

Location **16 Rundell Crescent London NW4 3BP**

Reference: **18/3306/S73** Received: 30th May 2018
Accepted: 30th May 2018

Ward: West Hendon Expiry 25th July 2018

Applicant: Miss Avital Wittenberg

Proposal: Variation of condition 1 (Approved Plans) of planning permission 16/3037/FUL dated 13/05/2016 for "Conversion of existing dwelling into 2no. semi detached houses including part single, part two storey side and rear extension following demolition of existing garage and removal of rear bay at ground and first floor. Formation of front bay window and new entrance. Roof extension involving side and rear dormer windows, 2no. rooflights to front elevation. Provision of 4no. off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space". Variation to include improvement of the layout and to create more space and light in the loft including 1 additional rooflight on each side elevation, change to roof form, enlargement of the first floor front elevation windows, enlargement and repositioning of the side dormers and a side window, lowering of internal floors and revisions to internal layout

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: Drg.no.RC17-PP-201 RevA.

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 the permission of the parent application (16/3037/FUL) dated 13/05/16.

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 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).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations facing no.14 and no.18 Rundell Crescent shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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).

- 6 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 side elevation(s), of the extension(s) hereby approved, facing no.14-16 Rundell Crescent.

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).

- 7 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed 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), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 8 The layout of the residential units as indicated on the hereby approved plans (Drg.no.RC17-PP-201 Rev.A) 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 (adopted April 2013).

- 9 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).

- 10 The amenity space shall be implemented and subdivided in accordance with the details indicated on the hereby approved Drawing no. RC15-PP-201 Rev B 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 April 2013).

- 11 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. RC15-PP-201 Rev B 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) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 12 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)

- 13 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.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of that Order shall be carried out within the site area or building hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 15 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 6% 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), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 16 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.

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 located at 16 Rundell Crescent, London, NW4 3BP. This site currently contains a two-storey detached dwelling sited on the eastern side of Rundell Crescent. This street is predominately characterised by large detached and link-detached two storey single family dwellings. However, it is noted that this character varies to the north of the application site close to the junction with Watford Way where examples of larger flatted development buildings and a bungalow are observed.

The site is not indicated as being subject to flooding hazard, nor does not contain any listed buildings or protected trees. The site is also not located within a conservation area. There are no other specific matters which could restrict development on the site.

Background:

The applicant received planning permission for the conversion of existing dwelling into 2no semi-detached houses including part single, part two storey side and rear extension following demolition of existing garage and removal of rear bay at ground and first floor and formation of front bay window and new entrance. In addition, the proposal included a roof extension involving side and rear dormer windows, 2no rooflights to front elevation. 4no off street parking spaces would be provided, and refuse/recycling stores with associated hard and soft landscaping and amenity space for each dwelling. The proposal was granted permission under ref:16/3037/FUL dated 13/05/16 following a Committee decision to support the recommendation to approve.

The extension would have a width of 2.9m at ground and first floor level. At ground floor level, the front bay would match the existing bay near the boundary with no.14 and include a new entrance which would be centrally located and have a lean-to roof. The bay window at first floor level would also match the existing bay on the property in its projection.

At the ground floor rear, the extension would have a projection 2.9m, sited 1.45m away from the boundary with no. 18 and 0.5m from the boundary with no.14. The ground floor extension would have a flat roof with an eaves height 3m from the raised patio. The patio would be set in from both sides.

At first floor level with a crown roof, the extension would be sited approximately 3.6m from the boundary with no. 18 and 2m from the boundary with no.14, and have a depth of 2.9m.

The side and rear dormers would have a width of 1.85m and height of 2.1m, located centrally on the roofslope of the main roof.

The applicant is currently in the process of implementing the approved scheme.

2. Site History

Reference: 15/06458/192

Address: 16 Rundell Crescent, London, NW4 3BP

Decision: Lawful

Decision Date: 14 December 2015

Description: Two storey rear extension, single storey side extension following demolition of existing garage. Roof extension involving rear dormer window. Removal of bay window to first floor and erection of a side gate.

Reference: 16/3037/FUL

Address: 16 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision Date: 2 August 2016

Description: Conversion of existing dwelling into 2no semi detached houses including part single, part two storey side and rear extension following demolition of existing garage and removal of rear bay at ground and first floor. Formation of front bay window and new entrance. Roof extension involving side and rear dormer windows, 2no rooflights to front elevation. Provision of 4no off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space

Reference: 16/3072/191

Address: 16 Rundell Crescent, London, NW4 3BP

Decision: Lawful

Decision Date: 7 June 2016

Description: Use as HMO (House in multiple occupation) (Class C4)

3. Proposal

This application seeks to vary condition 1 (Approved Plans) of planning permission 16/3037/FUL dated 13/05/2016 for "Conversion of existing dwelling into 2no. semi detached houses including part single, part two storey side and rear extension following demolition of existing garage and removal of rear bay at ground and first floor. Formation of front bay window and new entrance. Roof extension involving side and rear dormer windows, 2no. rooflights to front elevation. Provision of 4no. off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space".

Variation to the proposal includes the following:

- 1 additional rooflight to the roof slope of each side elevation
- Alterations to the roof form comprising of partial crown roof
- Enlargement of the first floor front elevation windows
- Enlargement and repositioning of the side dormers and a side window
- Lowering the ground floor level by 300mm including external terrace
- Revisions to internal layout

4. Public Consultation

A site notice was erected on the 14th June 2018.

Consultation letters were sent to 154 neighbouring properties.

6 letters of objections have been received.

The objections received can be summarised as follows:

- Loss of light to neighbouring kitchen
- Loss of privacy
- Stress on existing parking
- Undervalue neighbouring property
- It would not be akin to the character of the rest of the road which harbours detached houses

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.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The revised National Planning Policy Framework (NPPF) was published on 24th July 2018. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. It is a material consideration in planning decisions. Similar material considerations are the Government's planning policy for traveller sites, and its planning policy for waste as well as Written Ministerial Statements where relevant to planning decisions.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF'.

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, CS4, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the 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

Sustainable Design and Construction SPD (adopted April 2013)

- 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.

5.3 Assessment of proposals

Planning permission was recently granted at the property under reference 16/3037/FUL for the following development:

"Conversion of existing dwelling into 2no semi-detached houses including part single, part two storey side and rear extension following demolition of existing garage and removal of rear bay at ground and first floor. Formation of front bay window and new entrance. Roof extension involving side and rear dormer windows, 2no rooflights to front elevation. Provision of 4no off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space"

Under the current application the applicant is proposing the following:

- 1 additional rooflight to the roof slope of each side elevation
- Alterations to the roof form comprising of partial crown roof
- Enlargement of the first floor front elevation windows
- Enlargement and repositioning of the side dormers and a side window
- Lowering the ground floor level by 300mm including external terrace
- Revisions to internal layout

The following report will focus solely on the assessment of the changes to the approved scheme; the principle of development has already been established.

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

Policy CS5 of the Core Strategy (Adopted) 2012 states that development should enhance the borough's high quality suburbs through the provision of buildings of the highest quality. Policy DM01 of the Development Management Policies (Adopted) 2012 states development proposals should be based on an understanding of local characteristics. Development should preserve and enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings.

Policy 7.6: Architecture of the London Plan (2015) states that development should be of highest architectural quality and should be of proportion, composition, scale and orientation that enhances , activates and appropriately defines public realm.

There is no objection to the introduction of the additional rooflight on the side elevation as it will be flush with the roof slope and therefore will not harm the character of the dwelling of the immediate area.

With regards to the front elevation, the two bays will remain at the same depth and height. Furthermore, the proposal does not involve infilling the space between the two bay windows, the proposal will only involve increasing the glazing within the two front bays and therefore, the proposed enlargement of the first floor front windows (glazing) is considered to be acceptable.

The ground floor layout would include a study in one property and a TV/guest room in the other and the lowering of internal floors would result in a lower patio level at the rear. The internal alterations are therefore acceptable.

The introduction of a crown roof would internally improve the headroom height and therefore improve the quality of life for the occupiers. Whilst the area is predominantly characterised by pitched and hipped roofs, it is considered that the creation of a small crown would not alter the character of the house and the immediate vicinity. Furthermore, it will not be visible from the street scene, therefore this minor increase in the width of roof is acceptable.

The proposal involves repositioning of the side dormers marginally to accommodate the revised internal layout. The proposed dormers will increase in width from 1.8m in to 2m and will still be fairly centrally located on the respective roofslope and will therefore comply with the requirements within the Residential Design Guidance SPD. These features would not harm the character of the application site or the street scene and therefore there is no objection to the enlargement and repositioning of the side dormers and a side window.

It is considered that the proposed roof alterations are appropriate taking into account the existing building and its surrounding context. The works will respect the scale and design of the host property and other dwellings located within Rundell Crescent.

Whether harm would be caused to the living conditions of neighbouring residents

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbour's amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Policies DM01 and DM02, seeks to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity. The relevant Residential Design SPD offers guidance for the assessment.

It is not considered that the submitted scheme would adversely impact neighbouring amenity in this instance. This determination is based on the scale, siting and design of the proposal.

The proposed additional roof lights to each roof slope of the side elevation will be obscure glazed and therefore therefor there will be no overlooking or privacy concerns.

With regards to the front elevation, the two bays will remain at the same depth and height, whilst the glazing will increase within the bays, it is located to the front of the property and will not result in loss of privacy or overlooking. It is not considered to have any further impact on the amenities of neighbouring properties than what was previously approved.

The lowering of internal floors would result in a lower patio level at the rear. There would be a reduced impact on the neighbouring occupiers by virtue of this being at a lower level and therefore this element of the proposal is acceptable. The internal layout is also considered to be acceptable and the layout of the units would be conditioned.

The introduction of crown roof would internally improve the headroom height and therefore improve the quality of life for the occupiers. Whilst the area is predominantly characterised by pitched and hipped roofs, it is considered that the creation of a small crown would not alter the character of the house and the immediate vicinity. Furthermore, it will not be visible form the street scene, therefore this minor increase in the width of roof is acceptable.

The principle of the side dormer and window have already been established in the parent application (16/3037/FUL), and therefore the repositioning of these elements is not considered to further harm the amenities of the neighbouring properties, in particular dwelling 18 Rundell Crescent than what was originally approved. Furthermore, they will be obscure glazed and therefore there will be no overlooking or privacy concerns as well.

5.4 Response to Public Consultation

The planning related comments have been addressed in the report above.

- Loss of light to neighbouring kitchen

The proposal will not be moving any closer to the neighbouring property than what was previously approved. Therefore, the proposal is not considered to create any additional loss of light than what was previously approved.

- Loss of privacy

The proposal is not considered to create any additional loss of privacy then what was previously approved. Comments with regards to loss of privacy has been addressed in the body of the report. Furthermore, the principle of this development, including its architectural character, has previously and recently been established by 16/3037/FUL. Since this decision

was made on 13 May 2016 no policy or material considerations have emerged that would make this unacceptable.

- Stress on existing parking

The principle of this development, including its architectural character, has previously and recently been established by 16/3037/FUL. Since this decision was made on 13 May 2016 no policy or material considerations have emerged that would make this unacceptable.

- Undervalue neighbouring property

The principle of this development, including its architectural character, has previously and recently been established by 16/3037/FUL. Since this decision was made on 13 May 2016 no policy or material considerations have emerged that would make this unacceptable

- It would not be akin to the character of the rest of the road which harbours detached houses

The principle of this development, including its architectural character, has previously and recently been established by 16/3037/FUL. Since this decision was made on 13 May 2016 no policy or material considerations have emerged that would make this unacceptable.

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.

