

LOCATION: 92-94 Hillview Gardens, London, NW4 2JR
REFERENCE: H/02045/12 **Received:** 28 May 2012
Accepted: 01 June 2012
WARD(S): Hendon **Expiry:** 27 July 2012

Final Revisions:

APPLICANT: Ms L Wald

PROPOSAL: Two storey rear extension. New side access gates. New boundary fence with trellis. Roof extension with rear and side dormer windows and a total of 4no. rooflights to the front roofslope to both properties and associated landscaping at the rear to facilitate conversion of both properties into 5no. self contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, HD/539/4001 , 4002, 4000, 4003, 4004, 4005, proposed loft received 13.7.2012 and 4006.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 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 scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.
Reason:
To ensure a satisfactory appearance to the development.
- 4 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 the surrounding area.
- 5 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.
Reason:
To ensure a satisfactory appearance to the development.
- 6 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.
- 7 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 8 The roof of the 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.

- 9 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 on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 10 Prior to the 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.

- 11 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

- 12 Before the building hereby permitted is occupied the proposed window(s) and dormer windows in the flank elevation facing 137 Bell Lane 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.

- 13 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with Policies M4, M5 and M14 of the London Borough of Barnet Adopted Unitary

Development Plan 2006.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GBEnv3, D1, D2, D3, D5, D6, D9, M14, CS2, CS8, CS13, H16, H17, H18, H23, H26, IMP1 and IMP2.

- SPD Sustainable Design and Construction
SPD Contributions to Education
- SPD Contribution to Health
- SPD Contributions to Libraries
- SPD Planning Obligations

Core Strategy (Adoption version) 2012: CS4 and CS5

Development Management Policies (Adoption Version) 2012: DM01, DM02 and DM08

ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the amenities of the neighbouring occupiers and future occupiers of the flats. It complies with all relevant council policy and design guidance.

- 2 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development 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 will be sent a 'Liability Notice' that will provide 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, this is also available from the Planning Portal website.

The Community Infrastructure Levy 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 statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk

- 3 The applicant is referred to the advise following from Thames Water.

1) Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments :-

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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 July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London.

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.

3.3, 3.4, 3.5, 7.1 and 7.4

London Plan Internal floorspace standards - 1 bed 2 person - 50 sq m

Relevant Unitary Development Plan Policies:

Adopted Barnet UDP (2006):

GBEnv1, GBEnv2, D1, D2, D5, M11, M12, M14, H16, H23, H26, H27, CS2, CS13, IMP1 and IMP2.

Design Guidance Note 5 – Extensions

Design Guidance Note 7 - Residential Conversions

Supplementary Planning Document: Sustainable Design and Construction (June 2007)

Supplementary Planning Document on Contributions to Library Services (2008)

Supplementary Planning Document on Contributions to Health Services (2009)

Supplementary Planning Document: Planning Obligations

Core Strategy (Submission version) 2011

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS4 and CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02 and DM08

Relevant Planning History:

Site history for current landparcel :

117956 - 92-94 Hillview Gardens, London, NW4 2JR

Case Reference: **H/02045/12**

Application:	Planning	Number:	H/00825/12
Validated:	13/03/2012	Type:	APF
Status:	DEC	Date:	25/05/2012
Summary:	APC	Case Officer:	Cathy Munonyedi
Description:	Part single and part two storey rear extension to both properties.		

Site Address: 92 - 94 Hillview Gardens London NW4 2JR
Application Number: W12879B/07
Application Type: Outline Application
Decision: Refuse
Decision Date: 09/04/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a four storey building to include basement and loft space to facilitate 39 No. self contained flats for student accommodation. (OUTLINE APPLICATION)**
Case Officer: Louise Doran

Site Address: 92-94 Hillview Gardens London NW4 2JR
Application Number: W12879A/03
Application Type: Outline Application
Decision: Refuse
Decision Date: 19/03/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing buildings and erection of a new three storey block comprising 5no. self-contained flats and provision of 6no. off-street car-parking spaces (OUTLINE). (Amended description).**
Case Officer:

Site Address: 12 Albert Road London NW4
Application Number: W05751
Application Type: Section 191
Decision: Lawful Development
Decision Date: 02/08/1978
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use as two flats**

Case Officer:

Site Address: 92-94 Hillview Gardens London NW4 2JR
Application Number: W12879/02
Application Type: Outline Application
Decision: Refuse
Decision Date: 06/08/2002
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Outline Application for demolition of existing two houses and construction of three-storey building comprising of 6x two-bedroom flats with 6 car parking spaces.**

Case Officer:

Site Address: 92 Hillview Gardens, London, NW4 2JR
Application Number: H/01888/12
Application Type: Section 192
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension following removal of existing conservatory. Extension to roof including hip to gable, 2no front rooflights and rear dormer to facilitate a loft conversion.**

Case Officer:

Erica Mason

Site Address: 92 & 94 HILLVIEW GARDENS, LONDON, NW4 2JR
Application Number: H/01603/08
Application Type: Full Application
Decision: Refuse
Decision Date: 03/10/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing two semi-detached houses and construction of building of thirty-one self-contained student accommodation units including new basement and rooms in roof space.**

Case Officer:

Louise Doran

Consultations and Views Expressed:

Neighbours Consulted: 90 Replies: 8
1 petition 8 signatures (2 submitted objection letters)
2 support including applicant

Neighbours Wishing To Speak- 0

The objections raised may be summarised as follows:

- scale and appearance
- out of character, detrimental impact
- traffic, access and parking
- currently property is rented as an HMO and the occupants do not have cars.
- increased noise and pollution
- cramped accommodation
- potential problem providing refuse facilities as the ground floor/street level is 1.25m lower

Internal /Other Consultations: Thames Water - no objection subject to informatives.

Highways no objection, subject to condition

Date of Site Notice: 14 June 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site in question relates to two semi detached properties on the western side of Hillview Gardens. No. 92 has a single storey conservatory to the rear and single storey side extension. The properties are set apart from other rows of houses with an office block to the north some 3m away and the backs of the gardens of properties on the adjacent road to the south, Bell Lane.

Proposal:

The proposal is for a two storey rear extension, new side access gate, new boundary fence with trellis, extension to rear and side dormers and 4 rooflights and conversion in to 5 self contained units.

Extensions

The proposed depth is 4.5m on the ground floor and 3m on the first floor. The single storey element would be 3m high with a flat roof and the first floor would have a crown roof. Approval of similar extensions was granted recently (ref H/00825/12).

The proposal includes rear and side dormers which are clearly set within the roof profile and would not have an adverse impact on the appearance of the two houses.

Conversion

The proposal is for 5 self contained flats (1x3b, 2x2b, 2x1b).

Planning Considerations:

The issues within this application are:

- The impact of the proposed extensions on the appearance of the property and the street scene and the character of the appearance
- The impact of the proposal on the amenities of the neighbouring occupiers
- The amenities provided for future occupiers of the flats
- Highways issues

Appearance of the extensions and character of the area

There are a number of flat conversions and purpose-built flats within the vicinity. The pair of properties are the first in the street and adjoin rear gardens of properties in Bell Lane to the south and an office and college to the north. It is considered that a conversion to flats is appropriate.

The proposed dormer windows are in keeping with council policies and would not detract from the appearance of the property and would be in keeping with the character of the property and neighbouring properties. A part single storey , part two

storey rear extension has been approved recently (ref. H/00825/12).

Impact of the development on the neighbouring occupiers

Given the location of the property it is considered that the provision of 5 flats in a pair of properties is not overdevelopment and the proposal would not create significant or unacceptable noise and disturbance to neighbouring occupiers.

The proposed side dormers would be obscured glazed to offset any overlooking and loss of privacy with respect to the gardens to the rear of Bell Lane. In addition there would be no significant loss of outlook from or light to the neighbouring residential properties which are some distance away from the application site.

Impact on the future occupiers

The flats have been appropriately stacked and the flats are of a generous size. There is adequate amenity space provided. Amenity space is in the form of communal space approx 164 sqm which exceeds Unitary Development Plan amenity space standards of 5sq per habitable room (based on 12 rooms).

Highways

Highways officers raise no objection to this car free development in terms of impact on highways conditions. No parking can be provided on site. A car-free development is considered acceptable given the site's location close to a town centre and local amenities and within walking distance of public transport facilities. The existing properties would have required up to 4 parking spaces and the proposed flats would also require 4 spaces to meet the parking standards set out in the Unitary Development Plan. On balance therefore the proposal is acceptable.

Section 106 Issues

In line with the current adopted supplementary planning documents, the following contributions would necessary as a result of the impacts generated by the development:

- Libraries: £207
- Health: £646
- Monitoring: £42.65

Total £895.65

The development does not include a formal undertaking.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections have been largely addressed in the body of the report:-

Refuse

- potential problem providing refuse facilities as the ground floor/street level is 1.25m lower

A condition has been added with regards to refuse and a suitable facility would need

to be proposed.

- currently property is rented as an HMO and the occupants do not have cars.
The application refers to two single family dwellinghouses which is to be extended and converted into units of acceptable size.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

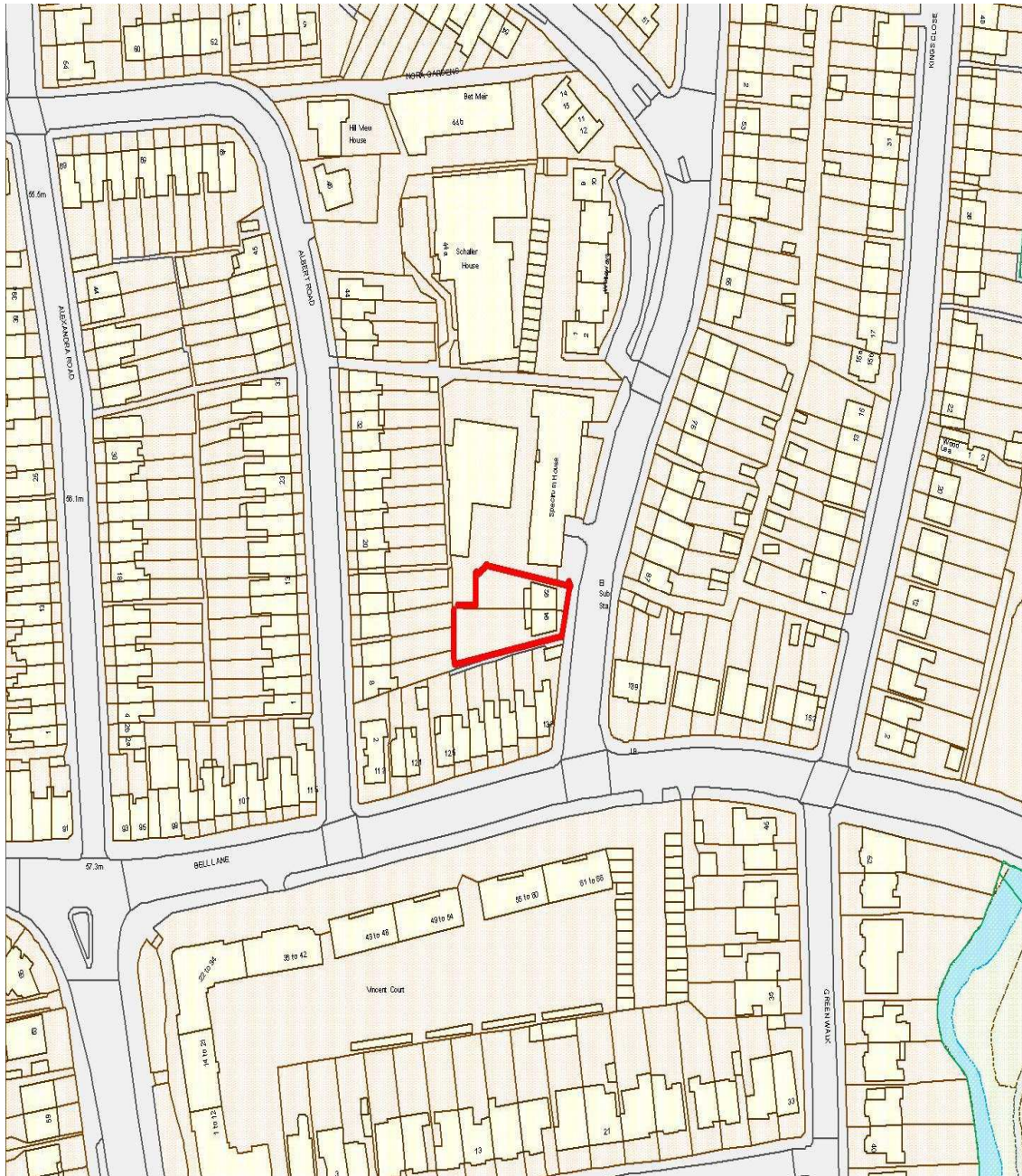
5. CONCLUSION

The proposed development would not detract from the established character of the locality or the appearance of the pair of houses or the streetscene and would have an acceptable impact on the amenities of the neighbouring occupiers and would provide appropriate amenities for the future occupiers of the flats.

Approval is recommended.

SITE LOCATION PLAN: 92-94 Hillview Gardens, London, NW4 2JR

REFERENCE: H/02045/12



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