

LOCATION: 15 Dartmouth Road, London, NW4 3JA

REFERENCE: H/04262/12

Received: 10 November 2012

Accepted: 16 November 2012

WARD(S): West Hendon

Expiry: 11 January 2013

Final Revisions:

APPLICANT: Mr Ratna

PROPOSAL: Conversion of existing house into 3no. self contained flats (2 x 2 bed and 1x 1 bed) Provision of refuse bins to the front and internal alterations.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: HVR/ELEV 001 date stamped 22.01.13; HVR/PLAN001 date stamped 22.01.13; HVR/CS001.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 Before the development hereby permitted is occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site 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 Adopted Barnet Development Management Policies DPD (2012).

- 4 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 in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 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 CS10, CS11 and CS15 of the Adopted Barnet Core Strategy DPD (2012) and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

- 6 All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

- 7 The internal layout of the proposed flats should not be altered in any way and the number of bedrooms in each flat should not be altered without the prior permission of the Local Planning Authority.

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 Adopted Barnet Development Management Policies DPD (2012).

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 Core Strategy (2012) and Development Management Policies DPD (2012). In particular the following policies are relevant:

Core Strategy (Adopted) 2012: CS NPPF, CS1, CS5, CS10, CS11, CS15.

Development Management Policies (Adopted) 2012: DM01, DM02, DM08, DM17.

ii) The proposal is acceptable for the following reason(s): -

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

- 2 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.

- 2 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 Council of 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 email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

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 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: 2.18, 5.3, 6.1, 7.4, 7.6

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.

Supplementary Planning Document: Sustainable Design and Construction

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the Unitary Development 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.

Draft SPDs on Sustainable Design and Construction and Residential Design Guidance

Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

The Core Strategy was adopted by the Council on September 11 2012.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS10, CS11, CS15

Development Management Policies (Adopted) 2012:

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.

Development Management Policies was adopted by the Council on September 11 2012. Therefore very significant weight should be given to the 18 policies in the DMP.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM08, DM17.

Relevant Planning History:

Site history for current landparcel :

80124 - 15 Dartmouth Road, London, NW4 3JA

Case Reference: **H/04262/12**

Application: Planning
Validated: 25/02/2009
Status: DEC
Summary: APC
Description: Conversion of property into 2 self-contained flats. Roof extension involving two rear dormer windows to facilitate a loft conversion.

Number: H/00128/09
Type: APF
Date: 22/04/2009
Case Officer: Tassama Amlak

Application: Planning
Validated: 15/03/2010
Status: DEC
Summary: APC
Description: Conversion of existing dwelling house into 3 self-contained flats including provision of two rear dormer windows and two rooflights to front elevation.

Number: H/00749/10
Type: APF
Date: 10/05/2010
Case Officer: Matthew Corcoran

Application: Planning
Validated: 10/06/2011
Status: DEC
Summary: APC
Description: Alterations to roof including two rear dormer windows to facilitate a loft conversion. Single storey rear extension. Conversion of single family dwelling into 3 self-contained flats.

Number: H/02054/11
Type: APF
Date: 12/10/2011
Case Officer: Heidi Euzger

Application: Planning
Validated: 07/02/2006
Status: WDN
Summary: WIT
Description: Conversion of property into 2 self-contained flats following a part single, part two-storey rear extension. Alteration to roof including rear dormer window to facilitate a loft conversion.

Number: W/11579/A/06
Type: APF
Date: 08/05/2006
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 72 Replies: 5 (1 petition with 67 signatures).

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Traffic and parking. Dartmouth Road is already overstretched and more parking restrictions being introduced at top half of road will impact on houses on bottom part. Disabled parking bays also exacerbate this.
- Houses were built for families.
- No provision for refuse on site so bins are placed on pavement.
- Area will be degraded by these types of conversions, damage to streetscene, overcrowding, flytipping, littering and general nuisance problems.
- Landlords do not maintain properties.
- Problem for street and environmental health teams.
- Construction works at the site start in September and sometimes works are out of permitted hours (after 6pm on weekdays and after 1pm on Saturday and Sundays).
- Noise and disturbance.
- Overlooking and loss of privacy.

Internal /Other Consultations:

Date of Site Notice: 29 November 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a two storey terrace property located on the west side of Dartmouth Road, NW4. The immediate area is predominantly residential in character, made up of single family dwellings and flatted accommodation.

Proposal:

Planning permission was granted in 2010 and again in 2011 for the conversion of no 15 into 3 flats. This application differs from the previous in terms of the internal layout of the flats.

Ground floor flat - 2 bedroom unit.

First floor flat - 2 bedroom unit.

Second floor flat - 1 bedroom unit.

Planning Considerations:

Planning permission has previously been approved at the site for 3 self contained units, the proposal also incorporated two rear dormer windows. Since the previous approval a large rear dormer window has been built under permitted development. The principle of converting the property into three self contained units has already been established as acceptable.

The only change between the current planning application and the previously approved application would be the internal arrangement of each of the flats with the internal layout now reconfigured.

As per the previous approval, the proposed conversion of the property into 3 self contained flats are considered to be acceptable and would accord with aforementioned planning policy and design guidance. The rebuilding of the existing rear extension would not detract from the living conditions or visual amenities currently enjoyed by the neighbouring occupiers.

Planning permission exists for the conversion of the property into 3 self contained flats under ref no. H/00749/10 and H/02054/11. The adopted London Plan 2011 has introduced minimum space standards for residential development. Given the extant permissions at the property, it is considered that a reason for refusal solely on this issue could not be substantiated.

The Council's Highways Section has assessed the application. Given the location of the property within a controlled parking zone, and the close proximity to Hendon Central Station and the amenities of the town centre, the proposal is not considered to have an appreciable impact on the public highway.

The refuse store is to be located at the front of the property, whilst this would be located outside the window of the ground floor flat dining room given the constraints of the site and the approval for a bin store in a similar location at no.13 Dartmouth

Road it is considered that this would be acceptable. The bins will be enclosed and therefore should not cause undue harm to the ground floor residential occupiers.

Overall, the proposed development is considered to make efficient use of the property, have an acceptable impact on the character and appearance of the property, wider locality and would not harm the visual or residential amenities of any neighbouring occupiers. In light of this, and the extant permission, it is recommended that the application be approved.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be covered in the above appraisal. Matters relating to working hours for building works are not covered by planning legislation.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 15 Dartmouth Road, London, NW4 3JA

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