

Location 26 Renters Avenue London NW4 3RB

Reference: 22/2472/FUL Received: 9th May 2022
Accepted: 9th May 2022

Ward: Hendon Expiry: 4th July 2022

Case Officer: Emily Bell

Applicant: C/O UPP Architects + Town Planners

Proposal: Conversion of the existing dwelling into 4no. self-contained flats including, Part single, part two storey side and rear extension and conversion of the existing garage. Associated refuse/recycling, amenity space, cycle storage and off-street parking

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) 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:

026RE-A-03-002
026RE-A-01-001
026RE-A-01-002
026RE-A-02-001
026RE-A-02-002
026RE-A-03-001
026RE-A-03-003
026RE-A-03-004
026RE-A-05-001
026RE-A-05-002
026RE-A-06-001
026RE-A-06-002
026RE-A-06-003
026RE-A-06-004
026RE-A-01-001 REV 2
026RE-A-01-002 REV 2
026RE-A-02-101 REV 1
026RE-A-02-102 REV 1
026RE-A-02-103

026RE-A-03-101 REV 1
026RE-A-03-102 REV 1
026RE-A-03-103 REV 2
026RE-A-03-106 REV 2
026RE-A-05-101 REV 2
026RE-A-05-102 REV 2
026RE-A-06-101 REV 2
026RE-A-06-102 REV 2
026RE-A-06-103 REV 2
026RE-A-06-104 REV 2

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) unless otherwise specified in the approved plans and documents

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

- 4 The roof of the extensions hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 Before the building hereby permitted is first occupied the proposed dormer windows in the flank elevation facing No 24 Renters Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

- 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 Before the development hereby permitted is first occupied, the rear amenity area shall be sub-divided in accordance with the details shown on approved plans Drg No 026RE-A-01-002 REV 2 and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (2012) and the Sustainable Design and Construction SPD (2016)

- 8 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 9 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 10 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawing no.026RE-A-01-002 REV 2 submitted with the planning application and the corresponding access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

- 11 a) Notwithstanding the approved plans, 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 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.

- 12 a) Notwithstanding the approved plans, before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

- 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 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.2 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

- 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.

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.

- 6 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 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.
- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licences or email highwayscorrespondence@barnet.gov.uk.

- 9 Any gates must open inwards and not out onto the public highway for health and safety reasons.

OFFICER'S ASSESSMENT

1. Site Description

The subject site is located at 26 Renters Avenue, NW4 3RB, consisting of a two storey detached dwelling located on the corner of Renters Avenue at the junction with Cheyne Walk. The property has previously been extended by way of a two storey side extension with a flat roof. There is also a detached garage set back from the main dwelling with side elevation running along Cheyne Walk.

The area surrounding the site is predominantly residential consisting of detached and semi-detached dwellings.

The property is not listed and is not located within a conservation area.

2. Site History

Reference: W14192A/07

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Refused

Decision Date: 18 December 2007

Description: Two storey front extension and first floor rear extension. Extensions to roof including side and rear dormer windows to facilitate a loft conversion.

Reference: W14192/05

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 28 October 2005

Description: Two-storey front and first floor rear extension with new pitched roof over existing flat roof. New front porch. Single storey detached garage to the side.

Reference: W14192B/08

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 2 May 2008

Description: Two storey front extension and first floor rear extension with new pitched roof over existing flats roof. Conversion of existing roof into habitable room area involving rear and side dormers.

3. Proposal

Conversion of the existing dwelling into 4no self-contained flats including, part single, part two storey side and rear extension and conversion of the existing garage. Associated refuse/recycling, amenity space, cycle storage and off-street parking.

4. Public Consultation

Consultation letters were sent to 45no neighbouring properties.
8no letters of objection have been received, summarised below:

- o Development out of character which is substantially large family houses
- o Houses are either single family or two flats with ample size for a small family. This development creates small bedsits
- o Will lead to stretch on local services
- o Deterioration and quality of living if converted to flats
- o Implications for parking
- o Privacy of neighbouring occupiers
- o Implications for foundations/structures of adjacent properties
- o Noise associated with more households
- o Impact of construction/building works
- o Safety risk of bin placement
- o Roof extensions are overbearing, visually obtrusive
- o Shared garden does not allow for privacy
- o Greenhosue gas emissions

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 revised National Planning Policy Framework (NPPF) was published on 20th 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". 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 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.

Relevant policies:

D3 and D4 - Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D12 - Fire safety

H2 - Small Sites

H12 - Housing Size mix

SI 2 Minimising Greenhouse Gas Emissions

T6.1 - Residential Car Parking

Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9

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

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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, semidetached 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.

- States that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

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:

- Principle of Development
- 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
- Provision of adequate accommodation for future occupiers
- Highways and Parking
- Refuse and Recycling

5.3 Assessment of proposals

Principle of Development

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 flatted 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 Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following: "The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flat accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate.

A review of the locality reveals that a number of properties along Renters Avenue have been historically converted into flats, these include nos. 43, 51, 53, 63, 83, 85, 87, 87 and 91. Taking into consideration the existence of several other examples of subdivisions, the principle of flats in this location is acceptable subject to further considerations as set out below.

Impact of the proposal on the character and appearance of the area

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

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.124).

The proposal includes a ground floor extension measuring a maximum of 4 metres in depth. The Residential Design Guidance states that a depth of 4 metres is normally considered acceptable for a single storey rear extension on a detached dwelling and the proposal would comply with this guidance. A single storey infill extension is also proposed to connect the main dwelling with the existing detached garage. This infill extension is not considered to significantly impact on the character and appearance of the host property.

The Residential Design Guidance states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable as they can be too bulky and dominant. At first floor it is proposed to extend adjacent to the common boundary with no. 24 Renters Avenue by approximately 2.2 metres and to a maximum depth of 2.5 metres towards the flank elevation facing Cheyne Walk. This depth is considered to result in an acceptable addition which would not be overly bulky and is considered to be acceptable with regards to the character of the building.

A previous application was approved at the site (ref. W14192B/08) which included extensions to form two front bays as well as roof extensions. In this case, the ridge height of the extended roof did not rise above the level of the neighbouring property.

Amended plans have been received throughout the lifetime of the application to include a reduction in the ridge height of the proposed building.

The previous application also permitted the addition of 2no dormers to the roof of the host site. It is proposed under the current application to include 3no dormers, one to each side elevation and one to the rear elevation. The proposed dormers have been amended throughout the lifetime of the application to include an increased set in from the eaves of the main roof. There are examples of dormer roof extensions within the surrounding area along Renters Avenue and Cheyne Walk and the proposed extensions are not considered to detract from the character of the host site or wider area.

Overall, the extensions to the building as amended are considered to be of an appropriate scale and would have an acceptable impact on the character and appearance of the host site and surrounding area.

Impact on the Amenities of Neighbours

Barnet policy DM01 requires new development to have due regard to the amenity of existing occupiers in neighbouring buildings.

The neighbouring property at no. 24 Renters Avenue benefits from a single storey rear extension. The proposed extensions to the host property at ground floor level would extend past this by approximately 1.3 metres which is considered to be an acceptable distance which would not result in detrimental impacts to light and outlook to the neighbouring property. The infill ground floor extension would not project deeper than the existing garage and would be concealed from view from the ground floor extension to the main dwelling.

At first floor the extension would project past the neighbouring property by approximately 1.3 metres with a distance of 1 metre between the flank walls of the host site and neighbouring property which is considered to have an acceptable impact on neighbour amenity. No windows are proposed within the flank elevation of the extension facing towards no. 24 and as such there are no concerns regarding overlooking or loss of privacy.

Due to the location of the host property on a corner site, there is not considered to be a detrimental impact to neighbouring occupiers opposite.

The roof extensions are not considered to have an overbearing impact on neighbouring properties. The plans indicate that the side dormer facing towards no. 24 Renters Avenue will be obscure glazed so as to protect the privacy of these neighbouring occupiers.

Whilst it is accepted that the scheme would result in additional comings and goings than the existing single family dwelling, it is considered that given the character of the surrounding properties, officers do not consider that the increase in occupancy level would result in an unacceptable level of harm to the amenity of the neighbouring occupiers that would warrant a refusal. Residential use is accepted on site and it is considered that there would be no significant additional impact on the residential amenities of the neighbouring occupiers as a result of the sub-division. Thus, it was found that the proposed development will have an acceptable impact to the neighbouring properties.

Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development to provide an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The application will therefore be assessed according to the requirement laid out in the London Plan (2021).

The proposal would provide the following dwellings:

- Unit 1: 2 bed, 3 person unit with GIA of 67sqm
- Unit 2: 3 bed, 4 person unit with GIA of 77 sqm
- Unit 3: 2 bed, 3 person unit with GIA of 61sqm
- Unit 4: 1 bed, 2 person unit (duplex) with GIA of 61sqm

The London Plan sets a minimum Gross Internal Floor Area for flats based on a standard set for the number of bedrooms (b) and persons-bedspaces (p). A 1 bed, 2 person unit over 2 storeys requires 58sqm, a 2 bed, 3 person unit over 1 storey requires 61sqm and a 3 bed, 4 person unit over 1 storey requires 74 sqm.

Table 3.3: 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.

The proposed units would meet the minimum internal space standards as per the Sustainable Design and Construction SPD.

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'.

The proposed flats are considered to benefit from adequate light and outlook. The units to the ground floor level would be provided with private amenity space to the rear so as to ensure that privacy of future occupiers is maintained. All units would provide the requisite internal head height (2.5m for a minimum of 75% of the floorspace).

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if they lead to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures.

The proposed layout provides reasonable stacking throughout the property. In the event of an approval, a condition should be attached for Pre-Completion Sound Insulation Test Certificates to be submitted to the LPA.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room.

Unit 1 is provided with 32.6m² of private amenity space and Unit 2 is provide with 63.3m² of private amenity space. There is a further communal amenity space measuring 134.7sqm to the rear. This is considered to result in and provide an acceptable level of private outdoor amenity space for the future occupiers of the proposed flats.

Parking and highways

The applicant is proposing to convert the existing single family dwelling into self-contained units with the provision of 4 off-street car parking spaces. The site lies within a PTAL 3 zone, which means that there is moderate public transport accessibility to and from the site. In line with requirements on Policy DM17 of the Barnet Local Plan, the proposed provision of 4x off-street car parking spaces, 1 space per dwelling is deemed acceptable on highways grounds.

The applicant is proposing to retain the existing crossovers to property frontage and to create a new access to the rear of the property to access 2 further car parking spaces. All vehicular crossovers must be between 2.4-4.2m wide in order to safely accommodate access from the public highway. The applicant is advised that an application must be made to the highway domestic crossovers department prior to the commencement of works.

Cycle parking needs to be provided in accordance with the requirement of the London Plan Cycle parking standards. For this proposal 8x cycle parking spaces are required. Details of this can be secured by way of a condition.

The application is recommended for approval on highways grounds, subject to conditions.

Accessibility and Sustainability

Conditions would be attached to any permission to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy SI 5 of the London Plan (2021) and a reduction of CO₂ emissions over Part L of the 2013 Building Regulations in accordance with the requirements of Policy SI 2 of the London Plan (2021)

5.4 Response to Public Consultation

- o Development out of character which is substantially large family houses

As discussed within the main body of the report, a review of the locality reveals that a number of properties along Renters Avenue have been historically converted into flats.

- o Houses are either single family or two flats with ample size for a small family. This development creates small bedsits

The proposed development would provide a 3 bed family sized unit on the ground floor. The remaining units would contribute to providing a mix of housing types within the Borough.

- o Will lead to stretch on local services

It is not considered that the addition of the proposed flats would significantly impact the local amenities to an extent that would warrant refusal of the application. The development would also be CIL liable, meaning a contribution towards community infrastructure would be required.

- o Deterioration and quality of living if converted to flats

Decisions are based on the assumption that residents would act in a sensible and responsible manner. Notwithstanding, there is nothing before the council to substantiate increased risks of neglect as a result of the proposal.

- o Implications for parking

Highways officers have reviewed the application and are satisfied that the proposal would have an acceptable impact.

- o Privacy of neighbouring occupiers

This has been discussed within the main body of the report.

- o Implications for foundations/structures of adjacent properties

Details regarding foundations/structure will be dealt with under building control legislation. The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme.

- o Noise associated with more households

This has been discussed within the main body of the report.

- o Impact of construction/building works

This is not a material planning consideration.

- o Safety risk of bin placement

Highways and waste collection teams have reviewed the application and raised no objections to the placement of the refuse stores. More details will be secured by way of a condition.

- o Roof extensions are overbearing, visually obtrusive

The roof extensions have been amended throughout the lifetime of the application and are considered to be appropriate additions.

- o Shared garden does not allow for privacy

Units 1 and 2 on the ground floor have been allocated private amenity space to ensure no overlooking into windows. Communal garden space is common design feature of flat conversions.

- o Greenhouse gas emissions

A condition will be attached to any consent requiring the development to be constructed incorporating carbon dioxide emission reduction measures.

6. Equality and Diversity Issues

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

7. Conclusion

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

