

**Location** **53 Finchley Lane London NW4 1BY**

**Reference:** **22/1959/FUL** Receive: 12th April 2022  
Accepted: 12th April 2022

Ward: Hendon Expiry 7th June 2022

**Case Officer:** **Elizabeth Thomas**

Applicant: Mr Ari Sufrin

Proposal: Conversion of the existing dwelling into 3no self-contained flats. New front hardstanding to provide off-street parking. Installation of door and Juliet balcony into existing dormer. (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 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:  
Site Location Plan  
01a  
02a  
03b  
04b  
05b

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 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).

- 5 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.

- 6 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).

- 6 The property shall be used as self-contained units with the layout retained as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 7 a) 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); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

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

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

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

## 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 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

3 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

4 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](http://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](mailto:cil@barnet.gov.uk).

- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).

## **OFFICER'S ASSESSMENT**

## 1. Site Description

The application site relates to an existing two storey semi-detached dwellinghouse which has recently undergone works to extend in the roof by way of a wraparound side/rear dormer. The site backs on to Tenterden Grove.

The area is mixed in typology, consisting of purpose built blocks of flats, converted houses and single dwellinghouses.

The PTAL (public transport accessibility) of the site is 2 (where 0 is the worst and 6B is the best) and parking on the road is controlled by a single yellow line.

The property is not located in a conservation area, is not statutory or locally listed.

## 2. Site History

Reference: 21/6044/192

Address: 53 Finchley Lane, London, NW4 1BY

Decision: Lawful

Decision Date: 16 December 2021

Description: Roof extension including wraparound side and rear dormer with 2no. rooflights to front roofslope

Reference: 22/0268/192

Address: 53 Finchley Lane, London, NW4 1BY

Decision: Lawful

Decision Date: 3 February 2022

Description: Erection of a rear outbuilding. Two single storey rear extensions [Amended Description].

Reference: 22/1188/192

Address: 53 Finchley Lane, London, NW4 1BY

Decision: Lawful

Decision Date: 24 March 2022

Description: Erection of a single storey outbuilding/garage following demolition of existing shed

## 3. Proposal

The proposal will involve the conversion of the property and will provide 3 self contained units consisting of:

1 x 3 bed units for 4 people (family sized unit) at ground floor level

1 x studio unit at first floor level

1 x duplex 1 bed 2 person unit at first and second floor level

The ground floor has access to the rear amenity space. Due to an existing rearward outrigger at the site which abuts the boundary with Richmond House there is no access to the rear amenity space for the upper flats.

Previously the application proposed to include a single storey rear extension and front porch, but these have since been removed from the proposal and amended plans submitted.

#### **4. Public Consultation**

Consultation letters were sent to 96 neighbouring properties.

15 responses have been received, comprising 15 letters of objection.

The objections received can be summarised as follows:

- Parking and highways - insufficient parking; more motorised traffic using Finchley Lane close to school and nursery
- Shortage of accommodation for larger or extended families in Hendon. ; alleyway to the rear of the site is likely to be used for parking and access - currently a shared access.
- The existing rear parking access does not have good visibility and will a danger
- Impact on neighbouring amenity - ground floor windows of neighbouring property will be blocked.
- Plans show boundary inaccurately.
- Over intensification
- Single storey rear extension out of character
- Proposal is out of character of surrounding area
- Outbuilding not built in compliance with the plans
- Constant construction works along Finchley Lane. Problems with construction dirt and dust.

Additional consultation was carried out to account for amendments to the plans and description. Further comments were received and summarised below:

- Extensions and outbuildings are now over 50% of the curtilage of the dwellinghouse
- Overbearing loft extension, ground floor extensions and 2 outbuilding are overdevelopment; grotesque and ugly. Block sunlight to neighbouring properties.
- Outbuildings indicates that outbuildings will be for a car port for vintage cars ancillary to flat 1. Shortage of vintage cars will be a change of use and create a nuisance.
- Rear access path is insufficient to achieve access or maintenance of such vehicles; reduce exterior amenity in a location where recent developments have had same effect.
- Inner outbuilding show a car; a motorcycle and a gym which can not be accessed safely.
- Proposed balcony at second floor will result in overlooking and loss of privacy
- Door in second floor is contrary to previous drawings.
- Insufficient parking and access is an issue
- Overintensification of semi-detached property
- Shortage of larger family accommodation in Hendon
- Out of character
- Increase existing parking and traffic issues in the area - lots of development in Tenterden Grove which adds to this.

#### **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 revised in 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 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.

## 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, 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.

## 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, 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:

- Principle of development;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents.
- Whether the development would impact traffic and highways to an unacceptable level.

## **5.3 Assessment**

It should be noted that some works to the property have been carried out under permitted development whilst the building was most recently in use as a single house, including a new wraparound side and rear dormer window and a single storey rear extension. These works notably the single storey rear extension were carried out whilst the application for

the conversion of the property into flats has been with the Local Planning Authority. Given at the time the extension was built the property was not occupied as flats the development would be considered as permitted development. Nevertheless, the extension measures 3m in depth beyond the existing rear building line with a flat roof to 3m in height. The extension is not considered to result in harm to the amenity of neighbouring residential occupiers.

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 flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Paragraph 2.8.1 of the Development Management Document which is a material consideration in the determination of this application, the Council state the following: "The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

Policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

It is recognised that it is not always appropriate to allow the conversion of a single-family dwelling house into flatted accommodation. However, in the case of this application it is acceptable.

For areas such as the application site, policies CS1 and CS3 of the Barnet Core Strategy (2012) expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Residential Design Guidance SPD advises that, "Where new development is considered detrimental to the site and local character, planning permission will normally be refused."

The proposal involves the conversion of the existing dwellinghouse into 3 self contained flats. The provision of flatted development in this location is not considered to be harmful to the established character of the area and the way it functions. There are examples of other flatted developments within the immediate area, notably the neighbouring building Richmond House is a block of flats and taking into context the mixed character of the area it is not considered that the conversion of the property would be harmful to Finchley Lane.

In addition, the proposal would contribute 1 3-bed family sized dwelling - a priority dwelling type recognised in both Policy DM08 of the Local Plan and in the London Plan. As a result, there would be no loss of the larger unit size of which it is recognised there is a need in the Borough.

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, D3 and D4 (both of the London Plan). Policy DM01 states that all proposals should preserve and enhance the local character of the area.

Paragraph 131 of the NPPF states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.'

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.

All proposed developments should be based on an understanding of the local characteristics, preserving or enhancing the local character and respecting the appearance, scale, mass and height of the surrounding buildings, spaces and streets in accordance with DM01 of the Development Management Policies DPD (2012).

Paragraph 6.6 of the Councils Residential Design Guidance (2016) SPD states, "the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas, or at the interface of larger development sites and existing housing". Although the proposal relates to extensions to an existing building rather the aforementioned factors are still considered to be relevant.

The previously proposed extensions have been removed from the drawings and now the development consists of the conversion of the property. It should be noted that extension

works to the roof and new outbuildings have been undertaken under the permitted development legislation. Once the conversion work has taken place, and the building occupied as flats, permitted development rights will no longer exist and all future extensions would be the subject to planning permission to be considered against current policy and guidance.

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

Policy DM01 notes that any proposed development must protect the amenity of neighbouring properties.

The proposal does not incorporate any operational development to extend the property beyond what is currently in situ. As such, there would be no material impact on neighbour amenity in terms of light, outlook or privacy.

In terms of intensification and associated noise and activity, the existing enlarged property is capable of accommodating a large sized family. The conversion into 3 separate households notably two 1 bedroom units, is not considered to result in an intensity of use that would be harmful to the neighbouring occupiers. Furthermore, the subject site sits adjacent at Richmond House which is a purpose built block of flats would produce an increased level of activity. This in combination with the relatively high ambient noise levels due to proximity of the site and street to a major road and the surrounding mixture of uses would ensure any increased level of activity would suitably integrate into the context of the site and wider area without resulting in material harm to neighbouring occupiers.

The proposal to create 3 self contained units is not considered to be harmful to the neighbouring occupiers. The proposal is not considered to be of an intensity that would lead to unacceptable levels of noise or disturbance to the neighbouring occupiers.

### Whether the proposal would provide adequate amenity for future residential occupiers

The National and London Plan (2021) guidance states that new developments should provide a mix of housing size and types based on current and future needs. Policies CS4 and DM08 reflect this guidance. Policy DM08 states that "development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough" It goes on to list the council's dwelling size priorities with the highest priority being 3 bed homes for social rented, 3/4 for intermediate affordable housing and 4 bed for market housing. The scheme provides 1x 3 bedroom flat ,this is considered to appropriately provide for family sized accommodation.

#### Floor Area:

The London Plan (2021) and Table 2.1 of Barnet's Sustainable Design and Construction SPD (2016) set out the minimum gross internal area (GIA) requirements for residential units.

- 1 person unit - 39sqm or 37sqm with shower room
- 1 bed 2 person unit - 50sqm
- 1 bed 2 person unit over 2 storeys - 58sqm
- 2 bed 3 person - 61 sqm
- 2 bed 4 person - 70 sqm
- 3 bed 4 person - 74 sqm

3 bed 5 person - 86 sqm

3 bed 6 person - 95sqm

The LPA's measurements are as follows:

Unit 1 - 77.1sqm complies as a 3 bed 4 person dwelling consisting 1 double room bedroom and 2 single rooms although the front bedroom is shown with a double bed it will have a floor area of a single bedroom at 11sqm and has been considered as such.

Unit 2 - 37.18sqm complies as a 1 person dwelling with a shower room.

Unit 3 - 61.6sqm complies as a 1 bed 2 person unit over 2 storeys.

The duplex unit will ensure there is adequate internal headroom according the required London Plan standards which requires a minimum of 2.5m for 70% of the GIA.

Table 2.2 of the Sustainable Design and Construction SPD also states that development proposals should avoid single aspect dwellings that are north facing. Each dwelling provides sufficient floor to ceiling heights through the unit and each benefits from dual aspect.

In regards to outdoor amenity space, Residential Design Guidance requires that new flats should provide 5sqm of amenity space per habitable room. Based on the ground floor unit having direct access to the rear amenity space this is considered to comply with this standard.

The upper flats will not have direct access to the garden space. The agent has identified 4 open spaces within the vicinity of the site, Windsor open space being a 6 minute walk; Hendon Park 12 minutes; Sunny Gardens Park 10 minutes and a childrens play area within 10 minutes, providing different options for access to outdoor space to the future occupiers.

The site falls just outside the area identified as a Town Centre (Brent Street) with associated amenities, where garden spaces are inevitably less likely to be expected. Both units are 1 bed units, rather than larger family units, and it is not considered that the lack of on site amenity space would warrant a reason for refusal in these circumstances. The family sized unit has access to adequate garden space. On balance, the absence of the outdoor amenity space provision for the upper units is considered to be acceptable for the aforementioned reasons and refusal is not justified.

### Parking and Highways

The site is located on a major road network Finchley Lane (A504). Finchley Lane then further adjoins, Watford Way and A406, which are major road networks surrounding the site. The Public Transport Accessibility Level (PTAL) for the site is assessed as 2 which represents a poor level of public transport accessibility to and from the site. The site is not situated within a Controlled Parking Zone.

Hendon Central Station is the nearest tube station to the site and can be accessed within a 13-minute walking distance of the site. 6 TFL bus routes can be accessed from both directions within 2 minutes walking distance from the site.

The London Plan sets out the residential car parking standards as below

Outer London PTAL 2 - 3 - 1 - 2 bedrooms require up to 0.75 spaces per dwelling

Outer London PTAL 2 - 3 - 3+ bedrooms requires up to 1 space per dwelling

The applicant has undertaken a car parking survey subject to the Lambeth Methodology standard practice on the site's surrounding roads situated within a 200-metre walking distance. The surveys were carried out on Wednesday, 18th May 2022 and Thursday, 19th May 2022 between 00:30am - 05:30am respectively.

The results of the process have been included in the Transport Statement submitted in support of this planning application focusing on the parking availability within Finchley Lane, Tenterden Grove, Second Avenue and First Avenue in the immediate vicinity of the site. Out of 170 parking spaces, 100 were occupied leaving 70 parking spaces available for residents resulting in a parking stress of 60% which is well below the 85%- 90% threshold indicating that there is sufficient space for 2no. parking space to be accommodated on-street.

Taking the above factors into consideration, it is not expected that potential overspill of parking arising from the proposed development will cause any material impact on the existing and surrounding local highway network and so the proposed parking provision of a parking space to the front of the building would be acceptable on highway grounds.

The proposal includes the provision of 1 parking space to the frontage of the site comparable to the arrangement at the neighbouring property no.55.

#### **5.4 Response to Public Consultation**

- Parking and highways - this has been considered by the highways team following receipt of a parking survey. The highways team have reviewed the details and are satisfied with the proposal.
- Shortage of accommodation for larger or extended families in Hendon. ; alleyway to the rear of the site is likely to be used for parking and access - currently a shared access. - the loss of a single dwellinghouse in this location is not considered to be out of character, additionally the proposal will provide a 3 bedroom family sized unit at ground floor level.
- The existing rear parking access does not have good visibility and will a danger - the existing outbuilding was permitted under the permitted development rights - the current proposal does not change this existing situation.
- Impact on neighbouring amenity - ground floor windows of neighbouring property will be blocked. - the ground floor extension recently implemented under permitted development over which the council do not have control- however, had the extensions been proposed as part of the current scheme the scheme it would comply with Barnet's adopted guidance for single storey rear extensions and would not result in harm to the amenities of neighbouring occupiers
- Plans show boundary inaccurately.
- Over intensification - the introduction of 3 units is not considered to result in an over-intensification of the site and taking account the presence of neighbouring blocks of flats the scheme is considered acceptable.
- Single storey rear extension out of character - addressed above
- Proposal is out of character of surrounding area - as addressed above flats are common in the immediate surrounding area.
- Outbuilding not built in compliance with the plans - this is subject to a separate enforcement service request for investigation
- Constant construction works along Finchley Lane. Problems with construction dirt and dust. - this would not warrant a reason for refusal
- Extensions will be more than 50% of the curtilage of the site - the previous works are not more than 50% of the curtilage.

## 6. Equality and Diversity Issues

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

## 7. Conclusion

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

