

LOCATION: 23 The Drive, Edgware, Middx, HA8 8PS
REFERENCE: H/04385/12 **Received:** 20 November 2012
WARD(S): Edgware **Accepted:** 18 December 2012
Final Revisions: **Expiry:** 12 February 2013

APPLICANT: Mrs Samuel
PROPOSAL: Conversion of single family dwelling into 2no. self contained residential units. First floor side extension over existing garage and alterations to roof. Conversion of garage into habitable space including new bay window to the front. Conversion of outbuilding into cycle store and refuse area.

RECOMMENDATION: Refuse

- 1 The proposed conversion of this property, into two self contained flats would be out of character in this area which predominantly comprises houses in single family occupation and as such would be detrimental to the character and appearance of the area and the amenities of neighbouring residents as well as resulting in the loss of a large single family dwelling house contrary to Supplementary Design Guidance Note 7: Residential Conversions; and policies DM01 and DM08 of the Barnet Development Management Policies (Adopted) 2012.
- 2 The proposed first floor side extension with front bay window, by reason of its size, design, siting and not set back 1m from the front main wall would be detrimental to the character and appearance of the host property, and streetscene contrary to policies CS1, CS5 of the Core Strategy DPD (2012) and Policies DM01 and DM01 of the Development Management Policies (Adopted) 2012) and the Design Guidance Note No.5 on Extensions to Houses.
- 3 The development does not include a formal undertaking to meet the extra health, education and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Health Facilities, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries, and Policies CS10, CS11 and CS15 of the Local Plan Core Strategy (Adopted September 2012).

INFORMATIVE(S):

- 1 The plans accompanying this application are: A17440:204, A17440:100, A17440:101A17440:103, A17440:103, A17440: 104, a17440:200, A17440:201, A17440:202, A17440:203, A17440:204 and design and access statement.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 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 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 Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02.

Draft SPD on Residential Design Guidance

Draft SPD on Sustainable Design and Construction

Supplementary Design Guidance 5: Extensions to Houses

Supplementary Design Guidance 7: Residential Conversions

Supplementary Planning Documents and Guidance

Design Guidance Note No 5 – Extensions to Houses

The Council guide 'Extension to Houses' was approved by the Planning and Environment Committee (The Local Planning Authority) in March 2010. This supplementary planning guidance (SPG) sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

In respect to amenity, extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and

Construction" (June 2007), following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

The Council is currently consulting on the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

Relevant Planning History:

Application:	Planning	Number:	H/02898/12
Validated:	20/08/2012	Type:	APF
Status:	WDN	Date:	17/10/2012
Summary:	WIT	Case	Francis Saayeng
		Officer:	

Description: Conversion of dwelling into 2no. self contained residential units. First floor side extension over existing garage and alterations to roof. Conversion of garage into habitable space including new bay window to the front.

Consultations and Views Expressed:

Neighbours Consulted: 41 Replies: 2
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- The increase of local community services such as plumbing, drainage, sewerage, traffic, parking, water etc will increase when the single family dwellinghouse is converted in to two self contained flats.
- An over use of such utilities to the detriment of residents in The Drive and should not be allowed.
- Effect on traffic, access and parking
- The house is on a bend which increases the risk to road users when cars leave or park.
- Traffic from utility vehicles e.g. waste disposal will increase
- The scale and appearance of the proposal and the impact on the surrounding area adjoining neighbours.
- The Drive is a road of single household properties
- The proposal is not in keeping with other residences on the road.
- There is a Covenant on the properties on The Drive which precludes conversion of a property into separate units
- The increase in number of householders will increase noise and disturbance resulting from the use of the property as two self contained flats.

Internal /Other Consultations:

- Environment Agency - no response
- Highway requested and additional parking space in the front garden with its separate access in to the parking space.

The application is brought to the Committee at the request of Cllr Darrel Yawitch who has said that this application be heard at the West Area planning sub committee as it has generated some local interest

Date of Site Notice: 03 January 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a semi - detached single family dwelling located on the western side of The Drive. This road is characterised by single family dwelling houses. This property is of unique design with the other semis in the road in that it is larger and has a two bay windows and set back two storey element with an integral garage, however, the form and materials used are largely similar to that found on other properties.

Proposal:

This application seeks planning permission to convert the property into **2no.** self contained two bedroom residential units. First floor side extension over existing garage and alterations to roof.

Conversion of garage into habitable space including new bay window to the front.

Conversion of outbuilding into cycle store and refuse area.

The first floor side extension over the existing garage would be 6.15metres deep including a bay window, 3.25metres wide, and height between 5.5metres and 9.3metres with a hip roof. The first floor will be set in between 1m - 1.5 metres.

The garage would be converted in to a bedroom with a bay window with alterations of the garage roof.

The outbuilding will be converted into cycle store and refuse area.

Both units would have access to the rear garden which is proposed to be a communal garden with no sub-division.

The existing driveway to the front is to be retained and will provide two parking spaces.

Planning Considerations:

The main issues are considered to be:

- *The impact of the conversion on the established character of the locality*
- *The impact on the living conditions of neighbouring and future occupiers*
- *The impact of the extension on the character and appearance of the area*
- *The impact on highway safety*
- *Whether the proposal addressed the impact on local education, libraries and health facilities*

Policy context

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.

Policy DM02 states that where appropriate, development will be expected to demonstrate

compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's draft SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

The Council's Design Guidance Note 5 on Extensions to Houses advises that extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

The impact of the conversion on the established character and appearance of the site and of the surrounding locality.

The character of the area generally consists of single family dwellings. Character could be an important aspect when determining an application for flat conversions when the street is characterised predominantly by single family dwelling houses, although it must be noted that each application is determined on its own merits.

The proposed conversion is considered to be unacceptable for the following reasons:

Policy DM01 states that conversions of dwellings into flats in roads characterised by houses will not normally be appropriate. Conversions of dwellings into flats in roads characterised by houses will not normally be appropriate as it is in these areas that housing meets a need for larger homes to balance housing provided in town centres.

This site lies within a primarily residential area comprising detached and semi-detached dwellings. The Drive is a quiet, residential cul-de-sac road mainly characterised by detached and semi-detached houses, all of which appear to be in single family occupation. It is a no-through road and as a result does not generate a large amount of traffic or activity. This part of the road is within the Controlled Residents Parking Zone and there is an existing residents' only parking space directly in front of this property.

This Policy is supported by Supplementary Design Guidance Note No.7 'Residential Conversions,' which advises that proposals for conversions are likely to be resisted in areas where houses are occupied by one family only.

The impact of the extension on the character and appearance of the area

The proposed first floor side extension would not be subordinate and will therefore have an appreciable impact on the character and appearance of the host property, impact on the symmetry of the pair of semi of which it forms a part. The visual impact of the conversion would have an unacceptable impact on the character of the area which is not determined solely in terms of appearance. The activities associated with a converted dwelling, such as increased comings and goings resulting from the number of separate households in the building, with the potential for additional noise and disturbance to neighbouring occupiers, are considered to have an adverse impact on the character of the area.

Housing need:

Policy DM08 of Barnet's Local Plan (Adopted 2012) seeks to ensure a variety of sizes of

new homes to meet housing need. Three or four bedroom homes are priority. The accompanying text to this policy states that the projections for the housing need have been based on the North London Strategic Housing Market Assessment, which has identified the need for more family sized accommodation.

In addition, the Councils Annual Monitoring Report has shown that since 2004 a large proportion of new homes have comprised small flatted developments

This property is a large detached single family dwelling. The proposed conversion of the property would constitute a loss of a single family housing and the provision of a three bedroom and one two bedroom flat, the latter of which is not a priority under Barnet policy. Maintaining and increasing the supply of family housing is a priority in the Borough. It is therefore considered that the proposed conversion would have an adverse effect on the provision of single-family housing in the Borough contrary to the objectives of the Core Strategy and Development Management policies. Whilst it is noted that one of the units resulting from the conversion would be three bedroom, this element alone does not override the objections already raised in respect of the impact of the conversion on the character and appearance of the locality which is that of single family dwellings.

With regards to floor space standards, all residential developments must now meet the new requirements of the Mayors London Plan (July 2011), which are as follows:

- 1 bed 1 person - 37sqm;
- 1 bed 2 person - 50 sqm;
- 2 bed 3 person - 61 sqm;
- 2 bed 4 person - 70 sqm.
- 3 bed 4 person - 74 sqm;
- 3 bed 5 person - 86 sqm

The lower ground floor flat , which is a 2bed 4 person unit, would have a floorspace of approximately 61sqm; and the upper floor flat which is a 3 bed 5 person unit, would have a floorspace of approximately 74 sqm. The floorspaces for the units do accord with the minimum standards set out in the Mayors London Plan and are therefore considered to provide acceptable forms of accommodation.

Appendix 1 of the London Borough of Barnet Supplementary Planning Document: Sustainable Design and Construction (June 2007) states the minimum dimensions and floor areas for individual bedrooms and living areas. The proposal is considered to be acceptable in terms of floor areas for individual rooms.

Under saved Policy DM01 and DM02 of the Core Strategy and Development Management Plan of the Local Plan, the Council requires that proposals for new flats must provide a minimum of 5sqm of amenity space per habitable room. This policy is supported by Design Guidance Note No.7 'Residential Conversions,' which states that "*Access to a garden should be provided and maintained for the occupiers of each unit.*" Such policies help protect and improve the quality of residential areas and maintain living standards.

Amenity space has been provided for both of the units. The rear garden is approximately 130 sqm which would provide sufficient space for the occupiers of both units as well as according with the requirements of Policy DM01 and DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. 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.

The Council's draft SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house respect the original building and should not be overly dominant. The Council's Design Guidance Note 5 on Extensions to Houses advises that extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

The proposal would not comply with the abovementioned policies and Council Design Guidance on Extensions to Houses and would not a proportionate addition to the dwellinghouse. It would have an unacceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

Given that the first floor side extension is not set back 1metre from the front main original wall of the house and would have a front bay window it would have a detrimental impact on the symmetry of the pair of semis of which it forms part and would be out of character with the adjacent neighbouring properties as the row of houses within this part of the road are of unique design. No neighbouring property to this proposal site had a first floor side extension with a front bay window as proposed. The proposed first floor side extension would materially harm the character and appearance of the streetscene and general locality. The conversion of the garage with a front bay window will be out character in the street scene and the immediate locality.

Refuse:

The outbuilding is proposed to be used for refuse storage facilities are shown on drawing A17440:200.

The impact on highway safety

Parking:

Policy DM17 of the Barnet Development Management Plan adopted (2012) requires new development to provide parking in accordance with the *London Plan* parking standards, except in the case of residential development, where the standards are specified. One space per unit is generally required for development consisting mainly of flats.

Parking for 2 vehicles, as shown on the submitted drawings, will be maintained as existing at the forecourt of the property. The parking provision meets the requirements on the UDP and the proposed parking spaces are in accordance with recommendations in Manual for Streets. Therefore the proposal is acceptable on highways grounds.

With regard to noise and disturbance there is also some concern regarding the parking area which is situated to the front of the dwelling. Noise levels resulting from the cars and possible light disturbance from the use of the parking area as well as poor outlook from the living room window of the lower floor flat are significant issues for the occupiers of this unit.

Financial Obligations:

Were the application to be recommended for approval, a legal agreement would be required to ensure the following contributions are provided in accordance with adopted

Supplementary Planning Documents: Education: £2659, Libraries - £34, Health: £1184 and monitoring £193.85.

Mayoral CIL:

The Community Infrastructure Levy is a system to replace the use of planning obligation tariffs with a more consistent and standardised approach that accounts for the impact of such charges on the development industry. 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. The Mayoral CIL is additional to the Council's Planning Obligations (s.106) Tariffs for education, libraries, health and monitoring, alongside any other obligations that might be negotiated. The proposed development would be liable to pay the Mayoral CIL, were it to be approved.

Impact on the character and appearance of the site and the surrounding area:

Policy DM01 states that conversions of dwellings into flats in roads characterised by houses will not normally be appropriate. Conversions of dwellings into flats in roads characterised by houses will not normally be appropriate as it is in these areas that housing meets a need for larger homes to balance housing provided in town centres.

This site lies within a primarily residential area comprising detached and semi - detached dwellings. The Drive is a quiet, residential cul - de-sac road mainly characterised by detached and semi detached houses, all of which appear to be in single family occupation. It is a no-through road and as a result does not generate a large amount of traffic or activity. This part of the road is within the Controlled Residents Parking Zone and there is an existing residents' only parking space directly in front of this property.

This Policy is supported by Supplementary Design Guidance Note No.7 'Residential Conversions,' which advises that proposals for conversions are likely to be resisted in areas where houses are occupied by one family only.

The plans show a first floor side extension over the existing garage and alterations to roof and conversion of the garage into habitable space including new bay window to the front and conversion of the outbuilding into cycle store and refuse area.

The proposed first floor side extension would not be subordinate and will therefore have an appreciable impact on the character and appearance of the host property, impact on the symmetry of the pair of semi with an unacceptable the visual impact of the conversion, the character of the area is not determined solely in terms of appearance. The activities associated with a converted dwelling, such as increased comings and goings resulting from the number of separate households in the building, with the potential for additional noise and disturbance to neighbouring occupiers, are considered to have an adverse impact on the character of the area.

The impact on the living conditions of neighbouring and future occupiers

Affect on Residential Amenity:

The proposal has not provided separate amenity spaces for the flats. The use of the rear garden as a communal garden would have an impact on the ground floor occupiers in terms of loss of privacy. The use of the rear garden without any screening of the ground floor would not be acceptable in its current form. This is not considered to be acceptable and could potentially result in undue noise and disturbance, harmful to the amenities of the future occupiers of the lower floor flat.

The Council requires that proposals for new flats must provide a minimum of 5sqm of amenity space per habitable room. This policy is supported by Design Guidance Note No.7 'Residential Conversions,' which states that "*Access to a garden should be provided and maintained for the occupiers of each unit.*" Such policies help protect and improve the quality of residential areas and maintain living standards.

Amenity space has been provided for both of the units. The rear garden is approximately 250 sqm which would provide sufficient space for the occupiers of both units as well as according with the requirements of Policies DM01 and DM02.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed in the report

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 proposal, due to the reasons outlined above, is considered to be harmful to the character and appearance of the general streetscene and the amenities of the neighbouring occupiers and the future occupiers of the proposed flats, contrary to Council policy and guidance.

The application is therefore recommended for **refusal**.

SITE LOCATION PLAN: 23 the Drive, Edgware, Middx, HA8 8PS

REFERENCE: H/04385/12



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