

Location **57 St Georges Road London NW11 0LU**

Reference: **16/4168/FUL** Received: 24th June 2016
Accepted: 7th July 2016

Ward: Golders Green Expiry 1st September 2016

Applicant: Mr Scott Schwager

Proposal: Part single, part two storey side and rear extensions to form conversion into 3no self contained flats. Conversion of garage into habitable space including rooms in roof space with new rooflights and rear dormer. New front porch. Alterations to fenestration. Provision of 3 no. parking spaces, landscaping, cycle storage, refuse store and associated amenity space. [AMENDED DESCRIPTION AND AMENDED PLANS]

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan
Drawing No. 4759_01
Drawing No. 4759_02
Drawing No. 4759_10 B
Drawing No. 4759_11 A
Drawing No. 4758_12

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) Notwithstanding the details shown on the approved plans, Before the development hereby permitted is first occupied, 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.

b) The development shall be implemented in full accordance with the details as approved under this condition 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).

5 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and 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.

6 Before the building hereby permitted is first occupied the windows in the side elevations and rear elevation of the first floor rear extension shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

7 a) Before the development hereby permitted is first occupied or the use first commences, vehicle and cycle parking spaces as shown on Drawing 4759_10 B shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 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 in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 9 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 10 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

- 11 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 12 a) Notwithstanding details on the plans hereby approved, no development other than demolition works shall take place until details of the materials to be used for the hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority. The proposed hardstanding shall be of permeable or porous materials or allow for water to drain to such a location on the site property.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition and retained as such thereafter.

Reason: To safeguard the character and visual amenities of the site and wider area, to safeguard local flood risk and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM04 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. 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 £1,330 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 £5,130 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 Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

- 4 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.
- 6 The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a 278 Agreement under the Highways Act 1980.
- 7 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed and suitable access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site and turn within the within the development site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 8 The applicant is advised that trees on the public footway are owned by the Council and the applicant would need to discuss any relevant works with the council's Street Trees Team.

Officer's Assessment

1. Site Description

The application site relates to an existing detached dwellinghouse on the southern side of St Georges Road, in the ward of Golders Green.

The host site has a triangular plot with the side boundary to the west of the site adjoining the rear gardens of properties along Wentworth Road, with its frontage facing St Georges Road.

The application property is not listed nor is it located within a conservation area.

The application dwellings benefits from a number of existing extensions including single storey side and rear extensions as well as a substantial wrap around dormer.

2. Site History

Reference: 15/06513/FUL

Address: 57 St Georges Road, London, NW11 0LU

Decision: Approved subject to conditions

Decision Date: 18 February 2016

Description: Part First floor part two storey rear extension. Conversion of garage into habitable space including rooms in roof space. Single storey side extension. Conversion of single dwelling into 2 no. self-contained units. New front porch. Provision of 2 no. parking spaces, cycle storage, refuse store and associated amenity space

Reference: C09319B/00

Address: Adjacent 57 St Georges Road London NW11

Decision: Refused

Decision Date: 27 March 2000

Description: Erection of a two storey house attached to side of No57 following removal of existing garage.

Reference: C09319A

Address: 57 St Georges Road London NW11

Decision: Approved subject to conditions

Decision Date: 29 April 1991

Description: Garage at side to replace existing

Reference: C09319

Address: 57 St Georges Road London NW11

Decision: Refused

Decision Date: 28 January 1987

Description: Extension and alteration of roof to form habitable rooms in roofspace

3. Proposal

The application seeks consent for a part single, part two storey side and rear extensions to form the conversion on the existing dwellinghouse into 3 no. self-contained flats. It also proposes a new front porch and alterations to the fenestration. Provision of 3 no. parking spaces, landscaping, cycle storage, refuse store and associated amenity space.

4. Public Consultation

A site notice was erected 14 July 2016.

Consultation letters were sent to 85 neighbouring properties.
17 responses have been received, comprising 17 letters of objection.

The objections received can be summarised as follows:

- References to old applications
- Detrimental impact on highways safety, traffic and parking
- Proposed development would be out of character in terms of appearance and use
- Parking arrangement would remove three on-street parking spaces
- Car parking would be unsightly and out of character with frontages of street. Would also increase flooding and be environmentally poor.
- Strange internal layout
- Proposed development would impact the amenity of neighbouring occupiers both from the extensions (in regards to privacy, light and outlook) and noise/disturbance of comings and goings; pressure on parking and bins
- Disturbance, noise, dust and upheaval from construction work
- Concern about quality of housing and those who will occupy/tenant the units
- Lack of transparency in regards to crossover approval

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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.

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.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- 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. The SPD 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.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. 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.
- In respect of amenity, states that 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.

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:

- 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 living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents of the property
- Whether the proposal would be detrimental to parking and highways

5.3 Assessment of proposals

Principle of Conversion

An application was previously approved by Committee members (application reference 15/06513/FUL, dated 04 February 2016) for extensions to the property and the conversion of the dwellinghouse into 2 no. self-contained flats.

This application seeks amended extensions to the property and the conversion of the dwellinghouse into 3 no. self-contained flats, which represents 1 no. additional unit compared to the previous approval.

By reason of the previous approval the principle of the conversion of the dwellinghouse into self-contained flats is deemed acceptable in this location, in accordance with Policy DM01 of Barnet's Development Management Document DPD (2012).

The previous application granted permission for two units; 1 x 3 bedroom 4 person and 1 x 3 bedroom 4 person.

The currently proposed scheme would comprise; 1x 1 person studio; 1 x 2bed 3 person and 1 x 3 bedroom 4 person.

Impact on neighbouring amenity

Although one additional household would be created, there would be no overall increase in the number of bed spaces compared to the previously approved application and therefore Officers do not consider that one additional household (a 1 person studio) would generate significantly more activity, including parking stress, vehicular trips or noise and disturbance than two large households (as previously approved). The location and appearance of additional bin and cycle storage can be controlled through conditions.

Although the design and size of the ground floor extensions differ from that previously approved, it is not considered that they would cause any greater harm to the amenity of neighbouring occupiers or the character of the property or area than previous scheme. The extensions at first floor and second floor will remain the same as previously approved.

Impact on amenities of future occupiers

Furthermore, all three proposed units would meet minimum floorspace standards in accordance with the London Plan standards (MALP 2016) and all future occupiers would be provided with an acceptable degree of light, outlook and privacy. All units would be provided with outdoor amenity space which meets the requirements of Barnet's Sustainable Design and Construction SPD (2016).

On balance the quality of accommodation would be acceptable.

Impact on Highway and Pedestrian Safety

The application proposes 3 no. car parking spaces, which represents one additional parking space than previously approved. The Highways department have assessed the application and have concluded that they raise no objection subject to conditions.

The conditions pursuant to the previous approval have also been attached to this recommendation where necessary and reasonable.

5.4 Response to Public Consultation

- References to old applications

This application has been assessed on its own merits and found acceptable in accordance with development plan policy.

- Detrimental impact on highways safety, traffic and on-street parking

As abovementioned, the application proposes 3 no. car parking spaces, which represents one additional parking space than previously approved. The Highways department have assessed the application and have concluded that they raise no objection subject to conditions.

- Proposed development would be out of character in terms of appearance and use

As assessed above, the principle of the conversion of flats was deemed acceptable in the previous approval. It is not considered that the differences in size of the extensions would impact character and appearance of the area to an unacceptable level.

- Car parking would be unsightly and out of character with frontages of street. Would also increase flooding and be environmentally poor.

Although officers recognise that the proposal would result in increased hardstanding, the scheme would include a degree of soft landscaping to the front of the property. A condition has been attached for details of the proposed hardstanding.

- Strange internal layout

As assessed above, the flats have been found compliant with the relevant standards. A condition has been attached in regards to noise insulation.

- Proposed development would impact the amenity of neighbouring occupiers both from the extensions (in regards to privacy, light and outlook) and noise/disturbance of comings and goings; pressure on parking and bins

As assessed above, the additional unit would not cause harm to amenity of the local area. The extensions differ from those previously approved but would not harm the character and appearance of the property or surrounding area any greater than existing.

- Disturbance, noise, dust and upheaval from construction work

A degree of disruption from construction works is expected from any development. Considering the most size and scale of the development it is not considered that it would constitute a ground for refusal in this particular instance.

- Concern about quality of housing and those who will occupy/tenant the units

This would not constitute a reason for refusal in this particular instance.

- Lack of transparency in regards to crossover approval

Crossover approval is a separate application process to planning permission. An informative has been added accordingly.

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 neighbouring and future occupiers. It would not cause harm to the highways network or parking. This application is therefore recommended for approval.

