

Location **2 Southfields London NW4 4ND**

Reference: **18/3288/FUL** Received: 30th May 2018
Accepted: 30th May 2018

Ward: Hendon Expiry 25th July 2018

Applicant: Mr N Galer

Proposal: Erection of 2 new 2 storey 4-bed semi-detached single family dwellinghouses with rooms in the roofspace and associated car parking, refuse and cycle storage following demolition of the previously existing house

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 Location Plan
 - Existing Ground and First-Floor Plan (01)
 - Existing Second Floor and Roof Level Plan (02)
 - Existing Elevations and section (03)
 - Proposed Street Elevation (Rev. 5)
 - Proposed Rear Elevation (Rev. 5)
 - Proposed Left Side Elevation (Rev. 5)
 - Proposed Right Side Elevation (Rev. 5)
 - Proposed Cross Section (Rev. 5)
 - Proposed Ground Floor Plan (Rev. 6)
 - Proposed First-Floor Plan (Rev. 5)
 - Proposed Second-Floor Plan (Rev. 4)

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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 Before the development hereby permitted is first occupied, enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers shall be implemented in accordance with drawing Ground Floor Rev. 6 hereby approved 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).

- 5 Before the development hereby permitted is first occupied, cycle parking and storage containers shall be implemented in accordance with drawing Ground Floor Rev. 6 hereby approved 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).

- 6 Before the building hereby permitted is first occupied the proposed windows in the side elevations at first-floor and roof level (side dormers) 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).

- 7 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been 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 retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 8 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; a site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors, the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding, details of the dust suppression methods and kit to be used, confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

- 9 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).

- 10 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. Ground Floor Plan Rev. 6 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area 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 2015.

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

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

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

- 12 a) Before the development hereby permitted is first occupied, details of the subdivision 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).

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E and F of Part 1 of Schedule 2 of that Order shall be carried out within the area of the application site as shown on the Location Plan hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 14 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 6.00 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).

- 15 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.

- 16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 17 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.

- 18 a) Before the development hereby permitted is first occupied, a scheme of hard and soft landscaping to the front forecourt area shall be submitted to and agreed in writing by the Local Planning Authority.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted

September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

Informative(s):

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

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.

- 3 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Works on public highways to facilitate the development will be carried out under the S278 Agreement of the Highways Act 1980.

Please Note: A maximum width of a continuous crossover allowed for a property from a public highway is 4.8 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 4 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 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 4500.

Officer's Assessment

1. Site Description

The application site previously comprised a two-storey detached single dwelling, located on the northern side of Southfields, close to the junction with Watford Way. Southfields is a residential road which lies within the Hendon ward.

The application site previously received planning consents for various works which have been listed in the site history section below. During the implementation of these consents, the building collapsed except for small sections of the wall and a recently constructed larger householder extension.

The previous dwelling at the application site was a detached building standing apart from the predominantly semi-detached form characteristic within the street. It had previously been extended at the roof level and prior to demolition had two front gables reflective of local character. Hard standing was located to the front of the dwelling to provide 3 off-street parking spaces.

The application site is not a listed building, is not located within a conservation area and contains no trees subject to a Tree Protection Order (TPO) within its curtilage.

2. Site History

Reference: 17/6846/FUL

Address: 2 Southfields, London, NW4 4ND

Description: Demolition and erection of 1no detached single dwelling house including part single, part two-storey rear projection and projections at roof level including 2no side dormer to both sides and a single storey rear extension

Decision: Approved subject to conditions

Decision Date: 10 May 2018

Reference: 17/5969/FUL

Address: 2 Southfields, London, NW4 4ND

Description: Conversion for single dwelling house to 3no self-contained flats. Two-storey front extensions incorporating bay windows at ground and first floor level. Part single, part two-storey rear extension with 2no roof lights to rear elevations. Extension to roof including 2no rear dormer windows, 2no dormer windows to both side elevations.

Decision: Withdrawn

Decision Date: 27 October 2017

Reference: 17/4252/HSE

Address: 2 Southfields, London, NW4 4ND

Description: Two storey rear extension with new patio area. New hardstanding to front to create off street parking. Two storey front extension involving demolition of existing garage. Roof extension involving 2no dormer windows to both sides and rear elevations and 2no rear rooflights

Decision: Approved subject to conditions

Decision Date: 29 August 2017

Reference: 17/2883/PNH

Address: 2 Southfields, London, NW4 4ND

Description: Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 3 metres and maximum height of 4 metres
Decision: Prior Approval Not Required
Decision Date: 7 June 2017

Reference: 17/2277/PNH
Address: 2 Southfields, London, NW4 4ND
Description: Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 3 metres and maximum height of 4 metres
Decision: Prior Approval Required and Refused
Decision Date: 3 May 2017

Reference: 17/1152/192
Address: 2 Southfields, London, NW4 4ND
Description: Roof extension involving new crown roof, 3no rear and 2no side dormer windows
Decision: Unlawful
Decision Date: 24 March 2017

Reference: 16/8183/HSE
Address: 2 Southfields, London, NW4 4ND
Description: Two-storey front extension to provide new bay windows, repositioning of existing bay windows and alteration to front porch following conversion of garage into habitable room. Part single, part two-storey rear extension (Amended scheme incorporating reduction to the extension).
Decision: Approved subject to conditions
Decision Date: 22 February 2017

Reference: 16/8184/HSE
Address: 2 Southfields, London, NW4 4ND
Description: Part single, part two-storey front extension, alterations to front entrance and balcony to first floor level. Part single, part two-storey rear extension with rooms in roof space and balcony at first floor level. Extension to roof including new crown roof and 2no dormer windows to both sides
Decision: Withdrawn
Decision Date: 17 February 2017

3. Proposal

- Erection of new 2 storey 4-bed semi-detached single-family dwelling houses with rooms in roofspace
- 2 off-street parking spaces
- Associated amenity space
- Associated cycle and refuse provision

4. Public Consultation

Consultation letters were sent to 105 neighbouring properties. 6 responses were received comprising 6 letters of objection. These can be summarised as follows:

Objection:

- Loss of light resulting from first-floor extension.

- Loss of privacy.
 - No condition imposed to stop the properties being turned into HMOs. Property was previously used as a 7-bed HMO.
 - Concern that the layout, including bathrooms for all bedrooms means the property will be turned into a HMO in the future.
 - There is insufficient off-street parking for the number of proposed residents.
 - More houses, people and cars on the street will add to the congestion already experienced on a small road.
 - Form of overdevelopment.
- 0.
- Flank wall windows are clear glazed and therefore will result in overlooking.
 - The two dormer windows are shown as obscure glazed, but have opening casements so panoramically overlook neighbouring houses and gardens.
 - Side dormers will restrict future development of neighbouring property.
 - Increased noise due to additional dwelling.

Internal Consultee Consultation:

- Arboriculturalist: No objection. Recommend Landscape to Frontage Condition.
- Environmental Health: Acceptable subject to conditions.
- Highways: No objection to either on-site parking provision and Construction Method Statement.

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.

The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08 and DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (October 2016)

Sustainable Design and Construction SPD (October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways;
- Provision of refuse storage

5.3 Assessment of proposals

Principle of development

This application seeks permission again for the demolition of the property and the erection of a building containing two single-family dwellings. The development would therefore appear as a pair of semi detached properties. Applications that seek to sub-divide an existing dwelling to create an additional dwelling are assessed against Policy DM01 which states:

b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The predominant character and appearance of Southfields surrounding the application site is that of two-storey detached and semi-detached single-family dwellings. The proposed development would create a pair of two-storey semi-detached single-family dwellings and therefore the proposed sub-division would be consistent with the prevailing character within Southfields.

The proposed design seeks to provide a degree of visual symmetry to the front elevation to enable the new pair of semi-detached dwellings to appear as a single detached dwelling (as previously built) within the streetscene. The design would broadly replicate the architectural form of both the former dwelling at the application site and the extant permission outlined in the planning history section above (ref: 17/6846/FUL). As a consequence of the proposed design, little has changed from a visual appearance perspective, between the former

dwelling at the application site, the stated extant permission and the proposed pair of semi-detached dwellings.

It is acknowledged that a previous Prior Notification application was previously approved for an 8m deep single-storey rear extension at the application site and upon a site visit it was clear that this had been part implemented. However, the proposed development has reduced this element to 3.4m which is considered more visually subordinate to the proposed dwellings and less harmful to the residential amenity of neighbouring occupiers. Should permission be granted for this application, corrective works would be required to reduce the part constructed walls to the proposed depth of 3.4m. Any permission would also include a condition which would remove Permitted Development rights to control the future development potential of the site. Therefore, from a visual perspective, the proposed sub-division is not expected to cause harm to the character of Southfields and would provide measures aimed at providing greater control over any future development on site.

The use on the site will also remain the same as existing, with the proposed sub-division providing two single-family occupancy dwellings. Any increase in site intensification will be assessed within the amenity section below. However, it is considered that the use of the site as a pair of semi-detached properties would not in itself be considered harmful or contrary to the established character of a street which is characterised by semi-detached dwellings.

Some of the public comments received have expressed concern that the proposed sub-division and layout will result in the creation of two HMO properties at the application site. However, this application states that the use of the two dwellings will be for the purposes of single-family occupancy only. Therefore, the assessment of this application must be made based on the facts of the application and not on speculation, or alleged past activity. Should the use of the application site change at a future stage without planning permission, enforcement action could be taken.

Based on the above, it is considered that the impact of the proposed development on both the character and appearance of the application site and the wider streetscene would be limited, with little visual reference of the sub-division evident when viewed from the public highway. That said, semi-detached dwellings are considered in keeping with the established character of Southfields. Furthermore, it is deemed that the proposed sub-division from a use perspective would be acceptable and in keeping with the single-family residential character of Southfields. Consequently, it is considered that the proposed sub-division would be acceptable in-principle subject to amenity and highways considerations, given both its use and visual impact are consistent with both the stated extant permission and adjacent dwellings on Southfields.

Character and appearance

As referenced above, the application site benefits from an extant planning permission (ref: 17/6846/FUL) which was approved at committee for the erection of a two-storey detached dwelling house to replace the previously demolished detached dwelling. This application proposes the same design as the dwelling previously approved, albeit with two additional windows to the front elevation to create a visually symmetrical façade and a minor re-adjustment to the siting of the side dormers. Given the proposed dwellings reflect the design, siting and scale of the previously approved dwelling, it is considered that the proposed is acceptable on character and appearance grounds.

In terms of the visual impact resulting from an increase in site intensification, the only reference evident from the public highway is two sets of refuse storage units. Two on-site

parking spaces have been provided in line with the extant permission. Indeed, it is considered that the proposed sub-division would operate effectively within the previously approved building envelope, with minimal visual impact caused as a result.

As outlined in the principle section, a condition will be attached to this permission to restrict Permitted Development rights. It is considered that this will protect the existing character and residential amenity of neighbouring occupiers with greater control provided around any future development of the site.

In summary, given the proposed design reflects the same as previously approved at committee and the fact the increase in site intensification does not result in a harmful level of visual clutter or increase in the building size, it is considered that the proposed sub-division is acceptable on character and appearance grounds.

Neighbouring Amenity

Paragraph 2.7.1 of Policy DM01 states that

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

The proposed building envelope, footprint and window placements on the flank and rear elevation are broadly in line with the previously approved detached dwelling (ref: 17/6846/FUL) and therefore the impact on the residential amenity of neighbouring occupiers has previously been assessed and deemed acceptable. The impact on the outlook, daylight / sunlight and privacy currently enjoyed by neighbouring occupiers would therefore not be harmed by the proposed sub-division over and above the amenity impacts previously approved at committee. It should be noted that the previously approved scheme (ref: 17/6846/FUL) was for an 8-bedroom detached house with the same potential occupancy level as the proposed. Therefore, it is considered that the proposed development would not necessarily constitute an increase in site intensification in terms of occupancy levels, although there may be a small increase in vehicular access and how it is assessed against Policy DM17 (to be addressed in the highways section below). Consequently, it is not considered that the proposed sub-division would result in an increased level of noise disturbance for neighbouring occupiers given potential occupancy levels are comparable to the previously approved scheme (ref: 17/6846/FUL).

Concern has been raised via public comments regarding potential overlooking opportunities resulting from flank wall windows. A condition will be attached to any permission requiring the first-floor and side dormer windows to be obscured glazed. This will be in line with the obscure glazing condition attached to the previously approved scheme (ref: 17/6846/FUL).

A Construction Method Statement was submitted as part of this application to provide reassurance to neighbouring occupiers and the Council that adequate measures will be implemented during the construction process to protect neighbouring residential amenity. This has been reviewed by the Council's Highways and Environmental Health department. A condition will be attached to any permission to ensure the Construction Method Statement is enforceable.

Based on the above, it is considered that the proposed sub-division would not result in significant harm to the residential amenity of neighbouring occupiers over and above the impact deemed acceptable by committee for the previously approved scheme (ref: 17/6846/FUL). Conditions will be attached to any permission regarding obscure glazed windows and a Construction Method Statement. Consequently, it is considered that the proposed sub-division would be acceptable on amenity grounds.

Living standards for future occupiers

Floor Area:

The London Plan (2016) and section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (gia) space requirements for residential units. Following a review of the floor plans for both dwellings, it is considered that they meet the stated minimum space standards:

House A - 4-bed, 8-person, 3 storeys: 167m² provided / 130m² required

House B - 4-bed, 8-person, 3-storeys: 167m² provided / 130m² required

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design and Construction SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All proposed bedrooms meet the above standards.

Floor to ceiling height:

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling.

The proposed dwellings meet the above standard.

Light/outlook:

Barnet's Sustainable Design & Construction SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and provide reasonable levels of outlook to all habitable rooms.

It is considered that both dwellings provide an acceptable level of dual aspect outlook and adequate daylight and sunlight provision to all habitable rooms. This is some concern with the quality of outlook and sunlight / daylight provision provided to bedroom 4 in both properties, given they are only served by an obscure glazed side dormer window and a roof light. However, as this layout and arrangement has been previously approved (ref: 17/6846/FUL), in this instance no objection is raised.

Amenity Space:

Section 2.3 of the Sustainable Design & Construction states that for houses with up to six habitable rooms, 70m² of usable amenity space should be provided. Any room at 20m² or above is calculated as two habitable rooms. House A has 76.62m² of usable amenity space

provided via a rear garden and House B has 76.89m². It is therefore considered that both dwellings exceed the stated amenity space standards.

Based on the above, it is considered that the proposed development would provide an acceptable level of amenity for future occupiers in compliance with the minimum internal and external space standards and policy requirements regarding floor-to-ceiling heights and outlook and daylight / sunlight provision. Therefore, this application is recommended for approval on amenity to future occupier grounds.

Highways

For the proposed development, a parking provision of between 3 to 4 parking spaces would need to be provided to meet the parking standards as set out within Policy DM17.

The following factors have been taken into consideration:

- o The site is located in an area with a Public Transport Accessibility (PTAL) score of 1a which considered as poor accessibility.
- o The site is not within a town centre location or close to local amenities
- o The site is within a Control Parking Zone.

Based on the PTAL rating of 1a the parking requirement for the proposed development would be 4 parking spaces. Consequently, the proposed parking provision of 2 parking spaces would fall short by 2 parking spaces. However, the applicant has submitted a parking beat survey which demonstrates that there are parking spaces available on street near the development to accommodate any potential overspill parking. Therefore, on balance the proposed development with the provision of 2 parking spaces is considered acceptable on highway grounds.

The proposed development is required to comply with Policy 6.9 of the London Plan (2016) regarding cycle storage. Parking storage to contain 2 cycles has been provided in the rear garden of both dwellings. The details provided are considered acceptable and will be secured via condition.

Refuse

The proposed development is required to comply with Barnet's Waste and Recycling Strategy (2018). Details of refuse and recycling bins and their timber storage containers which are to be located to the front of both dwellings have been provided and are considered acceptable. They will be secured via condition.

5.4 Response to Public Consultation

The concerns raised by the public comments received have been broadly covered within the report above. For clarity see below:

- Loss of light resulting from first-floor extension:

The proposed development retains the same building envelope as previously approved (ref: 17/6846/FUL).

- Loss of privacy:

The proposed development retains the same building envelope as previously approved (ref: 17/6846/FUL).

- No condition imposed to stop the properties being turned into HMOs. Property was previously used as a 7-bed HMO.

The application states that it is for two single-family dwellings and therefore the assessment is required to consider the merits of the development proposed. Should the proposed dwellings be used as HMOs in the future they could be subject to enforcement action.

- Concern that the layout, including bathrooms for all bedrooms means the property will be turned into a HMO in the future:

The application states that it is for two single-family dwellings and therefore the assessment is required to consider the merits of the development proposed. Should the proposed dwellings be used as HMOs in the future they could be subject to enforcement action.

- There is insufficient off-street parking for the number of proposed residents:

The Highways Department has reviewed the application, including the parking survey provided and consider the parking provision proposed acceptable on highways grounds.

- More houses, people and cars on the street will add to the congestion already experienced on a small road:

The Highways Department has reviewed the application, including the parking survey provided and consider the parking provision proposed acceptable on highways grounds.

- Form of overdevelopment:

It is considered that the impact of site intensification is acceptable on character, amenity and highways grounds. See report.

- Flank wall windows are clear glazed and therefore will result in overlooking:

A condition will be attached to any permission requiring flank wall windows at first-floor and roof level to be obscure glazed.

- The two dormer windows are shown as obscure glazed, but have opening casements so panoramically overlook neighbouring houses and gardens.

A condition will be attached to any permission with restrictions on the window openings.

- Side dormers will restrict future development of neighbouring property.

Side dormers will be obscured glazed by condition.

- Increased noise due to additional dwelling.

Discussed in the amenity section 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

The proposed development is not considered to cause significant harm to the character and appearance of the application site and wider streetscene, or the residential amenity of neighbouring occupiers. Furthermore, the proposed development is considered to provide a good standard of amenity for future occupiers and is acceptable on highways grounds. Consequently, this application is recommended for approval.

