

Location **First Floor Flat 53 Princes Avenue London N3 2DA**

Reference: **20/3997/FUL** Received: 31st August 2020
Accepted: 1st September 2020

Ward: West Finchley Expiry 27th October 2020

Applicant: Mr Nick Grant

Proposal: Conversion of the second floor into 1no self-contained flat including a roof extension involving 1no. rear and 2no. side dormer windows, 5 no. rooflights to both side elevations and front gable window to facilitate a loft conversion and internal alterations to existing first floor flat

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: 200826/E/01, 200826/E/02, 200826/E/03, 200826/LP/01, 'Examples of Materials to be used' Document, 200826/P/01 Rev E, 200826/P/02 Rev D.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The materials to be used for the external surfaces shall match those set out in the

'Examples of Materials to be used' Document.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 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 drawing 200826/P/01 E.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

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

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 6 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).

- 7 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.

- 8 Prior to the first occupation of the new dwelling (Use Class C3) hereby approved it shall have been constructed to have 100% of the water supplied to it by mains water infrastructure provided through a water meter or water meters and the 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 used to determine the water consumption. 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 and policy 5.15 of the London Plan.

- 9 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 (2016) and the 2016 Mayors Housing SPG.

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

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

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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development

is in accordance with the Development Plan.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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 or by telephoning 0208 359 4500.

- 4 Refuse collection points should be located within 10 metres 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 As a 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.

- 6 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.
- 7 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.

OFFICER'S ASSESSMENT

1. Site Description

The site is located on Princes Avenue within the West Finchley Ward. The application site is an end of terrace house which has already been converted into ground and first floor flats. The dwelling has a pitched roof with an additional flat roof and benefits from a two-storey projection to the rear.

The property is not within a designed Conservation Area and is not a Listed Building.

2. Site History

Reference: 18/6993/CON

Address: 53A Princes Avenue London N3

Decision Date: 02.01.2019

Decision: Approve

Description: Submission of details of conditions 3 (External materials) 4 (Refuse/recycling) 9 (Front gable window glazing) pursuant to planning permission 18/1787/FUL dated 26/07/18

Reference: 18/1787/FUL

Address: 53A Princes Avenue London N3

Decision Date: 11.07.2018

Decision: Approve subject to conditions

Description: Conversion of the second floor into 1no self-contained flat including a roof extension involving 1no. rear and 2no. side dormer window, 2no. rooflights to both side elevations to facilitate a loft conversion and internal alterations to existing first floor flat

Reference: 17/3777/FUL

Address: 53A Princes Avenue London N3

Decision Date: 01.09.2017

Decision: Refused. Appeal dismissed

Description: Conversion of 1st and 2nd floors into 2no self-contained flats including roof extension involving 1no rear and 2 no side dormer windows, 1no. rooflight to both side elevations to facilitate a loft conversion.

Reason for refusal:

The proposal due to its lack of glazing, poor outlook and layout, lack of outdoor amenity space and failure to achieve the required minimum gross internal area for the flats would provide an unacceptably poor level of amenity for future occupiers. For these reasons the proposal is contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policies DM01 and DM02 of the Adopted Development Management Policies DPD (2012) and the Council's Sustainable Design and Construction SPD (2016).

Appeal was dismissed.

Reference: C12436

Address: 53A Princes Avenue London N3

Decision Date: 14 August 1996

Decision: Approved subject to conditions

Description: Erection of replacement single storey rear extension at rear.

Reference: 17/1637/FUL

Address: First Floor Flat 53 Princes Avenue London N3

Decision Date: 09.05.2017

Decision: Approved subject to conditions

Description: Roof extension involving 1no rear and 2 no side dormer window, 1no. rooflight to both side elevations to facilitate a loft conversion (Amended description).

3. Proposal

The original description of proposed development had been for 'Conversion of the second floor into 1no self-contained flat including rear roof alteration with balcony/roof terrace enlarged, side facing dormers and 5no roof lights'.

Upon discussions, the agent was advised to reduce the size of the rear roof extension and to remove the hip to gable at the rear and as such, revert it back to a standard sized dormer.

In addition, given potential amenity issues arising from nuisance from the proposed balcony this aspect has also been omitted from the scheme.

Therefore, permission is sought for the conversion of the second floor into 1no self-contained flat to provide for a 1bed 2person flat with a total gross internal area of approx 63.3sqm. Both front and rear roof forms and windows remain similar to existing extant permission reference 18/1787/FUL. There will be five rooflights and three dormers in the scheme. The external changes are a slight amendment to position and design of the rear dormer, re-arrangement of side rooflight positions and additional side rooflight facing no. 55. Internal layouts also shown to both flats.

4. Public Consultation

Consultation letters were sent to 202 neighbouring properties.

1 letter of support and 5 objections were received.

The objections are summarised as follows:

- The planned extension breaks the roof line to the side and rear of the property, substantially altering its appearance.
- The planned development in effect adds a third storey to a two storey Edwardian property which is overbearing and out of keeping with its nature, and that of the other homes in the rest of Princes Avenue and adjoining streets.
- Overlooking and loss of privacy in neighbouring gardens from the proposed rear roof terrace.
- Additional density, noise and rubbish created by additional flats.
- Additional pressure on parking in an already busy residential street caused by the additional flats.
- Concern over the design of the proposal and pollution concerns
- Trespassed on Dorset Mews as a form of easy access to the properties and due to inadequate parking provision in the immediate area. Damage to the highway and nuisance.
- Overlooking and loss of privacy in neighbouring gardens from the proposed rear roof terrace.

1 letter of support

-Some reservations about this new proposal particularly about the balcony which may obscure my conservatory sunroof and the dimension of the roof terrace which could lead to increased noise due to extra footfall. In addition, I expect the development to incorporate noise insulation meeting the most up to date standard of sound proofing throughout the proposed alterations including staircases bearing in mind that this property is of Edwardian construction.

Internal Consultees:

Environmental Health : No objection

Highways: The proposed development is acceptable on highways grounds subject to conditions and informatives.

The site lies within a PTAL 4, which means that there is good public transport accessibility to and from the site. Controlled car parking is in operation on street (CE) in operation Monday-Friday between the hours of 2pm-3pm. According to requirements set out on Policy DM17 of the BARNET Local Plan, up to 1 off-street car parking spaces should be provided

for use by future residents of the proposed units.

However, taking the following into consideration;

- o The site also lies within a CPZ (CE) 2pm-3pm in operation from Monday-Friday;
- o The site is located within a PTAL 4 site;
- o The site lies within walking distance of a Town Centre location;
- o The site is located within walking distance of local amenities.

It is considered that the proposal would be acceptable.

Please note that 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 2 spaces.

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 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 draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM09, 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 (2012)

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

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

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. Policy DM01 of Barnet's Development Management Policies states that conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.

Planning permission had already been approved by Committee with reference to previous case 18/1787/FUL. According to council tax records the following properties on Princes Avenue contain 2 flats: 9,12, 33, 35, 36, 47, 54, 55, 56, 59, 60,61, 62, 65 and 66. According to Council tax the following properties contain between 3 to 4 flats: 2, 17, 21, 22, 34, 51 and 63.

The principle of flats is considered acceptable.

The Impact on the appearance and character of the area

This section relates purely to character from a visual appearance perspective and not the principle of flat conversions and their impact on character; this has been addressed above.

The changes are very similar and based on approved permission reference 18/1787/FUL. Given the external changes relate satisfactorily to the existing building and are not out of character in the area, the proposal is considered acceptable on design and character grounds.

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 GIA requirements for residential units as follows:

1 bed unit for 2 persons- 50sqm

2 bed unit for 4 persons - 70sqm

The proposed 1bed x 2 person 63.3sqm complies with the London Space standards.

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 is at least 2.15m wide;

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

All rooms would meet these standards.

The proposal complies with the minimum space standards as set out in the London Plan 2016 and is considered suitable for 2 persons. The proposed 1x1 bedroom 2 person (s) self-contained unit is considered acceptable in terms of amenity and would provide an acceptable living environment.

The retained first floor flat has a floor area of 87.7 sqm which complies with the London Space standards.

Amenity Space

No amenity space is proposed for the additional flat or is available for the existing flat. The previous application was approved given the site specific circumstances as the property is not located within an area deficient in public open space, is near to Victoria Park (approximately a four minute walk) and is located near to public transport which provides residents with the opportunity to seek out recreational areas outside of the property. Moreover, both flats are in excess of minimum floorspace standards.

Therefore, given the previous consent, it is considered that the lack of amenity space provision, would not be reason to warrant refusal of the application.

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.

The second floor flat has a ceiling height of approximately 2.5m and as such, complies with this standard.

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 shows bedrooms over bedrooms and dining/living areas over dining/living areas of the second floor over the retained first floor flat. These are recognised to be the most used and loudest rooms which, being kept in the same locations as the existing counterparts will not significantly impact the first floor flat. The room stacking is considered to minimise disturbance for users on the floors below and sound insulation will be conditioned.

Sound insulation between units should be incorporated into the scheme should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this would be enforced by an appropriate condition if approved.

Light/outlook:

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'. In terms of privacy, the upper flat does not have access to the rear garden, therefore, the privacy of the future occupiers of the ground floor flat is not expected to be affected.

The proposed layouts are similar to the previous approved scheme, with habitable rooms having front or rear aspect. As such, the proposed units are considered to provide residents with a satisfactory standard of accommodation in terms of adequate light and outlook.

The impact on the amenities of neighbouring occupiers

With regard had to the original scheme, the proposed balcony was removed as it was likely to give rise to nuisance and impact on the amenities of neighbouring occupiers.

There are no significant external changes to the scheme which is similar to previous approval reference 18/1787/FUL and as such, it is considered not to impact on the amenities of occupiers in terms of loss of light or appear overbearing. The proposal is acceptable on amenity grounds.

The addition of one flat may result in more movement and comings and goings from the upstairs units which could impact the ground/first floor flat.

However, the addition of 1x1 bedx 2persons unit is not considered to significantly increase noise and/ or disturbance to the detriment of the amenities of existing occupiers. However, a condition ensuring sound proofing will be attached.

Parking and Highways

No objection to the proposals, given the extant permission.

Cycle store provision will be secured via a condition.

Refuse and recycling storage

Details of the refuse and recycling have been provided, in accordance with the approved details for the extant scheme.

5.4 Response to Public Consultation

Planning matters are discussed in the body of the 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

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for APPROVAL.



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