

Location 78 Finchley Lane London NW4 1DH

Reference: 22/4992/FUL Received: 10th October 2022
Accepted: 11th October 2022

Ward: Hendon Expiry 6th December 2022

Case Officer: Keshni Patel-Rayani

Applicant: Mr F Daly

Proposal: Conversion of the existing dwelling into 2no. self-contained flats including roof extension involving rear dormer

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 received on 10.10.2022
 - Existing Elevations and Section, Drawing Number 509121-3, dated 09/22
 - Existing Floor Plans, Drawing Number 509121-1, dated 09/22
 - Proposed Elevations and Section, Drawing Number 509121-4, dated 09/22
 - Proposed Floor Plans, Drawing Number 509121-2, received 15/11/22

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core

Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

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

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

- 4 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: 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.

- 5 Prior to occupation of the development, existing parking spaces and the access to the parking area from public highway shall be retained in accordance with the submitted planning application. Thereafter, 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 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.

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;

- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

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

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 7 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI5 of the London Plan 2021.

- 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), Policy SI2 of the London Plan 2021.

- 9 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).

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

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

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

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

- 11 The layout of the residential units as indicated on the hereby approved plans shall be implemented 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 policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (October 2016).

- 12 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.

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 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.
- 3 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.
- 4 The applicant is advised that Finchley Lane is Traffic Sensitive Road; deliveries during the construction period should not take place on working days between

8.00am-9.30am and 16.30pm to 18.30pm. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

- 5 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

- 6 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.

- 7 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.

OFFICER'S ASSESSMENT

The application has been called to committee by Councillor Prager for the following reason:

"This is on the grounds of a loss of a single-family home, which is contrary to the Local Plan DM01 and particularly DM08."

1. Site Description

The application site relates to a semi-detached property located on the southern side of Finchley Lane. The area is mixed in typology consisting of detached and semi-detached properties along with purpose built flatted developments. A number of properties along this stretch including the adjoining neighbour no.76 have been subdivided into flats. The immediate area is residential in character although located further afield west is the Brent Street Town Centre.

The site is not within a conservation area, nor is it a listed building. The PTAL of the site is 2 which indicates a poor level of transport accessibility.

2. Site History

Reference: W07038E/00

Address: 78 Finchley Lane, London, NW4 1DH

Decision: Approved subject to conditions

Decision Date: 5 March 2001

Description: Conversion to form two self-contained flats.

Reference: 21/5524/192

Address: 78 Finchley Lane, London, NW4 1DH

Decision: Lawful

Decision Date: 29 October 2021

Description: Roof extension involving rear dormer window.

Reference: 21/3869/FUL

Address: 78 Finchley Lane, London, NW4 1DH

Decision: Refused

Reasons for refusal:

- Highway Safety, with regard to parking provision and.
- The Character and appearance of the site and surrounding area.

Appeal: Appeal Dismissed

Decision Date: 21 September 2021

Description: Conversion of existing dwelling into 3no self-contained flats. Roof extension involving rear dormer window. Addition of 1no side facing window Replacement of rear first floor window with new door. Relocation of first floor side window and addition of 1no side facing window. New side access door

3. Proposal

The application seeks planning permission for the 'Conversion of existing dwelling into 2no self-contained flats including a roof extension involving a rear dormer window.

The proposal would provide the following units:

Flat 1 (Ground Floor) - 3 bedroom/4 person

Flat 2 (First Floor/Loft Level) - 3 bedroom/6 person

The proposed roof extension would extend the existing dormer, and measure a width of 6.6m, a height of 2.4m and a depth of 5.3m.

During the life of the application revised plans were submitted to show 2no off-street parking spaces.

4. Public Consultation

Consultation letters were sent to 105 neighbouring properties.

No responses were received.

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 updated 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. 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.

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 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 Draft Local Plan (Reg 19) 2021

Barnet's Draft Local Plan -Reg 19 - Publication was approved for consultation on 16th June 2021. The Reg 19 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It is 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.

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 the 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.
- Whether harm would be caused to the living conditions of future occupiers.
- Highway Impacts.

5.3 Assessment of proposals

Principle of Development

Chapter 2 of the Core Strategy which stipulates:

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity,

and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

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

Policy DM01 seeks to protect the character of the borough, which has been informed by the characterisation study undertaken as part of the production of the Local Plan. The supporting text of Policy DM01 states that protecting the character helps to maintain Barnet's heritage, and that development proposals which are out of keeping with the character of an area will be refused. In particular, DM01(h) states that: 'Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate.'

A review of site history demonstrates that several properties have benefitted from planning consent for the subdivision of homes into self-contained flats including that of no.76, the adjoining neighbour. Officers site inspection notes that Finchley Lane consists of general character of mixed dwellings such as flats and dwellinghouses. The layout of the submitted existing floor plans suggest that the property is used as two self-contained flats, however the appeal statement for the previously refused application ref 21/3869/FUL has been determined on the basis that the application site is a single dwelling. Although planning permission was granted for the conversion to form two self-contained flats in 2001, the existing plans submitted with this application do not show two separate entrances to the suggested flats and therefore this application has been assessed on the basis that the current use is a dwellinghouse.

The agent contends that the application site has been used as a dwellinghouse although planning permission was deemed lawful for the conversion to form two self-contained flats under planning ref W07038E/00.

Given the site context and previous planning history and existence of other flats within the immediate vicinity of the site the principle of converting the application site into flats is considered acceptable.

Impact on the Character of the Area

Development proposals are required to reflect the character of their street and the scale and proportion of surrounding houses. This is supported by Policy DM01 of Council's Development Management Policies which states that development should understand local characteristics and 'preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

Given the busy road the property resides on and the existence of flatted development, it is not considered that the use of the site as two units would give rise to undue levels of activity, noise or disturbance.

Residential Design Guidance SPD (2016) states: 'Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half

the depth of the roof slope...Adequate roof slope above and below the dormer is required on semi-detached and terraced properties, the dormer extension should be set in at least 1 metre from the party wall, flank wall or chimney stack.'

The proposed roof extension would extend the existing dormer, and measure a width of 6.6m, a height of 2.4m and a depth of 5.3m ensuring 0.8m gap between the ridge of the main roof and dormer.

Whilst adequate roof slope would remain above the dormer, the existing and proposed rear dormer would fail to be set in 1m from the party wall as guidance stipulates. The proposed dormer would therefore fail to occupy no more than half the width and height of the roofslope contrary to guidance

The previously refused application sought the same development to the roof as the current proposal. The previous application was refused on the character and appearance of the roof extension. An appeal was made under this application and the following was concluded by the inspector:

"15. The appeal property is a two-storey semi-detached house. It is typical of the properties on this section of Finchley Lane. The surrounding area is mostly residential and is characterised by substantial semi-detached properties with relatively modest gardens. Some of the gardens in the block are longer than others and consequently the rear of the properties have an open aspect. A substantial tree canopy restricts views of the rear elevation of the appeal properties and its neighbours. Many of the properties in proximity to the appeal site have been converted to flats and the character of the area would not be affected by the change of use.

16. The RDG advises that dormers should be set in at least one metre from a party wall, flank wall or chimney stack and should not occupy more than half the width or half the depth of a roof slope. The proposed dormer would deviate from this advice, in that it would be almost the full width of the roof slope.

17. Numerous properties in proximity to the appeal site have roof extensions and adjacent half of the pair has a large dormer extension comparable to that proposed. The proposal would be viewed in the context of this and other rear extensions and outriggers on the rear elevations of properties on the lane.

18. However, there would be a reasonable set down from the ridge and set back from the eaves providing some spacing around it and helping to reduce its overall visual impact. I am satisfied that the original roof would remain a distinct element of the dwelling. Moreover, it would be viewed in the context of other dormer extensions within the block that are similarly full width and height and would not appear as unduly bulky or incongruous in its surroundings.

19. For the reasons above, I conclude that the proposal would not cause harm to the character and appearance of the area. The proposal would therefore not conflict with CS Policies CS1 and CS5, DMP Policy DM01, LP Policy D3 which, amongst other things, seek to ensure that new development is of high-quality design. Despite the technical breaches with the guidance in the RDG, the site-specific circumstances of the appeal mean that the scheme would still comply with the overall aims design aims of these policies and the development plan as a whole."

Furthermore, the application site sought permission ref 21/5524/192 for roof extension

involving rear dormer window, which was deemed lawful, however the development has not been constructed on the application site.

In conclusion, it is considered that the proposed roof extension would not create adverse impact to the character of the area and considered acceptable.

Impact of Amenity of neighbouring occupiers

Development Management Policies (Adopted 2012) in section 2.7.1 states: 'It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.'

It is not considered that the use of property as two self-contained with a maximum occupancy level of 10 persons would give rise to undue levels of activity, noise or disturbance above and beyond what could be utilised by family groupings within the existing dwellings. Furthermore, as apparent within no.76, such use would be typical of the surrounding area.

The property incorporates a roof terrace to serve flat 2 above the existing ground floor rear projection. As confirmed by officers site visit and the submitted plans, the roof terrace is in situ and serves the existing upper flat. Whilst a search of planning records does not reveal any consents for such a use, satellite images indicate that its use as such is well established. The proposed terrace would serve flat 2 which replicates the existing use which serves the upper flat, taking this into consideration, the use of the terrace for flat 2 would not materially alter the existing relationship and therefore not result in any further harm in terms of overlooking or loss of privacy. On the basis, this aspect of the application is acceptable.

Flank windows serving the upper floors could be conditioned to being obscure glazed with only fanlight openings and therefore would not present concerns of overlooking.

It is not considered that this proposed development would cause significant harm to the amenity of neighbouring occupiers.

Impact on Amenity of future occupiers

Floor space standards and ceiling heights.

The proposed units would comprise:

Flat 1 (Ground Floor) - 3 bedroom/4 person GIA 92m² (requirement 74m²)

Flat 2 (First Floor/Loft Level) - 3 bedroom/6 person GIA 184m² (requirement 102m²)

All of the proposed units would exceed the minimum space standards set out in the London Plan (2021) and Sustainable Design SPD (Oct 2016).

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of a dwelling.

The submitted section demonstrates the proposal would have a ceiling height of 2.8m on ground floor, 3m on first floor and 2.5m in loft level. The minimum ceiling height of 2.5 metres has been adhered with this proposed development.

Outlook, light, and privacy:

All units would be dual aspect and provide an adequate level of light. Windows serving bedrooms 2 and 3 of flat 1 would be in close proximity (0.7m) to the boundary wall/fencing. They would as such provide poor outlook for future occupiers, however, the relationship and layout is not materially different to the existing layout and no (net) additional habitable rooms would be formed with compromised outlook. As such, in this particular instance given the existing relationship this aspect is considered acceptable.

The proposed flat 1 will gain access to the flat via the side door of the property whilst flat 2 will gain access to the property via the front door.

Private outdoor amenity space:

Table 2.3 of the Sustainable Design SPD (2016) states that for flats 5m² of amenity space is required per habitable room (as defined by the SPD), this equates to a requirement of 25m² for flat 1 and 25m² for flat 2.

The site benefits from a reasonably sized garden that would accommodate the requirements of outdoor amenity for flat 1. The proposed flat 2 will have access to the roof terrace which measures 26 square meters which is within the requirements of outdoor amenity space.

Highways

Policy CS9 of the Barnet Core strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, requiring that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for the residential use:

- 2 to 1.5 spaces per unit of detached and semi-detached houses and flats (4 or more bedrooms)
- 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

Highways have reviewed the proposal and have commented as follows:

' The site fronts onto the A504 Finchley Road, it is not in a Controlled Parking Zone and there are no parking restrictions in the vicinity of site. The site is situated in an area with a The Public Transport Accessibility Level score of 2 (low), however, 3 bus routes can be accessed from stops within close walking distance of the site.

The proposal is to convert existing dwelling into 2no. self-contained flats (1x3bed, 1x3bed) flats.

According to the Parking Standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the range of vehicular parking spaces which would need to be provided as part of the proposed development is between 2 and 3 spaces.

The applicant confirms in the application form that 2no. parking spaces is accommodated off-street, however is not demonstrated in the proposed plan. Revised ground floor plan is requested.

Cycle Parking

Please note that cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport. For this proposal, the required cycle parking provision is 4no. cycle parking spaces. Cycle parking should be provided in a secure, covered, lockable and enclosed environment. The type of stands used must allow both wheels and the frame of the bicycle to be locked.

Refuse Collection Arrangements

The refuse store requires to be lockable, secure, and enclosed. Refuse collection points should be located within 10 metres of the Public Highway.

The proposed bin store should be located within 10 metres from public highway with clear and levelled access to be provided to the refuse collection staff on collection days or the bins will need to be brought forward on collection days to a designated collection point.

The proposed development is acceptable on highways grounds subject to the above-mentioned comments and the following informatives.'

No details of refuse and recycling has been provided however, it is anticipated that refuse collection arrangements would be secured by way of a condition.

During the life of the application revised drawings have been submitted indicating 2no off streetcar parking spaces, the spaces shown meet the requirements set out in Barnet Council's Local Plan Development Management Policy DM17.

5.4 Response to Public Consultation

N/a

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 and the quality of the living accommodation is satisfactory. This application is therefore recommended for approval.

