

**Location**                      **44 Glebe Road London N3 2AX**

**Reference:**                      **18/1545/FUL**

Received: 12th March 2018

Accepted: 13th March 2018

Ward:                              Woodhouse

Expiry 8th May 2018

Applicant:                      Mr J Neophytou

Proposal:                      Conversion of existing single family dwelling into 2no. self-contained flats including roof extension with rear dormer window and 3no. rooflights to front roofslope and a single storey rear extension with associated refuse store and cycle parking

**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:

- Existing OS Map, Site Block Plan, Site Plan and Photographs, Drawing No.1676-E01-00 Rev P1;
- Existing Ground, First Floor and Roof Plans, Drawing No.1676-E02-00 Rev P1;
- Existing Sectional Elevation and Rear Elevation, Drawing No.1676-E03-00 Rev P1;
- Proposed Ground and First Floor Plans, Drawing No.1676-P02-00 Rev P3;
- Proposed Second/Loft Floor Plan and Roof Plan, Drawing No.1676-P02-01 Rev P2;
- Proposed Sectional Elevation and Rear Elevation, Drawing No.1676-P03-00 Rev P2;
- Proposed Refuse and Recycling Store Details, Drawing No.1676-DT01-00 Rev P1.

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 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).

- 4 Before the development hereby permitted is first occupied, enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins shall be implemented in full accordance with drawing 1676-DT01-00 Rev P1 and be 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 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.

- 6 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).

#### **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. 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](http://www.planningportal.gov.uk/cil).

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

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

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

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

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

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

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

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

3. The applicant is advised that 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 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 [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

## **Officer's Assessment**

### **1. Site Description**

The application site comprises a mid-terrace dwellinghouse located on the south side of Glebe Road within the Woodhouse Ward. The site is residential in character and is dominated by terraced properties. It has no off-street parking provision.

The application site is not a listed building and does not lie within a Conservation Area.

### **2. Site History**

No relevant planning history

### **3. Proposal**

The proposed development includes:

Conversion of existing single-family dwelling into 2no. self-contained flats including roof extension with rear dormer window and 3no. rooflights to front roof slope and a single storey rear extension with associated refuse store and cycle parking

### **4. Public Consultation**

Consultation letters were sent to 110 neighbouring properties.

23 responses have been received comprising 12 letters of objection and 11 letters of support.

The following is a summary of public comments:

- Lack of available on-street parking;
- Provision of more parking;
- Lack of green areas and infrastructure (reliance on private vehicle);
- Noise of construction work;
- Dormer window not in keeping with the street;
  
- Will provide more housing;
- More affordable housing;

### **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 document. Both were adopted in September 2012. The following policy documents were consulted:

Core Strategy Policies:

- National Planning Policy Framework (NPPF) (2012): CS
- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM07, DM08 and DM17.

#### 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:

- i. The principle of flats in this location
- ii. Whether the proposal provides satisfactory living accommodation for future occupiers
- iii. The Impact on the appearance and character of the area
- iv. The impact on the amenities of neighbouring occupiers
- v. Parking and highways
- vi. Refuse and recycling storage

### **5.3 Assessment of proposals**

The principle of flats in this location

Policy DM01 states that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. The supporting text to this policy provides the main reason for this aspect of DM01, and notes that 'the conversion of existing dwellings into flats can have a cumulative effect that is damaging to the quality of the environment and detracts from the character of established residential areas'.

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 impact 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 flat accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate.

When assessing the principle of conversions from single family dwellings to multiple units we first assess the precedent of sub-divisions in the near vicinity of the proposal site (Glebe Road search area) within the last 5-10 years, below are the conversions which are on our system (which we base our assessment on, not conversions which may have occurred without the benefit of a planning application):

- 17/0618/FUL: 74 Glebe Road (Conversion of an existing dwelling into 2no self-contained units) Approved subject to conditions;
- 16/3104/191: 30 and 30A Glebe Road (Use of property as 2no. self-contained flats Use Class C3) Lawful;
- 15/07933/FUL: 74 Glebe Road (Single storey rear extension. Roof extension involving rear dormer window with 3no rooflights to form conversion of single family dwelling into 2no self contained flats) Refused by the LPA, Allowed at Appeal;
- 15/00048/FUL: 1A Glebe Road (Construction of new second floor to provide 1 no. additional self-contained flat) Approved subject to conditions;
- F/04624/14: 1A Glebe Road (Construction of 2nd floor to provide 1no. self-contained flats);

As noted above there are 5 applications for either subdivision, lawful use or additional units within the last 10 years in the close vicinity of the proposal site. The road is still predominately single family dwellings but there have been applications granted for the subdivisions of properties.

The locality that surrounds the application site contains a significant number of flat conversions and taking this into account it is considered that the proposed would not be harmful to the established character of the site and streetscene.

It is recognised that it is not always appropriate to allow the conversion of a single family dwelling house into flatted accommodation. However, in the case of this application it is considered to be acceptable.

Whether the proposal provides a satisfactory living environment for future 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.

Floor Area:

The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum floor area requirements for residential units as follows:

- 1 bedroom 2 persons, 1 storey - 53m<sup>2</sup>
- 1 bedroom, 2 persons, 2 storeys - 64m<sup>2</sup>

Flats A and B each meets the above standards:

Flat A - 53m<sup>2</sup> (1 bed, 2 persons, 1 storey)

Flat B - 64m<sup>2</sup> (1 bed, 2 persons, 2 storeys)

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All of the bedrooms in the proposed flats meet these requirements.

Floor to ceiling height:

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling. Each of the flats complies with this standard

Light/outlook:

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. All habitable rooms within the proposed flats meet this requirement.

Room stacking:

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. It is noted that there is a proposed dining/living room on the first floor (upper floor flat) which overlaps a bedroom to the ground floor flat. Environmental Health were consulted on this application but did not provide any comments regarding this element of the proposal. A condition is proposed concerning sound insulation.

Amenity Space:

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> per habitable room (definition of a habitable room is set out in the glossary including the maximum size considered before a room is counted as two (20 sqm)).

Flat 1 has been allocated all of the private outdoor amenity space to the rear of the property which is more than the required standard. The upper floor flat (Flat 2) has not been allocated private outdoor amenity space. The upper unit is not a family sized unit and the site is located within a short walk of local parks (Victoria Park) which, on balance, is



considered reasonable substitute for additional amenity space when read in conjunction with the oversized unit highlighted above.

#### The Impact on the appearance and character of the area

The proposed single storey rear extension will be a proportionate addition (3m in depth) that will not detract from the established character and appearance of the host property. The proposed extension will still appear as a harmonious and subordinate addition to the host property and will replace the current temporary roof area to the side and rear of the property.

The dormer window size and design complies with the SPD requirements and is considered a proportionate addition to the house.

#### The impact on the amenities of neighbouring occupiers

Neighbouring property at no.46 has the benefit of an approximately 3.5m extension; the proposed extension will not extend beyond this neighbouring extension and as such it is not considered that the proposed extension will have an impact on this neighbouring property. The extension is set away from the boundary with no. 46.

It is therefore considered that on balance the proposed extension will not have an impact on the living conditions of the occupiers of any neighbouring property to an unacceptable level.

The proposals would comply with the aforementioned policies and Council Residential Design Guidance and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

#### Parking and Highways

The proposal is to convert the existing single-family dwelling unit to provide 2x1 bedroom units. The existing dwelling does not have any parking. No parking is proposed for the conversion. Taking into consideration the following.

The proposal is for a conversion;

- o The site is not located within a CPZ;
- o The site is within a walking distance of the town centre;
- o The site is located within a PTAL rating of 2

It is considered that the parking demand arising from this application would be largely similar to that arising from the existing dwelling house. On balance the proposed development without any parking provision is acceptable on highway grounds.

Cycle parking provision should be in accordance with the London Plan (2016) that requires a minimum of 1 cycle space per 1-2 bed unit. The proposal provides 2 enclosed cycle bays to the front of the property which meets the London Plan requirement.

#### Refuse and recycling storage

Policy DM02 states that proposals for residential conversions must include suitably enclosed storage areas at the rear of the property. If it is not practical, storage areas at the front or side of the property should be adequately screened so as not to become a dominant feature, and to avoid loss of amenity. The application shows that the refuse area will be situated to the front of the property and be adequately screened. Sufficient refuse and recycling provision is proposed.

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

The public comments raised have been considered and addressed within the above report.

## **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 the proposed development would have an acceptable impact on the character and appearance of the application site and the general locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

