

Location **Brummell House 68 The Ridgeway London NW11 8PG**

Reference: **21/5377/S73** Received: 11th October 2021

Accepted: 12th October 2021

Ward: Childs Hill Expiry 7th December 2021

Case Officer: **Frances Haines**

Applicant: 68 Ridgeway Ltd

Proposal: Variation of condition 1 (Approved Plans) of planning permission reference 19/6271/FUL dated 25/11/20 for 'Conversion of the existing dwelling into 5no self-contained flats. Roof extension including front, side and rear dormer windows. Associated refuse and recycling, parking, cycle store and amenity space.' Variation to include enlargement of first floor rear windows, addition of a lift and internal alterations to the flats including addition of room in roof space with 1no front and rear rooflight [amended description]

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:

68RW-A- 01-001
68/70RW-A-03-101
U-BY-PP001 REV-5

U-BY-PP002 REV-6
68/70RW-A-03-102
68/70RW-A-03-003
68/70RW-A-03-103
68/70RW-A-03-104
68/70RW-A-03-105

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 have begun within three years from the date of the Appeal Decision Reference Number APP/N5090/W/20/3247108 dated 25/01/2019 (planning reference 19/6271/FUL).

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

- 3 The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

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

- 4 The development hereby permitted shall be carried out in accordance with the scheme of hard and soft landscaping submitted to and approved in writing by the Local Planning Authority under reference 21/0102/CON dated 19/02/2020.

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

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 G7 of the London Plan 2021.

- 5 The development shall be implemented in accordance with the approved details relating to the refuse and recycling enclosures including point of collection, as approved under reference 21/0102/CON dated 19/02/2020 prior the first occupation of the development and shall be permanently 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).

- 6 The cycle parking and cycle storage shall installed as approved under reference under reference 21/0102/CON dated 19/02/2020 and shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy T5 and Table 10.2 of The London Plan (2021) 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.

- 7 Vehicle parking shall be provided in accordance to the details approved under reference 21/0102/CON dated 19/02/2020 and that space shall thereafter be kept available at all times for the parking of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies T6 and T6.1 of the London Plan 2021.

- 8 The development shall be implemented in accordance with the approved details under reference 21/0102/CON dated 19/02/2020 prior to the first occupation of the development relating to the boundary treatment to the gardens for the ground floor flats, and shall be permanently retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 9 Before the development hereby permitted is first occupied, the dormer to the side of the building facing 66 The Ridgeway shall be glazed with obscure glass only to a height of 1700mm above floor level and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 10 Before the development hereby permitted is first occupied, 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).

- 11 Before the development hereby permitted is first occupied, the dwellings shall 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 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 SI 5 of the London Plan (2021).

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.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located at 68 The Ridgeway, on the south side of The Ridgeway within the Childs Hill ward. The property benefits from extensions to the original building. The site is located within a CPZ zone Mon- Fri 11am-12pm. The site is located within an area with a PTAL of 3. The application site is not located within a conservation area, nor does it contain any listed buildings.

2. Site History

Reference: 18/7431/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 11 February 2019

Description: Conversion of the existing dwelling into 2no self-contained dwellinghouses. Associated refuse and recycling, parking, cycle store and amenity space

Reference: 18/7537/HSE

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 14 February 2019

Description: Single storey rear extension

Reference: 18/7539/HSE

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 27 February 2019

Description: Roof extension involving raising of the roof height

Reference: 19/1646/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused

Decision Date: 22 May 2019

Description: Conversion of the existing dwelling into 7no self-contained flats. Roof extension including dormer windows to front rear and side elevations. Single storey rear extension. Associated refuse and recycling, parking, cycle store and amenity space.

Reference: 19/1647/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused

Decision Date: 22 May 2019

Description: Conversion of the existing dwelling into 6no self-contained flats. Roof extension including dormer windows to front rear and side elevations. Associated refuse and recycling, parking, cycle store and amenity space

Reference: 19/3650/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved following legal agreement

Decision Date: 12 February 2020

Description: Conversion of the existing dwelling into 4no self-contained flats. Roof extension including dormer windows to front rear and side elevations. Associated refuse and recycling, parking, cycle store and amenity space

Reference: 19/4659/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused

Decision Date: 15 October 2019

Description: Conversion of the existing dwelling into 5no self-contained flats. Roof extension including dormer windows to front rear and side elevations. Associated refuse and recycling, parking, cycle store and amenity space

Reference: 19/6271/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused (appeal allowed)

Decision Date: 20 January 2020

Description: Conversion of the existing dwelling into 5no self-contained flats. Roof extension including front, side and rear dormer windows. Associated refuse and recycling, parking, cycle store and amenity space

Reference: 20/3580/S73

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 7 October 2020

Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 19/3650/FUL dated 12/02/2020 for `Conversion of the existing dwelling into 4no self-contained flats. Roof extension including dormer windows to front rear and side elevations. Associated refuse and recycling, parking, cycle store and amenity space.` Amendments include creation of an additional bedroom on the proposed third floor and include an additional rooflight on the front and rear elevations to turn Flat 4 into a 4 bedroom, 7 person flat

Reference: 20/3736/CON

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved

Decision Date: 7 October 2020

Description: Submission of details of conditions 9 (revised parking layout) 10 (cycle storage) 11 (Construction Management Plan) 12(Refuse/recycling) 13 (landscaping) 14 (Subdivision of Amenity Space) pursuant to planning permission 19/3650/FUL dated 12/02/2020

Reference: 21/0102/CON

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved

Decision Date: 19 February 2021

Description: Submission of details of condition 3 (Landscaping) 4 (Refuse/Recycling), 5 (Cycle Storage), 6 (Vehicle Parking), 7 (Boundary Treatment) pursuant to planning permission 19/6271/FUL dated 25/11/2020

Reference: 21/0103/S73

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 25 March 2021

Description: Variation of condition 1 (Approved Plans) of Planning Appeal Reference Number APP/N5090/W/20/3247108 dated 25/11/20 (planning reference 19/6271/FUL) for `Conversion of the existing dwelling into 5no self-contained flats. Roof extension including front, side and rear dormer windows. Associated refuse and recycling, parking, cycle store and amenity space. ` Variation to include alterations to internal layout including addition of room in the roof space with addition of 1no front and 1no rear roof light. Creation of a lift. Alterations to rear fenestration. [amended]

Reference: 21/2050/S73

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused

Decision Date: 15 June 2021

Description: Variation of condition No. 1 (Approved plans) of planning permission 19/6271/FUL, dated 25/11/2020 for `Conversion of the existing dwelling into 5no self-contained flats. Roof extension including front, side and rear dormer windows. Associated refuse and recycling, parking, cycle store and amenity space`. Variation to include alterations to internal layout including addition of room in the roof space with addition of 1no rear dormer window and 1no front roof light. Creation of a lift. Alterations to rear fenestration. [amended]

Reference: 21/4038/FUL

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 8 September 2021

Description: Single storey rear extension to both ground floor flats

Reference: C07720F/00

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Approved subject to conditions

Decision Date: 30 August 2000

Description: First floor side extension.

Reference: C07720E/00

Address: Brummell House, 68 The Ridgeway, London, NW11 8PG

Decision: Refused

Decision Date: 9 May 2000

Description: First floor side extension.

3. Proposal

The application seeks approval for the variation of condition 1 (Approved Plans) of planning permission reference 19/6271/FUL dated 25/11/20 for 'Conversion of the existing dwelling

into 5no self-contained flats. Roof extension including front, side and rear dormer windows. Associated refuse and recycling, parking, cycle store and amenity space.' Variation to include enlargement of first floor rear windows, addition of a lift and internal alterations to the flats including addition of room in roof space with 1no front and rear rooflight.

The ground floor flat 1 will be reconfigured to provide a study, which will result in a reduction to the bedroom size. The hallway will also be reduced in size to accommodate the lift in the communal area.

The ground floor flat 2 will be reconfigured to provide an additional bedroom, therefore making the flat a 3 bed, 5 person unit.

Additional habitable space will be created at third floor level within the roofspace, resulting in flat 5 becoming a 2 bed 3 person unit.

A lift will be installed at ground floor level to provide access to all levels.

A first floor rear window will be increased in size to be floor to ceiling in height.

It should be noted that a number of the proposed changes have been previously approved under application ref. 21/0103/S73. However, this latest application seeks to make additional internal changes, whilst also approving the previous external changes.

4. Public Consultation

Consultation letters were sent to 36 neighbouring properties. 7 responses were received from 6 properties, comprising 7 letters of objection. The objections can be summarised as follows:

- Continual extensions of permission
- Window alterations have been done
- Developers are doing as they please
- Construction has been going on for 2 years
- Noise from the works
- Enlargement of the windows will infringe on the privacy of neighbours
- Financial gain
- There should be limits on permissions and time for construction
- No further permissions should be granted
- Light pollution from further windows
- Windows will overlook neighbouring properties and gardens
- Had been advised the alterations had been approved already therefore untrue due to this application
- Home working impacted by noise
- Road closure and anti-social behaviour
- Proposed windows do not match the property and do not match the rest of the build
- Flats will result in a minimum of 10 cars
- Builders have been disruptive, and we cannot park outside our property
- Developers have no care for the area
- Developers keep pushing for more
- Lift has already been put in

4.1 Internal Consultation

Highways

The changes have no highways impact and so Highways would raise no objection to the proposal.

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 20 July 2021. 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 2021

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. 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 new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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, CS5.
- Relevant Development Management Policies: DM01, DM02

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 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

In deciding whether a change is material a Local Planning Authority must have regard to the effect of the change on the planning permission as originally granted, together with any

previous changes made under this Section. The LPA should consider amendments under S73 providing that the proposed changes do not amount to a fundamental alteration of the consented scheme.

Upon review of the proposal and the alterations to the Planning Appeal Reference Number APP/N5090/W/20/3247108 dated 25/11/20 (planning reference 19/6271/FUL), officers are satisfied that the proposed changes do not have the effect of a fundamental alteration of the allowed scheme and can be determined within the scope of an application under S73.

- 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), D1 and D4 (both of the London Plan 2021).

The original proposal is for the conversion of the existing building to 5no self-contained flats and associated extensions and alterations. The proposed amendments include internal alterations to create an additional bedroom for flat 2 and flat 5 of the consented units, an increase in size to one of the first floor rear windows and additional rooflights to the front and rear elevations. Flat 1 will also be reduced in size to accommodate the lift within the communal area.

The proposed front and rear rooflights are considered to have an acceptable appearance and would not materially alter the character or appearance of the dwellinghouse. As such, this element of the proposed amendment is considered to have an acceptable impact on the local character.

The proposals include the creation of a lift internally. This has no external visual manifestation and is therefore not considered to be harmful to the local character.

The proposed alterations to the rear fenestration involve the replacement of the existing first-floor rear-facing windows. The proposed new windows are larger in terms of their height. However, they are still considered to be broadly in keeping with the appearance and alignment of the existing fenestration at the property and as such would not be unduly detrimental to the character or appearance of the existing property.

The proposed internal alterations include various changes to the layout of the proposed units. Firstly, the addition of habitable space at third floor level within the roofspace, resulting in flat 5 becoming a 2 bed 3 person unit. Secondly, the increase of 1no additional bedroom for flat 2 on the ground floor, resulting in this flat becoming a 3 bed 5 person unit. Flat 1 will be reduced in size but will keep the same occupancy and still meet the relevant space standards.

The total occupancy of the development is increased as a result of the changes from 14 people to 16 people. The number of households is not increased from the consented 5no flats. As such, there would be a negligible increase in comings and goings, refuse provision, deliveries and other impacts associated with flat conversions. Given the original permission and the mixed character of the area, the increase of 2 persons in this instance is not considered to result in an overdevelopment of the site. As such, this amendment is not considered to have an unacceptable impact on the local character.

Therefore, the proposed development is considered to accord with Policy DM01 of the Development Management Policies DPD.

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

The proposed rooflights, given their scale and siting, would not materially impact the residential amenities of neighbouring occupiers. Likewise, the proposed new windows on the rear elevation are not considered to impact on neighbouring amenity. The windows will be in the same place as existing, albeit slightly larger in terms of height, and will therefore not result in any further overlooking than already existing.

The proposed additional bedrooms, as noted above, are not considered to result in an unacceptably greater intensity of use of the site. Given the mixed character of the area, the proposal is therefore not considered to have an unacceptable impact on neighbouring occupiers.

The impact on the amenities of future occupiers

The proposed alterations to the internal layouts of the allowed development would result in the following units:

- Flat 1: 1-bedroom, 2-person (52.2 sqm);
- Flat 2: 3-bedroom, 5-person (84.1 sqm);
- Flat 3: 2-bedroom, 3-person (69.3 sqm);
- Flat 4: 2-bedroom, 3-person (70.2 sqm);
- Flat 5: 2-bedroom, 3-person (105 sqm)

The Sustainable Design and Construction SPD sets out the minimum space standards for new residential dwellings. All of the units would meet the minimum space standards for the relevant dwelling type, with the exception of Flat 2, which falls short of the minimum standard by approximately 1.6 sqm. In this instance, given the shortfall is negligible and the unit benefits from a good level of amenity in other respects, including a provision of private amenity space which exceeds minimum standards, it is not considered that this would warrant a reason for refusal.

The proposed new bedroom to Flat 5 at third floor level within the roofspace increases the floorspace of this unit to approx. 105.0 sqm. This substantially exceeds the floorspace of the unit of the appeal scheme, while the number of occupants of this unit is unchanged. The submitted plans demonstrate that there would be adequate internal ceiling height for this level and for at least 75% of the dwelling area overall. The rooflights are in this instance considered to provide adequate daylight and sunlight to the bedroom. Overall, the proposed unit is considered to continue to benefit from an adequate level of accommodation and the proposal would therefore accord with Policies DM01 and DM02 and the Sustainable Design and Construction SPD.

Highways

The proposal would not result in an increase in the parking range that the development is expected to provide in accordance with Policy DM17. Highways officers have been

consulted on this application. They are satisfied that the alterations to the units and the addition of 2no occupiers overall is unlikely to have a material impact on the parking requirements. As such, there is no objection on highways grounds, subject to the same conditions as the allowed scheme.

5.4 Response to Public Consultation

'Continual extensions of permission'

- The LPA are aware that there have been numerous applications at this site. This application seeks to ensure minor alterations are approved so that the approved plans for the final works are consistent.

'Window alterations have been done'

- A consent has been granted previously for alterations to the first floor rear windows, ref. 21/0103/S73, therefore the developer has the right to implement previous permissions.

'Developers are doing as they please'

- If the objector believes that works are being done without correct permissions in place, the objector can report this to planning enforcement

'Construction has been going on for 2 years'

- This is not a material planning consideration and building works are a short term impact.

'Noise from the works'

- This is not a material planning consideration and building works are a short term impact.

'Enlargement of the windows will infringe on the privacy of neighbours' and 'Windows overlook garden'

- The rear windows will only be enlarged in height, therefore no further overlooking will be created than already existing. The rear windows will only overlook the rear garden of the application site.

'Financial gain'

- This is not a material planning consideration

'There should be limits on permissions and time for construction'

- The original planning permission, 19/6271/FUL which this application seeks to vary, has a time limit of 3 years. The works must have started within 3 years of the date of the permission. Construction time is a short term impact and therefore not a material planning consideration.

'No further permissions should be granted'

- Each application is assessed on its own merits.

'Light pollution from further windows'

- It is not considered that the increase in size of the rear windows and the addition of roof lights will create a detrimental increase in light pollution.

'Had been advised the alterations had been approved already therefore untrue due to this application'

- A number of the elements have been previously approved in other applications. This application seeks to ensure all alterations are acceptable all on the same plans.

'Home working impacted by noise' and 'Road closure and anti-social behaviour'

- Building works are a short term impact and therefore not a material planning consideration. The LPA advise viewing the construction management plan for any concerns regarding the works themselves, viewable under application 20/3736/CON.

'Enlargement of the windows will infringe on the privacy of neighbours'

- There are existing first floor rear windows in place. This application seeks to make them larger in length, essentially making them floor to ceiling. This will therefore have no greater impact on neighbouring properties as no further overlooking is created.

'There should be limits on permissions and time for construction'

- The original permission, ref. 19/6271/FUL, conditioned the application for works to have commenced within 3 years of the date of decision. The LPA cannot put a time limit on construction time. The council can only permit working hours.

'Proposed windows do not match the property and do not match the rest of the build'

- The windows are considered to be in keeping with the rest of the property and will not harm the character and appearance of the property.

'Flats will result in a minimum of 10 cars'

- The LPA's highways department reviewed the proposal and found that the additional occupancy to what was already approved would not have any greater impact on the highways and parking. Approved parking arrangements will not change as a result of these amendments.

'Builders have been disruptive, and we cannot park outside our property' 'Developers have no care for the area'

- This is not a material planning consideration

'Lift has already been put in'

- The lift has already been approved under application ref. 21/0103/S73, therefore they do have the right to be implementing that permission.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.