

Location **20 Queens Parade Friern Barnet Road London N11 3DA**

Reference: **19/1012/FUL** Received: 20th February 2019
Accepted: 21st February 2019

Ward: Coppetts Expiry 18th April 2019

Applicant: Mr C/O AGENT

Proposal: Conversion of existing empty offices Class B1(a) and ground floor storage garage into residential accommodation C3 consisting of 2 self-contained apartments. Alterations to ground floor to provide new refuse and cycling storage. Alterations and extensions to rear first floor roof including new side windowless dormer and a new rooflight window. New enclosed balcony at first floor level (amended)

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:

- Drawing no. PL-03 Rev P 'Existing Elevations'
- Drawing no. PL-04 Rev E 'Proposed Floor Plans'
- Drawing no. PL-05 Rev F 'Proposed Elevations'
- Drawing no. PL-06 'Public Open Spaces Plan'
- Transport Statement, prepared by Paul Mew Associates, dated September 2018

- Letter from Paul Simon Seaton, dated 28 January 2019
- Planning statement, prepared by Sidell Architects, dated February 2019
- Window film specifications; reference WFC-HRS20, submitted to the LPA 15 April 2019

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 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. noise mitigation measures for all plant and processors;
- v. details of contractors car parking arrangements;
- vi. details of interim car parking management arrangements for the duration of construction;
- vii. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

Reason: In the interests of highway safety, noise 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 Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 The storage area for refuse and recycling shown on drawing no. PL-04 Rev E and PL-05 Rev F, as approved under condition 1 of this permission, shall be implemented in full accordance with the details shown on these plans, prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies

DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 6 The cycle parking and storage area, shown on drawing no. PL-04 Rev E and PL-05 Rev F, as approved under condition 1 of this permission, shall be implemented in full accordance with the details shown on these plans, prior to the first occupation and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 Before the building hereby permitted is first occupied the proposed window(s) in the eastern and southern ground floor elevations shall be fixed with the one-way reflective glazing film defined on the specification sheet reference no. WFC-HRS20, as specified on drawing no. PL-04 Rev E and PL-05 Rev F, as approved under condition 1 of this permission and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of future occupiers in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

3 The developer is informed that works, hoardings, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.

Officer's Assessment

1. Site Description

The application site contains a part two, part three storey end of terrace building located on the corner of Hollyfield Avenue. The site falls within the Friern Barnet local parade of shopping centre.

The property consist of as follows:

Ground floor incorporates part retail shop fronting on to Friern Barnet Road; B1(a) office in the middle of the ground floor and a garage to the rear which has pedestrian access from Hollyfield Avenue.

First floor incorporates residential above the retail unit to front and the rest of the floor is laid out as office floor space.

Second floor only consist of a residential use directly above the retail unit to front.

Ground floor retail and residential unit directly above is partitioned off from the offices at rear Entrance to the offices and the existing residential unit to the front are both accessed via the side entrance doors in Hollyfield Avenue. The shop is accessed from the shop front entrance on Friern Barnet Road.

The proposal relates to the change of use of the existing garage and office space at ground and first floors to create 2 additional units. There are no changes to the existing shop unit or the existing residential unit above.

The 2 new units will consist of:

Flat 1 incorporating 2 bed unit at ground floor level and

Flat 2 incorporating 2 bed unit at first floor level with an enclosed balcony at the rear.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended) and is not within an area covered by an Article 4 direction.

2. Site History

None relevant.

3. Proposal

The proposal seeks to convert the existing ground and first floor offices (B1a) into the following flats:

- Flat 1 (61m²) 2xbedroom, 3 person flat
- Flat 2 (64m²) 2x bedroom, 3 person flat with a 6m² balcony

The proposal includes the construction of a side dormer on the western elevation of the first floor, to mirror the existing side dormer facing Hollyfield Avenue. The dormer will have a height of 1.2 metres, will protrude a maximum of 1.8 metres out from the roof slope and will extend a depth of 7.5 metres down the western elevation.

The proposal also includes alterations to the existing fenestration that will serve the proposed residential units. The applicant has detailed the use of reflective, one-way glazing, which is present in the existing ground-first floor windows on the eastern elevation.

In addition to the above, the proposal seeks to remove the existing office space adjoining the existing first/second floor flat, and increase the floor area of this flat; the flat will continue to have 2x double bedrooms, and will have a floor area of 90m².

4. Public Consultation

Consultation letters were sent to 108 neighbouring properties.

6 responses have been received, comprising 6 letters of objection (two of which are from the same property)

The objections received can be summarised as follows:

- The area of the proposed apartments has always been storage and commercial space and should remain so to provide local employment opportunities;
 - The proposal states that the present bin store will be relocated; there has never been a bin store and 4 bins are permanently on display on the road and have been for several years;
 - The proposed bin store will not be adequate for a business and three apartments housing at least 10-12 occupants;
 - There is no capacity for additional parking on Hollyfield Avenue and parking will be very difficult for residents;
 - The balcony on the first floor will overlook the neighbours at the top end of Hollyfield Avenue;
 - The proposal encourages overdevelopment within a very small footprint and sets a precedent for creating residential areas/flats/apartments from garages, stock rooms and office reception areas; it is a short-sighted and unsustainable policy.
 - The need for off street parking was highlighted in the Planning Inspectorates report on this site in 2002 and this continues to be the case.
 - This application should be considered in conjunction with the other proposals for this small service road, all of which go through cycles of withdrawal and representation in amended form without addressing the fundamental issue that this is overdevelopment of an already crowded area.
 - The site is unsuitable for residential living as it is on a service road with a lot of traffic.
 - The accommodation will overlook other residents in the street.
 - There will be an increase in refuse.
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- The first-floor balcony is overbearing and out of character with other buildings in the street scene, and differs from the small opaque glass window that is currently present in this location;
 - Lights being used at night will result in light pollution, similar to that of commercial light signs;
 - Open balcony doors will introduce noise that is currently not experienced;
 - Traffic fumes and noise from cars queuing in the one-way system of QPC to get onto Hollyfield Avenue, particularly during peak commuter hours, and delivery vehicles parking and offloading would be detrimental to residents in the neighbouring properties and would outweigh the benefits of outside amenity space.
 - The traffic plan quotes 85% parking in Hollyfield Avenue done on 12/13th September at 0030 hours; this is not the experience of Hollyfield residents. A snapshot over two nights does not take into account day time parking for employees and customers of businesses on Queens Parade and surrounding roads;
 - Two x 2 bedroom apartments could result in an additional 8 vehicles in the area.

- Open ground floor windows onto the pavement will let out additional cooking smells and noise; i.e. TV and general household noise.
- Planning was originally granted for this building to be constructed as an office building with a garage below.
- Queens Parade is a service road and is not suited for overcrowded residences;
- The bin storage does not seem to account for the waste associated with the existing business

Following an amendment to the proposal description to clearly state that the side dormer would be windowless, the application was sent out for re-consultation on the 5 June 2019. Whilst four additional comments were received as a result, these were from previous objectors and re-stated the earlier objections that have been summarised above.

5. Planning Considerations

5.1 Policy Context

Revised 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 Revised National Planning Policy Framework (NPPF) was published on 19 February 2019. 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.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

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 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, CS5.
- Relevant Development Management Policies: DM01, DM02, DM14 and DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM03 relates to universal access, lifetime homes and equality in design and seeks to ensure that development proposals meet the highest standards of accessible and inclusive design.

Policy DM14 relates to new and existing employment space, noting particularly that the loss of a B class use will only be permitted where it can be demonstrated to the Council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The policy further states the expectation for assessing travel impact and parking standards in the Borough, and specifically, the provision of off-street parking as guided by the London Plan.

Supplementary Planning Documents

- Sustainable Design and Construction SPD (adopted October 2016)

Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of conversion;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

- Whether harm would be caused to the amenity of future occupants;
- Whether harm would be caused to the living conditions of neighbouring residents; and,
- Whether harm would be caused to the Highway environment

5.3 Assessment of proposals

Principle of conversion

The proposal seeks to convert the existing office space in the ground and first floor at the rear of the subject building into two residential flats. Policy DM14 states that the loss of a B class use would only be permitted where the Council is satisfied that the use is no longer viable/suitable for this use, and a suitable period of effective marketing has been undertaken for the spaces. The applicant has provided marketing evidence with the application, including a letter from the letting agents who have advertised the commercial units since October 2017 at a rate that is within the market rate for such spaces, on various electronic mediums in addition to on the property itself.

It is further noted that whilst policy DM14 seeks to retain employment uses, and financial compensation for the loss of these uses, it is emphasised that the unit has been vacant for some time and has not been contributing to local employment opportunities since at least 2017. Moreover, the scale of the office would not have provided a significant level of local employment. As such, on balance, it is not considered reasonable to require a contribution for the loss of employment space to offset the overall loss of an employment space, when the unit has not been functioning in this way for an extended period of time due to a lack of demand.

As such, it is considered that the requirement of DM14 has been met, and a change of use can be considered in principle, subject to other material planning considerations that will be addressed below.

It must be considered whether the principle of a residential use within this context is acceptable. As raised by objections, Queens Parade has the appearance of a service lane and was traditionally used for business and light industrial uses. Whilst some of these uses remain along Queens Parade, it is evident that several properties have been converted into residential use in this section of Queens Parade; notably 2-10 Queens Parade, 21A 21B, 21C, 22, 22A and 23A Queens Parade, the latter being adjacent to the subject site. On this basis, it is considered that the eastern end of Queens Parade has an established character of flatted residential developments, and to introduce two further residential flats into the subject building, of which both adjoins these flats and faces the residential properties of Hollyfield Road, and would not be uncharacteristic for the setting of the proposal.

Character and Street Scene

The proposal involves alterations to the external appearance of the building including;

- The insertion of two windows at ground floor on the eastern elevation, double doors to serve the cycle store and a roller door to serve the refuse and recycling store on this same elevation;
- The creation of an enclosed and glazed balcony at the first floor southern (rear) elevation, within the existing gabled end;
- The removal of the two existing roller doors at ground floor, serving the existing storage area on the southern (rear) elevation and replacement with one, double paned window; and,

- The construction of a new side dormer on the western elevation to match the existing eastern side dormer over the first-floor roof.

The external alterations are considered to be minimal in scale, and with respect to the side dormer, will mirror the existing side dormer at first floor level, whilst also being set down in height from the maximum ridge of the roof slope in which it is located. The proposed dormer will contain no windows, and as such, whilst this has the potential to appear as a bulky addition of building mass, due to the context of the site, visibility of this addition will be low, with no ability to see the western face of this proposed dormer from the public environment.

Moreover, the loss of the two roller doors on the southern elevation of the building and replacement with a single window, and then relocation of access into the bin and cycle stores onto the eastern elevation, is considered to contribute to an improved appearance of the building to the street scene. These alterations will reduce the industrial appearance of the southern elevation, and will integrate the building better into the surrounding environment, where there is the existing residential environment of Hollyfield Avenue and the converted buildings along Queens Parade for residential purposes.

For these reasons, the impact on the proposed works to the building, associated with the conversion into residential flats, is considered acceptable.

Residential Amenity

Policy DM01 of the Development Management Policies (Adopted) 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

As discussed above, the proposal involves only minor additions to the subject building. The insertion of doors and windows on the eastern elevation are not considered to impact the residential amenity of neighbouring properties to the east due to the separation distance between the respective windows and front elevation windows of the opposing residential properties, and the indirect angle in which the buildings and elevations are located in respect to one another. Specifically, no. 1 Hollyfield Avenue is located at least 21 metres away from the flank elevation of the subject site and is not in a direct line of sight; this is in accordance with design guidance for separation between neighbouring windows serving habitable rooms. Similarly, the proposed units will face the amenity space of no. 27 St Johns Villa's to the east, with at least 14 metres separating the eastern flank with the boundary wall of this adjacent property; this meets the minimum standard of 10.5 metres separation between a window serving a habitable window and neighbouring amenity space.

The proposed dormer in the western roof slope will contain no windows and therefore will not provide any additional outlook or result in a loss of privacy experienced by the adjoining property.

It is noted that the alterations to the southern elevation will result in increased glazing and outlook towards the south, namely the residential property at no. 2 Hollyfield Avenue. It is noted that the northern flank of the primary form of the building at no. 2, contains no windows and whilst there are windows located on the two-story outrigger and the amenity space to the south-west of the subject site, the angle of sightlines between the proposed windows and these existing windows and amenity space is so obscure that any impact on privacy and increased overlooking would be minimal on these areas of the neighbouring property. It is also noted that the flank elevation of the outrigger is set in on the property at no. 2, away

from the boundary shared with Queens Parade, thereby further obscuring sightlines between the proposed windows and the windows of this property.

Moreover, whilst guidance does not generally consider first floor balconies, terraces and platforms acceptable, it is noted that the proposed balcony is ultimately a winter garden and is fully glazed/enclosed and would have a similar impact to that of a rear elevation window, and will not facilitate any additional overlooking into neighbouring windows or amenity spaces.

Residential Amenity of future occupants

The proposed units have been designed to meet minimum internal space standards as required by policy 3.5 of the London Plan and the Sustainable design and construction SPD; notably, the first floor unit has a internal height ranging between 1 metre (on the flanks where the dormer does not extend over), to 2.3 metres within the area of dormers and further increasing to 2.5 metres as a result of the higher roof pitch in the central portion of the existing building; whilst 2.5 metres for 75% of the flat is strongly encouraged, this meets the nationally prescribed minimum height standards of at least 2.3 metres for 75% of the flat.

The ground floor unit, directly abutting the footpath of Hollyfield Avenue and the carriageway of Queens Parade, presents some tension with regards to the provision of adequate levels of outlook whilst ensuring a sufficient level of privacy for future occupants of this proposed unit. In response to this tension, the applicant has proposed to continue the use of one-way glazing across the ground floor windows; this ensures the occupants will benefit from levels of outlook not dissimilar to traditional glazed windows, whilst providing privacy to these internal spaces without impacting the level of daylight and sunlight able to penetrate the windows, and reach the habitable rooms. Whilst visiting on site it was noted that this glazing solution is present on the existing building, and the performance of this was able to be experienced; although the level of sunlight penetrating the windows into the internal spaces of the building was reduced slightly, this was not to an extent that it was considered an undesirable space, nor was there a requirement to use artificial lighting within the space.

The sustainable design and construction SPD requires new residential flats to provide 5m² of outdoor amenity space per habitable room. Whilst the first-floor flat is provided with 6m² of balcony space, the ground floor flat is not provided with amenity space; through discussions with the applicant on this proposal, it was considered that if an area of amenity space were provided for the ground floor flat, the privacy of this space would be significantly compromised and would likely be a token addition to the unit rather than a well-used space. As such, the proposed units fall short of this requirement by 10 m² (ground floor) and 4 m² (first floor). The applicant has noted that within a 5-10 minute walk of the site are open spaces that could be utilised by the future occupants, whilst further noting that there are pockets of local green spaces in the surrounding streets, including directly opposite the site on Friern Barnet Road. Due to the shortfall, a financial contribution has been considered by the Council, however, given the scale of the proposal and the respective shortfalls, it was not considered that such a contribution would be justified. Moreover, given the location of the site, located within the local shopping centre, it is reasonable to anticipate a higher density of residential development that may not have amenity space allocated to each unit.

It is noted that despite the increased internal floor area of the existing residential unit across the first and second floors, no external amenity space will be introduced to this flat. As this is an existing situation and the bedroom capacity of this flat will not change, the status quo with regards to external amenity space is acceptable for this unit.

Refuse and recycling

The applicant has demonstrated the ability to provide internal refuse and recycling storage on the eastern elevation of the ground floor. The Council's highways officer has reviewed the size of the storage area for the respective use and has raised no objections.

It is further noted that the existing residential flat and commercial spaces do not benefit from allocated refuse and recycling spaces, and the bin storage seems to be outside the garages on the southern elevation of the property, adjoining Queens Parade. The proposal would introduce storage of the existing residential flat, and the commercial space would continue with the status quo, and would not be impacted through this proposal.

Highways and parking

The subject proposal provides no on-site parking; to justify this shortfall, where DM17 would anticipate the provision of two on-site parking spaces, the applicant has undertaken a parking capacity survey in accordance with the Lambeth methodology. This study looks at the capacity of on-street parking availability during the hours of 0030-0530, noting that this is the time of a survey that captures the peak resident demand for on-street parking. Drawing on the applicant's transport study, prepared by Paul Mew Associates (dated September 2018), the results from the parking survey indicate that around the surrounding local roads, parking capacity is currently at 85%, with approximately 37 spaces left available within the vicinity of the site. The report states that on the assumption that a stress of 90% shouldn't be exceeded, the local kerbside parking network has capacity for a further 7 vehicles to be parked.

In assessing this proposal, the Council's highways officer has reviewed the details provided, including the abovementioned transport assessment. The Officer has stated that whilst there are sections within the survey area that are operating at or above capacity, all spaces within the survey area must be considered equally. On this basis, the Officer has concluded that the vehicles associated with the proposed development would not impact on the parking amenity of existing residents.

Several objections have raised concerns about the increased traffic caused by this proposal in relation to the one-way lane of Queens Parade; given the scale of the proposed units, it is considered unlikely that the overall traffic volume along Queens Parade would be impacted as a result.

The proposal also introduces the provision of cycle storage, with 4 cycle spaces. This exceeds the requirements of 1 space per unit and introduces the provision of cycle storage for the existing residential unit. Such measures are in accordance with the London Plan and policy DM17, and assist in mitigating the level of vehicular traffic associated with the future units through reducing dependency on private vehicles.

In addition to the above, the site is located within an area with a PTAL 3 rating, and as such, future occupants would have sufficient access to bus and train services.

Based on the transport assessment and advice received from the Council's highways officer, the proposal to introduce two additional residential units is considered to have an acceptable impact on the surrounding kerbside parking environment and highways.

5.4 Response to Public Consultation

In addition to the above assessment, the following comments are made in response to the objections received:

- The proposal encourages overdevelopment within a very small footprint and sets a precedent for creating residential areas/flats/apartments from garages, stock rooms and office reception areas; it is a short-sighted and unsustainable policy.

There is already an established character of similar conversions in the immediate context of the site, along Queens Parade.

- The need for off street parking was highlighted in the Planning Inspectorates report on this site in 2002 and this continues to be the case.

The Council does not have record of a similar proposal being made for this site, nor are there appeals registered with the Inspectorate for such an appeal.

- This application should be considered in conjunction with the other proposals for this small service road, all of which go through cycles of withdrawal and representation in amended form without addressing the fundamental issue that this is overdevelopment of an already crowded area.

The LPA can only consider the context of the site and its surroundings at the time of an application; weight cannot be given to unimplemented planning permissions. Moreover, every application must be considered on its own merits, and where one proposal site may not be acceptable for particular reasons, it does not necessarily mean that another site nearby is not acceptable.

- The accommodation will overlook other residents in the street.

Overlooking the street scene and people within the public environment is considered to be a positive form of passive surveillance that the proposal offers the environment in which it is located.

- Lights being used at night will result in light pollution, similar to that of commercial light signs;

The lights within the residential units will be residential in nature and would not be comparable to the impact of commercial grade lighting. Moreover, this is characteristic for the area, and due to separation distances, it is unlikely that any neighbouring property would be impacted by this.

- Open balcony doors will introduce noise that is currently not experienced;

The balcony is fully enclosed, and is in fact more of a winter garden.

- Open ground floor windows onto the pavement will let out additional cooking smells and noise; i.e. TV and general household noise.

As this this is facing onto Hollyfield Avenue, such residential uses are not uncharacteristic for 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 material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of nearby occupiers. This application is therefore recommended for approval.

