is considered acceptable in this regard.

The proposed floor layout is considered acceptable in terms of impacts on the living conditions of neighbouring and future residents.

The proposed second floor 1 x 2b flat (flat C) would have a gross internal floor area of 69 square metres in size. The London Plan requires 70sqm and the proposal falls marginally short by 1sqm. However, given that the proposed room sizes are adequate and comply with the London Space standards and the fact that the building is dual aspect, creating adequate outlook, it is considered on balance to create an acceptable living environment for future occupants.

The proposed internal stacking is considered appropriate and acceptable, helping to ensure a minimum of noise disturbance between the units. Sound insulation between units 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 the 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.

No details had been provided for use of the outdoor rear garden amenity area. The rear garden is only accessible to the occupiers of the ground floor unit. This would be unchanged. Taking into account the constraints of the site no objection is expressed to the lack of amenity space for the upper floor flats.

Refuse, recycling and cycle storage would be provided as existing.

5.4 Response to Public Consultation

Planning matters are addressed in the body of the report. It is not considered that the extensions would cause significant impact on neighbouring amenity or the appearance of the area.

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 policy and material considerations into account, the proposal would not detrimentally impact on the visual appeal of the street scene or local character, would not cause unacceptable harm to the living conditions of neighbouring residents, would not result in any impacts on the amenities of future occupants of the site, and would provide a sufficient level of amenity for future occupiers. Therefore, the proposal is recommended for approval subject to the conditions contained herein.

