

Location **124 Squires Lane London N3 2AB**

Reference: **20/3423/FUL** Received: 27th July 2020
Accepted: 27th July 2020

Ward: West Finchley Expiry 21st September 2020

Applicant: Orkhan Guluzade

Proposal: Conversion of the existing dwelling into 2no self-contained flats. Associated refuse/recycling and cycle parking

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:

01
02A
03
04C
Yes Transport Parking Survey

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 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).

- 4 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).

- 5 Prior to occupation of the development, 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

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 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 October 2016).

- 7 a) Before the development hereby permitted is first occupied, the enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers shall be provided as shown on the approved plans.

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).

- 8 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.

- 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.

Informative(s):

- 1 In accordance with paragraphs 38-57 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 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 or by telephoning 0208 359 4500.

- 3 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 £60 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.

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
4. Refuse collection points should be located within 10 meters of the Public Highway. 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.
5. If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
6. The result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to

commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

OFFICER'S ASSESSMENT

1. Site Description

The application site is a mid-terrace family dwelling house on the north side of Squires Lane, which is primarily residential, characterised by single family dwellings and flats.

The site is not in a conservation area and is not a listed building.

2. Site History

Reference: 20/1422/192

Address: 124 Squires Lane, London, N3 2AB

Decision: Lawful

Decision Date: 14 April 2020

Description: Roof extension involving rear dormer windows and 2no front facing rooflights. Single storey rear extension with 1no rooflight

3. Proposal

The proposal is to convert the property into 2no self-contained flats.

The ground floor flat will be 2 bed 3 person with access to the rear garden. The first floor flat will be 1 bed 2 person.

- The ground floor 2 bed 3 person flat will have a floor space of 67.35sqm
- The first floor and loft space 1 bed 2 person flat will have a floor space of 72.12sqm

Refuse and cycle storage is proposed at the front of the property.

4. Public Consultation

Consultation letters were sent to 65 neighbouring properties. 6 responses were received, comprising 6 letters of objection. The objections can be summarised as follows:

- The development will result in excessive density of occupation: the property is incapable of sub-division into 2 units of adequate size
- The proposed development would be out of character with the single-occupation housing in the surrounding neighbourhood
- No house of a similar scale has been divided into flats
- The development would deprive a family of a suitable home
- The Edwardian/late Victorian character and design will be harmed
- Over-population of this plot
- Will cause a strain on Squires Lane/Long Lane's already limited parking
- It will create an eye sore with double the amount of bins in the front
- It will enable flat owners to extend the properties further
- More vehicles will park on Etchingam Park Road
- Concerns over the additional work which will be done under permitted development
- The certificate of lawfulness issued in May 2020 states in paragraph 4 that the permission is based on the property remaining as a single-family dwelling. The certificate is invalidated by this current application
- The permitted development application clearly shows a ground floor bedroom in the place of a former kitchen
- The 'Clifton Villas' (120 - 128) largely retain their Edwardian features
- The conversion would contradict Barnet's new draft local plan which sets a minimum floor space threshold
- The PTAL score for this property is 2, which does not meet the threshold of 5, or within 400m of a town centre, required for suitable conversion
- Concerns over the structural safety of the work done so far
- Builders have trespassed on neighbouring property
- Permitted development rights for the flats should not be granted

Due to receipt of amended plans, which changed the internal layout of the property and number of bedrooms proposed, reconsultation letters were sent out. 3 more responses were received, comprising 3 letters of objection. The objections can be summarised as follows:

- The conversion has already been done
- Flats in this location would ruin this row of houses
- Front garden is too small to accommodate for bins and cycles
- Parking is limited in the area
- Overdevelopment
- The amended plans are not meaningfully different other than a parking study
- The authority's planners allow developers to undertake work under 'permitted development' without checking that limitations are being exceeded
- No assurance that the works are safe on the party wall
- Trespassing on neighbouring property

4.1 Internal Consultation

Highways

The LPA's Highways department were consulted regarding this application. The following comments were made:

The proposal is for the conversion of the existing 4+bed single family dwelling into 2x 2bed single family dwellings. There is no off-street car parking provision on the existing property

and the applicant is not proposing to make any for future residents.

The required off-street car parking provision for a proposal such as this is 3 spaces, which is an increase of 1 space from the existing use. The applicant has not provided any justification for the under-provision of off-street car parking.

A car parking survey must be conducted in line with the Lambeth Methodology.

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport. For a proposal such as this, the required cycle parking provision is 4 spaces (2 per unit).

Following receipt of a parking survey, Highways had the following comments:

A Car Parking Survey has been conducted in Line with the Lambeth Methodology on the 6th and 7th of October 2020 (Tuesday-Wednesday) at 01:00 on both days. The results show that there is an average of 84.5% on-street car parking stress.

This means that the potential overspill of 1 car parking space can be accommodated on-street. I therefore have no objections to the proposed on highways grounds.

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 amended on 19 February 2019. 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.

The London Plan is currently under review. Whilst capable of being a material consideration,

at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan.

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 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, 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.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

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

Officers consider that the main planning considerations are as follows:

- o Principle of the development
- o Whether the proposal provides satisfactory living accommodation for future occupiers
- o Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- o Whether harm would be caused to the living conditions of neighbouring residents
- o Impact on highways;
- o Refuse Storage;
- o Cycle Storage.

5.3 Assessment of proposals

Principle of conversion into flats

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 Paragraph 2.8.1 of the Development Management Document 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 flat accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

Policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised

by houses" will not normally be appropriate.

A site visit was conducted by the planning officer to assess the character of the area surrounding the application site. It was clear that the following properties had been converted into flats: numbers 96, 104, 112, 133, 135, 137, 151 and 159 Squires Lane. In addition to this, an assessment of the VOA records was also done, which found that the following properties in the local vicinity were currently in use as flats: 98, 100, 104, 112, 130, 133, 135, 137, 138, 142, 145, 147, 149, 151, 153, 155, 159, 165, 167, 171 and 173.

The planning officer also assessed the number of planning applications for the conversion of a single family dwelling into flats which had been approved along Squires Lane between 2016 and 2020. The following properties have been granted permission: 35, 64, 133, 153, 182 and 187 Squires Lane.

From this research, it is clear that the area surrounding the application site is partly characterised by flats. 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. From assessing the character of the area and looking at the Council Tax website, it is clear that a number of properties have undertaken similar works to convert their properties into flats. It is considered therefore that the area is partly characterised by flats. The conversion of a single-family dwelling into flats in this location is therefore considered to be acceptable in principle.

Whether the proposal provides satisfactory living accommodation 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.

The London Plan (2016), Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum space requirements for residential units and bedrooms. The requirements for Gross Internal floor Area (GIA) for 2 bedroom 3 persons, one storey dwellings is 61sq metres and for a 1 bedroom 2 person, two storey dwelling is 58sq metres. The proposed flats would both exceed these requirements, therefore offering a good level of amenity for future occupiers.

- The ground floor 2 bed 3 person flat will have a floor space of 67.35sqm
- The first floor and loft space 1 bed 2 person flat will have a floor space of 72.12sqm

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 m² and should be at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and should be at least 2.75m wide and every other double (or twin) bedroom and at least 2.55m wide.

The bedrooms in the proposed flats meet these requirements.

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. The proposed layout provides reasonable stacking throughout the property. The first floor flats' kitchen space will be located above the ground floor flats' living and kitchen space. The stacking of rooms throughout the property

is considered to be acceptable.

Glazing:

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. Bedrooms and living rooms/kitchens should have a reasonable outlook with clear glazed windows. The ground floor flat will have acceptable outlook and adequate glazing in all habitable rooms. The living space and bedrooms in the first floor flat will also have adequate outlook.

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 m² per habitable room.

The ground floor flat has been allocated all of the rear amenity space, which is approximately 78.32 square metres. This is more than the required standard. The proposed amenity space would provide good quality amenity space for future occupiers of the ground floor flat.

The first floor flat would not be provided access to any private amenity space. It is noted that Paragraph 2.3.312 of the Mayor's Housing SPG (March 2016) states that: 'In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA.'

Whilst the first floor flat has not been allocated any amenity space, there would be an oversupply of 14sqm of internal floor space. The development is therefore considered to be acceptable on amenity grounds.

In addition, the property is not located within an area deficient in public open space. The site is near to Victoria Park (approximately a five-minute walk) and is located near to public transport which provides residents with the opportunity to seek out recreational areas outside of the property. Therefore, it is considered that the lack of amenity space provision for the first floor flat would not be reason to warrant refusal of the application.

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Given that no extensions or alterations to the external property are proposed as part of the development, the proposed conversion will not have a detrimental impact on the character and appearance of the existing building, street scene or wider locality.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect

of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The existing property serves a 4no. bed family dwelling capable of accommodating up to 6.no persons. The existing door in the front elevation would provide common resident access whilst internal doors would provide separate access to respective units. 2no self-contained flats could cumulatively accommodate up to 5no persons across the site. The occupancy level therefore would be less than existing potential levels, however a change in tenure from single family to flatted development thereby accommodating 2no. unrelated groups across the site is apparent. Given site circumstances which includes less occupancy and established residential use of the site and local area, the conversion is not considered to result in an intensity of use that would be harmful to the neighbouring residential occupiers by way of noise and disturbance and comings and goings.

Given the above reasons, the scheme is considered acceptable on the grounds of residential amenity.

Impact on highways:

Barnet's Highways department were consulted regarding parking and highways for the proposed development. Following receipt of a parking survey, they had the following comments:

A Car Parking Survey has been conducted in Line with the Lambeth Methodology on the 6th and 7th of October 2020 (Tuesday-Wednesday) at 01:00 on both days. The results show that there is an average of 84.5% on-street car parking stress.

This means that the potential overspill of 1 car parking space can be accommodated on-street. I therefore have no objections to the proposed on highways grounds.

No objections raised to the proposed development on highways grounds.

Refuse and Recycling Storage:

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.

Each flat is to be provided with one 240l bin for residual waste, one 240l bin for recyclable waste, which is in line with Barnet's Waste and Recycling policy. These will be housed in timber bin stores in the front garden space.

The proposed bin stores will meet Barnet's Waste and Recycling policies are considered to be situated in an appropriate location. The timber stores are considered to be acceptable and will not harm the character and appearance of the street scene.

Cycle Storage:

The LPA's Highways department reviewed the cycle storage proposed and had the following comments:

Cycle parking and cycle storage facilities should be provided in accordance with the London

Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport. 4 cycle spaces would therefore be needed at this site (2 per unit).
Details of proposed cycle parking will be requested by way of condition.

5.4 Response to Public Consultation

'The development will result in excessive density of occupation: the property is incapable of sub-division into 2 units of adequate size'

- The conversion will result in a maximum of 5 people occupying the property. This is not considered to be excessive compared to the current number of bedrooms in the existing single family dwelling. Both units meet the required space standards.

'The proposed development would be out of character with the single-occupation housing in the surrounding neighbourhood'

- A site visit was conducted as well as assessment of VOA records and recent planning history of conversions along Squires Lane. Flats are a characteristic of the surrounding area; therefore, this development is not out of character with the surrounding context.

'No house of a similar scale has been divided into flats'

- A number of properties have been converted into flats along Squires Lane. The proposed meets the relevant space standards

'The Edwardian/late Victorian character and design will be harmed'

- No alterations are proposed to the exterior of the property.

'Over-population of this plot'

- The conversion will result in a maximum of 5 people occupying the property. This is not considered to be excessive or an overpopulation of the plot

'Will cause a strain on Squires Lane/Long Lane's already limited parking'

- A parking survey was conducted which concluded that there was sufficient space to accommodate for the potential overspill of 1 car parking space

'It will create an eye sore with double the amount of bins in the front'

- The bins will be contained within bin stores which is considered to be a tidy form of storage

'It will enable flat owners to extend the properties further'

- Further extensions would be subject to a planning application which would be assessed on its own merits

'More vehicles will park on Etchingham Park Road'

- A parking survey was conducted which concluded that there was sufficient space to accommodate for the potential overspill of 1 car parking space

'Concerns over the additional work which will be done under permitted development'

- Flats do not benefit from permitted development rights. Therefore, any additional extensions to the property would be subject to a planning application

'The certificate of lawfulness issued in May 2020 clearly states in paragraph 4 that the permission is based on the property remaining as a single-family dwelling. The certificate is invalidated by this current application.'

- The extensions approved under permitted development have been carried out whilst the property remains as a single family dwelling. Therefore, the works are lawful.

'The permitted development application clearly shows a ground floor bedroom in the place of a former kitchen'

- The permitted development application shows the whole property as one single dwelling.

'The 'Clifton Villas' (120 - 128) largely retain their Edwardian features'

- No alterations are proposed to the exterior of the property.

'The conversion would contradict Barnet's new draft local plan which sets a minimum floor space threshold'

- The proposed flats meet the required space standards

'The PTAL score for this property is 2, which does not meet the threshold of 5, or within 400m of a town centre, required for suitable conversion'

- Flat conversions are assessed on their own merits. Squires Lane has a number of flat conversions.

'Concerns over the structural safety of the work done so far'

- Not a material planning consideration

'Builders have trespassed on neighbouring property'

- Not a material planning consideration

'Permitted development rights for the flats should not be granted'

- flats do not benefit from permitted development rights. Any future alterations would be subject to a planning application which will be assessed on its own merits

'Front garden is too small to accommodate for bins and cycles'

- further details of the cycle storage will be requested by way of condition

'Parking is limited in the area'

- a parking survey was conducted which concluded that there is sufficient parking available for the development

'The amended plans are not meaningfully different other than a parking study'

- the amended plans reflect fewer bedrooms in the first floor flat

'The authority's planners allow developers to undertake work under 'permitted development' without checking that limitations are being exceeded'

- neighbours can inform planning enforcement if they believe permitted development has been exceeded

'No assurance that the works are safe on the party wall. Trespassing on neighbouring property'

- concerns regarding the party wall and trespassing are not material planning considerations

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.

