

<b>Location</b>	<b>142 Pennine Drive London NW2 1NH</b>	
<b>Reference:</b>	<b>18/2245/FUL</b>	Received: 12th April 2018 Accepted: 23rd April 2018
Ward:	Golders Green	Expiry 18th June 2018
Applicant:	Mrs Sonal Patel	
Proposal:	Conversion of dwelling house into 2no self-contained flats following part first floor rear extension	

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management 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:

- Site Location Plan
- Block Plan
- T12061702-C-V2
- T12061703-C-V2
- T12061704-C-V2
- Design and Access Statement

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 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the first floor side elevation(s), of the extension(s) hereby approved, facing the side boundary with No. 140 Pennine Drive and No. 144 Pennine Drive.

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).

- 5 a) 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).

- 6 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.

- 7 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 7% 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 (2016).

- 8 a) Before the development hereby permitted is first occupied, the amenity areas of the sub-division of the amenity area(s) as shown on the approved drawing No. T12061702-C-V2, shall be implemented.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such 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 Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted 2016).

- 9 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on the approved Drawing No. T12061702-C-V2; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012), Policy CS9 of Core Strategy (Adopted) September 2012 and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 10 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 11 Before the development hereby permitted is occupied, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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 which in turn refers to London Plan Parking Standards.

- 12 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes)

Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 13 The layout of the residential units as indicated on the hereby approved plans shall be implemented and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (October 2016)

- 14 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 (October 2016).

- 15 The use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the first floor flat and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

#### **Informative(s):**

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

## **Officer's Assessment**

### **1. Site Description**

The application site is a semi-detached property within the Golders Green Estate situated on the north west side of Pennine Drive.

It is not situated within a conservation area and is not a listed building.

### **2. Site History**

Reference: 17/3584/192

Address: 142 Pennine Drive, London, NW2 1NH

Decision: Lawful

Decision Date: 27.07.2017

Description: Roof extension involving hip to gable, rear dormer window, 3no. rooflights to front elevation to facilitate a loft conversion. Single storey rear extension. Erection of rear outbuilding. New front porch.

### **3. Proposal**

The application seeks consent for the 'Conversion of a dwelling into 2no self-contained flats following first floor rear extension'.

Dimensions:

First floor rear extension:

The first floor element would have a width of approximately 3.2m, a depth of 3m, a height of 5.5m to the eaves and 6.7m to the top of the pitched roof from the natural ground level, set down from the main roof and rear dormer by 1.8m. It would be set away from the side boundary with No. 140 Pennine Drive by 1.4m and from the side boundary with the attached dwelling at No. 144 Pennine Drive by 2.4m.

### **4. Public Consultation**

Consultation letters were sent to 119 neighbouring properties.

17 responses have been received, comprising 1 letter of 16 objectors and 1 no. single letter of objection.

The objections received can be summarised as follows:

- Issues with parking / traffic
- Increase in rubbish leading to domestic problems including rats
- Loss of light to both adjoining properties
- Loss of privacy
- Works have commenced and may not be built safely
- Roof extension blocks neighbouring light

### **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 July 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 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.

#### 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, DM08 and DM17.

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 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 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 principal of flats in this location
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality and whether harm would be caused to the living conditions of neighbouring residents.
- Parking and Highways
- Trees
- Amenity and living conditions of future occupiers

## **5.3 Assessment of proposals**

### The principal of flats in this location

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use

can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatbed accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The Officers Report of a recent approval at No. 97 Pennine Drive (application reference: 17/6808/FUL, dated 16.01.2018) confirmed that the conversion of a dwellinghouse into self-contained flats is acceptable in this location. This was also assessed from records of the Valuation Office Agency website and a planning history search of the road and surrounding Golders Green Estate.

Furthermore, approval was gained for conversion of a dwellinghouse into two flats at the following properties:

Planning reference 17/0966/FUL dated 02.05.2017 at No. 1 Pennine Drive London NW2 1NY

Planning reference 15/04615/FUL dated 21.09.2015 at No. 105 Pennine Drive London NW2 1NN

It is considered that the sub-division into flats and potential increase in people movements would not result in an unacceptable level of noise and disturbance for neighbouring occupiers.

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

It was evident from the site visit that the applicants benefit from a single storey rear extension and roof extension. The extensions were implemented following the issue of the Lawful Certificate application reference 17/3584/192 dated 27.07.2017.

#### First floor rear extension

The proposed first floor rear element would have a width of approximately 3.2m, a depth of 3m, a height of 5.5m to the eaves and 6.7m to the top of the pitched roof from the natural ground level, with the pitched roof being set down from the main roof and rear dormer by 1.8m. The extension would be set away from the side boundary with No. 140 Pennine Drive by 1.4m and from the side boundary with the attached dwelling at No. 144 Pennine Drive by 2.4m. No windows are proposed within the side elevations of the extension and thus due to the adequate set away from both neighbouring side boundaries, there would be no issue of overlooking, loss of privacy or light on the neighbouring amenities.

As such, this element of the application is deemed acceptable in regard to impact on character and amenity of neighbouring occupiers.

#### Parking and Highways

The continued provision of 2 parking spaces for use by the occupants of the proposed development is in accordance with highways parking standards. The proposal is acceptable on highway grounds subject to conditions.

#### Trees



The proposed development would not impact the health or quality of the trees on the site or neighbouring sites. Furthermore, there are no designated Tree Preservation Orders on site, or neighbouring the site.

#### Amenity and living conditions of future occupiers

Floorspace standards:

The bedrooms(b)/persons-bedspaces (p) to essential gross internal area would be as follows for the application:

Ground floor flat - 1b 2 p - 56 sqm

First floor flat -2b 4 p - 80 sqm

This meets the minimum residential space standards set out in Table 2.1 of the adopted Sustainable Design and Construction SPD (2016).

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if it leads to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures.

The proposed layout and stacking is considered sufficient to prevent any unnecessary noise or disturbance.

Outlook, light and privacy:

All proposed habitable rooms would be provided with sufficient light and outlook to provide future occupiers with a good standard of living as recommended in the Sustainable Design and Construction SPD (2016). Occupiers would benefit from an acceptable degree of privacy.

Private amenity space:

The ground floor flat (Flat 1) would provide approximately 34 sqm of outdoor private amenity space and the first floor flat (Flat 2) 20 sqm plus extra space within the outbuilding utilising a gym.

These would fall within the requirements set out in Table 2.3 of the adopted Sustainable Design and Construction SPD (2016).

Conclusion

It is considered that the proposed flat conversion and associated first floor extension by reason of its size, siting and design would fall within the above mentioned planning policies, would have an acceptable impact on the proposal property and site, general locale, current streetscene and neighbouring amenities. The application is therefore recommended for approval, subject to conditions.

#### **5.4 Response to Public Consultation**

Objections and comments have been mainly dealt with within the main body of the report. However, it should be noted that the roof extension was approved under a Certificate of

Lawfulness reference 17/3584/192 dated 27.07.2017 and is therefore not being dealt with under the current application. In relation to concerns raised about rubbish, a condition will be added to ensure that the applicants submit details to accommodate refuse and recycling. Any issues in relation to vermin in the area should be reported directly to the Environmental Health Department on 020 8359 3555.

## **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 occupiers. This application is therefore recommended for APPROVAL.

## Site Location Plan

