

Location **56 Hendale Avenue London NW4 4LS**

Reference: **20/2253/FUL** Received: 19th May 2020
Accepted: 26th May 2020

Ward: Hendon Expiry 21st July 2020

Applicant: Mr Moshe Tsemah

Proposal: Vertical sub-division to form a pair of semi detached houses with new side access; Single storey side/rear extension; First floor rear extension; Associated amenity space, refuse and recycling, parking and cycle store (AMENDED PLANS AND DESCRIPTION)

OFFICER'S RECOMMENDATION

Approve subject to s106

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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. Amendment to Traffic Management Order - £2,022

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the

Service Director for Planning and Building Control:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

83-100 - Site Location Plan (received 27.05.20)
83-101 Rev D - Proposed Site Plan (received 23.11.20)
83-110 - Existing Plans (received 26.10.20)
83-111 Rev D - Proposed Plans (received 23.11.20)
83-112 Rev A - Existing and Proposed Roof Plans (received 23.11.20)
83-200 - Proposed Diagrammatic Section (received 26.10.20)
83-300 - Existing Elevations (received 26.10.20)
83-301 Rev B - Proposed Elevations (received 23.11.20)
Planning Statement (received 27.05.20)

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

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

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

3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;

- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 a) Before the development hereby permitted is first occupied details of the cycle storage enclosures 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 a) Notwithstanding the approved plans, before the development hereby permitted is first occupied, revised details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable - including space for a second garden waste bin - 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).

7 a) Notwithstanding the approved plans, prior to the first occupation of the development, a revised parking layout plan including existing and proposed crossover dimensions and areas of redundant crossovers to be reinstated to footway 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 first occupation and permanently retained as such thereafter.

Reason: In the interest of residential amenity and highway safety 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

8 a) A scheme of hard and soft landscaping, including boundary treatments, hardsurfacing materials, details of any existing trees to be retained and size, species, planting heights, densities and positions of any proposed soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

9 Before the development is first occupied, the rear amenity spaces shall be laid out in accordance with the details of the sub-division as shown on approved drawing reference 83 101 Rev C (Proposed Site Plan) and shall be permanently 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).

10 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.

11 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).

RECOMMENDATION III:

1 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted within two months of the date of any resolution to approve, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, leading to increased kerbside parking and conditions detrimental to the free flow of traffic and highway and pedestrian safety, being contrary to Policies CS9 and CS15 of the Local Plan: Core Strategy (2012), Policy DM17 of the Local Plan: Development Management Policies (2012) and the Planning Obligations SPD (adopted April 2013)

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 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.

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.

- 3 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.
- 4 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

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.

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.

- 5 The applicant shall be required to enter into a Section 184 agreement with the council for works on the public highways
- 6 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

OFFICER'S ASSESSMENT

1. Site Description

The application relates to a two-storey link detached property situated on the south side of Hendale Avenue. The property has a number of existing extensions to its rear, a loft conversion (as shown on the plans) and a narrow dropped kerb to its front. It is currently undergoing works associated with other recent approvals (see planning history below).

The property and its neighbours are typical 1930s suburban houses with the area characterised predominantly by unconverted family dwellings. The application site falls within a controlled parking zone (CPZ); has a PTAL rating of 2 (low). It does not lie within a Conservation Area, nor is it subject to any other relevant planning designations.

2. Site History

17/4850/FUL - Conversion of HMO into family dwelling - Approved subject to conditions 07.11.2017

19/3164/FUL - Conversion of existing property into 2no. self-contained flats including a single storey side extension following demolition of existing garage, single storey rear extension and a roof extension with a wraparound dormer window to the rear and both sides Refused 27.08.2019 on character impact of the principle of subdivision and the proposed wraparound dormers

20/0717/FUL - Conversion of existing dwelling into 3no self-contained flats with new side access. Associated amenity space, refuse and recycling, parking and cycle store Application withdrawn

19/6490/192 - Erection of single storey outbuilding - Deemed lawful on 02.01.2020

19/6284/HSE - Single storey rear extension (4 metres depth across the whole rear of the main property) - Approved subject to conditions 15.01.2020

19/5559/192 - Roof extension involving hip to gable, rear dormer window and 3no front facing rooflights - Lawful (23.10.2019)

19/0421/PNH - Single storey rear extension with a proposed depth of 6 metres from original

rear wall, eaves height of 2.65 metres and maximum height of 3.581 metres. - Prior Approval required and refused 28.02.2019

There is also extensive enforcement history, including two current cases pending consideration ENF/0629/19 & ENF/1033/20 (unauthorised building works).

2.1 Other Relevant Planning History

19/5212/FUL- Conversion of the existing dwelling at nearby 54 St Marys Crescent into 2no self-contained flats including the provision of a single storey front and side extension. This was a vertical subdivision approved 21.11.2019.

3. Proposal

Vertical sub-division to form a pair of semi-detached houses with new side access. Associated amenity space, refuse and recycling, parking (2 off street spaces at the front) and cycle store

Unit 1 (2 storeys / 3 bed /4 person)- GIA 90.5 m²

Unit 2 (2 storeys / 3 bed /4 person)- GIA 91 m²

Outdoor Amenity Space - 65m² per each house (2 separate garden areas)

2 car spaces / 4 cycle spaces

Single storey rear extension of 2.8m in depth along the side of the existing rear extension.

Off-set c1m from the boundary with No 58

First floor rear extension of 1.1m in depth adjacent to existing bay window. Off-set c2.5m from the boundary with No 58

4. Public Consultation

Two rounds of consultation letters were sent to 68 neighbouring properties, and 2 general site notice posted (after residents informed the LPA of issues with the first round of consultation). A third re-consultation is underway at the time of publication. Responses will be reported in the Addendum

Eleven (11) objections were received to the first two consultations, including some multiple entries on the Barnet website, which are summarised below. There is also an additional 17 person petition objecting to the scheme. The main points raised are dealt with under the scheme's key issues in the report's appraisal section.

- * Vertical sub-division is designed to get around Council regulations
- * Character of street - It is family owned homes and should stay that way
- * Issues with original scheme's 4 car spaces has been replaced by 4 bicycle bays
- * 2 car parking spaces not enough going by the size of the property proposed. Likely have 6-7 cars which will have detrimental effects on the neighbourhood through overspill
- * Already deleterious impact on the amenities of the neighbourhood by virtue of the large

extension at the rear of the house - This extension, noted as currently under construction, was approved under application reference 19/6284/HSE

* Previous track record of property, including noise, unauthorised works and be - Not considered a material consideration, the scheme will be assessed on its own individual merits and further issues dealt with by the relevant Council departments (if required)

* Issues with Barnet's consultation - Whilst letters are shown as being posted, multiple residents reported issues with their receipt. A second round of consultation was issued (both site notice and consultation) to ensure the required level of consultation was carried. Later correspondence outside of the statutory period was also accepted. Residents will also have a further opportunity to have their say during the planning committee process.

* HMO in disguise / Future HMO We would like from the council in writing a reassurance that this will not become and HMO property again

This application would not permit any use of either property as a House in Multiple Occupancy (HMO). Any such change would require a further planning permission and would have to satisfy the Local Plan Policies in terms of character and appearance of area, as well as other relevant planning considerations.

4.1 Internal Consultations

The Highways and Development team section commented the following on 14.07.20 (prior to the amended scheme):

The road fronting the site is Hendale Avenue, it is in a CPZ (Mon-Sat, 10am-5pm and on event days 1pm-6pm) and it lies in an area with a PTAL rating of 2 (low). However, 5 bus routes (326, 143, 183, 113 & 186) can be accessed from stops within 3-5 minutes distance of the side.

The conversion of the single dwelling...will attract a maximum parking requirement of between 2 and 3 car parking spaces. The property has a forecourt that can accommodate 2 car parking spaces. Highways would accept the proposed parking provision subject to the applicant agreeing to enter into a s106 agreement with the council to deny occupants of the development the right to purchase CPZ permits.

Notwithstanding the above, the proposed parking bays and the existing crossover will need to be re-positioned centrally and this will involve the relocation of an existing lighting column, installation of a new crossover and reinstatement of the existing redundant crossover. A revised parking layout is therefore requested by way of a condition. The applicant will need to obtain a s184 licence from the Council for these works on the public highway. A s184 application will need completed and sent to the Traffic and Development Section, Barnet Council, 2 Bristol Avenue, Colindale NW9 4EW. (The applicant is asked to note that the maximum width of a residential crossover is 4.2m and the minimum gap between subsequent crossovers must be 2.4m)

4 cycle parking spaces are needed in accordance with London Plan standards.

The proposed ground floor plan shows cycle parking and refuse storage. The proposed location of refuse and cycle storage is will need to be relocated to fit in with the proposed parking bays. Also, elevations and internal layout details are of the cycle store are requested. Cycle parking needs to be provided in a covered, sheltered, secure, lockable and

enclosed compound. Also, the type of stands used must allow both wheels and the frame of the bicycle to be locked. This can be secured via a cycle parking condition.

The location of refuse storage is acceptable, but elevations of the refuse store enclosures are requested. Details of refuse storage are therefore requested by way of a planning condition.

Given the residential nature of the road, it is requested that a construction method statement condition is attached.

Highways would raise no objection to the proposal subject to a s106 CPZ restriction and the following conditions/informative:

Conditions

- o Details of cycle parking
- o Details of refuse storage
- o A revised parking layout plan including existing and proposed crossover dimensions and areas of redundant crossovers to be reinstated to footway (prior to commencement of development)
- o A Construction Method Statement
- o Condition Survey of the existing public highway (prior to commencement of development)

5. Planning Considerations

5.1 Policy Context

The determination of planning applications 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.

- o The Revised National Planning Policy Framework (NPPF) - Last updated June 2019

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.

Under paragraph 127, the NPPF further states that decisions should ensure that developments are sympathetic to the local character, while not preventing or discouraging appropriate innovation or change (such as increased densities); and, should maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live.

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.

- o The Mayor's London Plan (2016)
Relevant Policies: 3.3, 3.4, 3.5, 3.8, 3.14, 5.3, 6.3, 6.9, 6.13, 7.1, 7.4
- o Draft Emerging Mayor's London Plan (2020)

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. On 13th March 2020, the Secretary of State for Housing, Communities and Local Government proposed a number of directions to the Plan. The London Mayor wrote back on 24th April 2020 and they are now working together on the Plan. In the meantime, Policies contained in the Intend to Publish (ItP) London Plan published in December 2019 that are not subject to a direction by the Secretary of State carry significant weight

- o Mayor's Housing Supplementary Planning Guidance (March 2016)
- o Technical housing standards - nationally described space standard
- o Barnet's Local Plan (2012)
- o Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4 CS5.

Core strategy policy CS3 seeks to encourage higher densities in order to meet the housing targets for the Borough. The policy identifies areas of growth that are appropriate for regeneration and higher densities of development, noting that these areas are either town centres or are accessible by public transport. The policy further states that whilst higher density can be encouraged as a means of meeting housing targets, it should not drive development, rather it is a factor to be considered alongside the local context, design, transport accessibility and infrastructure.

Core strategy policy CS4 seeks to provide a range of sizes and types of accommodation, including homes for those who need larger dwellings including families, as well as homes for smaller households such as single key workers or older and vulnerable people. Core strategy policy CS5 sets out the LPAs objective to promote a sense of place throughout the Borough by responding to locally distinctive characteristics and patterns of development. The policy text goes further to state that the Core Strategy aims to address strategic needs for family accommodation. The main source of supply to meet demand is largely provided by our suburban housing stock. We therefore need to protect such housing within established residential streets which, because of their rhythm and cohesiveness, contribute to local character.

Relevant Development Management Policies: DM01, DM02, 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.

Policy DM08 seeks to both maintain and increase the supply of family housing across the Borough, with a priority of 3-4 bedroom dwellinghouses.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The policy further states that a development of this scale would be expected to provide 1.5 to 1 vehicle parking space per dwelling.

Residential Design Guidance SPD (2016)

Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene. It states:

- developments 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 it states that developments 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 the 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 (2016)

Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the subdivision is acceptable in principle
- 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 amenity of future occupants;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused in terms of traffic, highway safety and parking;

5.3 - Whether the subdivision is acceptable in principle;

DMPD policy DM01 (h) states that 'conversion of dwellings into flats in roads characterised by houses will not normally be appropriate' and that (i) 'loss of houses in roads characterised by houses will not normally be acceptable'.

As noted in the site description, this area displays a strong residential character with a predominance of family dwellinghouses.

The proposed development is for a vertical sub-division that would create what are in effect two semi-detached houses. In conjunction with this, the revised scheme has been designed to read as a single dwelling, with the two separate house entrances reached off an internal lobby via a single traditionally styled front door.

The concerns of the objectors to the general principle are noted, but the scheme does address the character and appearance issues associated with many subdivisions, and, as noted in the relevant key issues, is able to accommodate the other aspects commonly associated with the subdivision of the existing properties (waste, refuse and parking) without significant issue.

As the applicant notes in their planning statement, this approach is consistent with the recent approval at 54 St Marys Crescent (19/5212/FUL) for a similar style conversion (notwithstanding the misleading description of development).

As such, the principle of the proposed subdivision of the existing single dwellinghouse into two self-contained units, would be in character with the surrounding area and compliant with Policy DM01.

In addition, whilst the proposal results in the loss of a 4-bed unit, as revised it would result in the provision of 2no 3-bed units - identified as a medium priority dwelling type under Policy DM08. This net gain is considered to be of benefit to the supply of housing stock in the Borough.

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

Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

There is limited operational development associated with scheme, the main bulk of extensions to the original house having occurred recently under a combination of Permitted Development and householder application and therefore not under consideration as part of this application.

The front garden area is large enough to accommodate parking and bin storage without the

appearance of overdevelopment, with the secure cycle parking to the rear. The waste and recycling provision would generally meet the Barnet standards (2x waste, recycling and food caddies in an accessible front garden location) for both properties, with green garden waste bin(s) to rear. A second garden bin would be required (1 per dwelling house), but this can be amended via a revised lay out plan alongside further details regarding enclosures. Conditions regarding landscaping and details of ancillary structures are proposed.

As revised, the application incorporates small additional extensions to the side of the existing rear extension and at first floor level. These are both modest in depth and would be finished in materials to match the existing building. As such - within the context of the existing extensions - they are considered to be commensurate with the character and appearance of the host site and surrounding area.

5.5 Whether harm would be caused to the amenity of future occupants;

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. Where appropriate, development will be expected to demonstrate compliance with national and London wide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents. This includes minimum floor space standards set out in London Plan Policy 3.5 and outdoor amenity space, set out in the Sustainable Design and Construction SPD.

As 3 bed, 4 person, 3 storey dwellings, the required gross internal floorspace (GIA) is 90 m² per unit, as per Table 3.3 in the London Plan under Policy 3.5 - Quality and Design of Housing Developments, which reflect the nationally described space standard. At approximately 90-91m² each, the dwellings meet this standard and are also compliant in terms of bedroom size (minimum widths and one double bedroom provided) and internal storage area.

Barnet's Sustainable Design and Construction SPD notes that house should (Outdoor Amenity Space, pages 10-11). The glossary entry in the same document for Habitable Rooms (page 51) notes that rooms exceeding 20m² will be counted as two. Both units therefore require 55 m² of space for up to five habitable rooms and 65m² is provided, with access provided to separate areas of a divided rear garden for private amenity space.

Both of the new houses retain most their existing characteristics. The rooms are unchanged from the existing situation and both properties have a standard window configuration for a domestic property. As a vertical sub-division with an effectively mirroring layout, there are no stacking issues between properties.

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

It will be 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 proposed extensions are modest in depth and off-set from the boundary with No 58 by

1m (ground floor) and 2.5m (first floor) respectively. In that respect, they are consistent with the depth envisaged by the Residential Design Guidance SPD (2016) pursuant to Policy DM01. As such, it is not considered that they would give rise to any overshadowing, detriment to outlook, or unacceptable increase in sense of enclosure on the part of the occupiers of No 58.

Maximum occupancy levels, while likely slightly increased over the current dwelling (from 7no to 8no persons), would be within the range expected for a residential use / area and the single additional household is not considered to give rise to an unacceptable increase in noise and disturbance.

Given the residential nature of the road and the space constraints, it is requested that a construction method statement condition is attached for the works. Parking issues are covered in more details below.

5.7 Whether harm would be caused in terms of traffic, highway safety and parking;

The London Plan 2016 states that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 space per unit. In outer London areas with low PTAL (generally PTALs 0-1), boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures.

The maximum parking standards set out in policy DM17 expect development to provide parking as follows:

2 to 1.5 spaces per unit for semi-detached houses

No change to the current parking / access situation at the property is proposed under the current scheme. Hendale Avenue is in a CPZ (Mon-Sat, 10am-5pm and on event days 1pm-6pm) and it lies in an area with a PTAL rating of 2 (low). However, 5 bus routes (326, 143, 183, 113 & 186) can be accessed from stops within 3-5 minutes distance of the side.

The conversion of the single dwelling into (revised scheme - 2 x 3 bed units) will attract a maximum parking requirement of between 3 and 4 car parking spaces.

As such - with regard to the provisions of Policy DM17(2)(ii) - the existing two off street spaces would be acceptable subject to the applicant agreeing to enter into a s106 agreement with the council to deny occupants of the development the right to purchase CPZ permits to mitigate against any parking overspill from the scheme.

Notwithstanding the above, as per the Barnet Highways comment, the proposed parking bays and the existing crossover will need to be re-positioned centrally and this will involve the relocation of an existing lighting column, installation of a new crossover and reinstatement of the existing redundant crossover. A revised parking layout has therefore been imposed by way of a condition.

The applicant should note that, amongst other criteria. the maximum width of a residential crossover is 4.2m and the minimum gap between subsequent crossovers must be 2.4m. Please see London Borough of Barnet Domestic Vehicle Crossover Policy (April 2019) for more details.

The scheme proposes 4 cycle parking spaces, 2 per unit, which is in accordance with London Plan standards. Cycle parking needs to be provided in a covered, sheltered, secure,

lockable and enclosed compound. This can be secured via a standard cycle parking condition.

On this basis, the development is acceptable on highway grounds.

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, including the provision of two medium priority dwellings and the extant consent for the existing extensions, it is considered that the principle of development is acceptable and the additional extensions proposed within this submission would in themselves not harm the character and appearance of the surrounding area. The proposed alterations would not result in unacceptable harm to the amenity of neighbouring properties. The proposal is therefore recommended for APPROVAL.

