

**Location** **26 Renters Avenue London NW4 3RB**

**Reference:** **23/1496/FUL** Received: 5th April 2023  
Accepted: 18th April 2023

Ward: Hendon Expiry 13th June 2023

**Case Officer:** **Tania Sa Cordeiro**

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. Roof alterations including side and rear dormers, front rooflights and raising of the eaves. Erection of a rear outbuilding and front porch. 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: [insert plan numbers]

Planning Statement, prepared by UPP  
Drg. 026RE-A-05-001 (Existing Section A-A)  
Drg. 026RE-A-05-002 (Existing Section B-B)  
Drg. 026RE-A-06-001 (Existing North Elevation)

Drg. 026RE-A-06-002 (Existing South Elevation)  
Drg. 026RE-A-06-003 (Existing West Elevation)  
Drg. 026RE-A-06-004 (Existing East Elevation)  
Drg. 026RE-A-03-001 (Existing Ground Floor Plan)  
Drg. 026RE-A-03-002 (Existing First Floor Plan)  
Drg. 026RE-A-02-001 (Existing Front Visualization)  
Drg. 026RE-A-02-002 (Existing Rear Visualization)  
Drg. 026RE-A-03-003 (Existing Loft Floor Plan)  
Drg. 026RE-A-03-004 (Existing Roof Plan)  
The above plans were received on the 18th April 2023.

Drg. 026RE-A-01-001 Rev.2 (Location Plan)  
Drg. 026RE-A-01-002 Rev.2 (Block Plan)  
Drg. 026RE-A-02-101 Rev1 (Proposed Front Visualization)  
Drg. 026RE-A-02-102 Rev.1 (Proposed Rear Visualization)  
Drg. 026RE-A-02-103 (Proposed Street View)  
Drg. 026RE-A-03-101 Rev.1 (Proposed Ground Floor Plan)  
Drg. 026RE-A-03-102 Rev.1 (Proposed First Floor Plan)  
Drg. 026RE-A-03-103 Rev.2 (Proposed Loft Floor Plan)  
Drg. 026RE-A-03-106 Rev.2(Proposed Roof Plan)  
Drg. 026RE-A-05-101 Rev.2 (Proposed Section A-A')  
Drg. 026RE-A-05-102 Rev.2 (Proposed Section B-B')  
Drg. 026RE-A-06-101 Rev.2 (Proposed Elevation)  
Drg. 026RE-A-06-102 Rev.2 (Proposed Elevation)  
Drg. 026RE-A-06-103 Rev.2 (Proposed Elevation)  
Drg. 026RE-A-06-104 Rev.2 (Proposed Elevation)  
Drg. 026RE-A-OB-101 (Proposed Outbuilding)  
The above plans were received on the 06th September 2023.

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 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).

- 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 October 2016).

- 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 S12 of the London Plan (2021) 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.  
Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition. The spaces shall be permanently retained thereafter and shall not be used for any purpose other than parking of cycles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles 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 .

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).

13 The use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. 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](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).

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

- 4 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.
- 5 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale London NW9 4EW.
- 6 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 Licenses or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk) .
- 7 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 8 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover in accordance with Manual for Streets (MfS).
- 9 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.

- 10 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](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto: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.

## **OFFICER'S ASSESSMENT**



## 1. Site Description

The application relates to a two-storey detached dwelling housing, no. 26 Renters Avenue. The application site is a corner property and is located at the junction of Renters Avenue and Cheyne Walk, within the Hendon ward. The area is residential in character, mainly comprising of a mixture of converted and purpose built flatted development; and single-family dwelling houses.

The site is not within a conservation area and is not a statutory or locally listed building.

The site lies within a PTAL rating of 3 which indicates the site has average accessibility to public transport.

There are no Tree Preservation Orders on site. The property is in a Zone 1 Flood Risk Area, with low probability of flooding from rivers and the sea.

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.

## 2. Site History

Reference: 22/2472/FUL

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 2 March 2023

Description: 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. Roof alterations including side and rear dormers and raising of the eaves. Associated refuse/recycling, amenity space, cycle storage and off-street parking

Reference: 22/4349/192

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Lawful

Decision Date: 23 September 2022

Description: Erection of a rear outbuilding

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.

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.

#### Applications Pending Consideration:

Reference: 23/1497/FUL

Description: Demolition of the existing dwelling and erection of 2no. two storey plus rooms in the roofspace semi detached dwellings. Erection of a rear outbuilding. Associated amenity space, refuse and recycling and cycle storage (Amended description and plans)

Reference: 23/1510/FUL

Description: Demolition of the existing dwelling and erection of a new two storey building with rooms in the roofspace comprising 5no. self contained flats. Associated amenity space, parking, refuse and recycling and cycle storage

### **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. Roof alterations including side and rear dormers, front rooflights and raising of the eaves. Erection of a rear outbuilding. Front porch. Associated refuse/recycling, amenity space, cycle storage and off-street parking

The application has been amended during its lifetime.

### **4. Public Consultation**

Consultation letters were sent to 68 neighbouring properties. 10 objections and 1 letter of support have been received.

A further re-consultation was undertaken to account for the receipt of amended plans and to reflect an updated description of the development. No further correspondence has been received within the consultation deadline.

Objections summarised below:

- Not in keeping with the character of these roads, neighbourhood and community
- The proposals call for the reduction of green space around the property
- Multiple occupancy properties result in the proliferation of crime and other unwanted problems
- Loss of light
- Incongruous with the single family home layout of the neighbourhood
- The conversion will also be an over-use of the space and will likely have a detrimental impact on the value of homes in its vicinity

- The street is over-saturated when it comes to parking spaces and will put more pressure on street parking
- Safety of parking
- House is on a dangerous corner, accidents can easily happen with additional cars coming out of there
- Impact on drainage
- Increase in occupational density

Support summarised below:

- Constitute a good precedent in Renters Avenue allowing the opportunity of good housing and creating development potential to improve the economic, social and environmental condition of an area
- It would make full use of the potential housing space available, provide a richer and more linear architectural outlook beautifying this corner and bringing a welcome innovation and change to Renters Avenue
- Uplifting its outmoded architectural standards, making it attractive to a more selective market
- It would create architectural consistency with Haley Road relating sympathetically to the existing 5 blocks of flats

A site notice was posted on the 27.04.2023.

## **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**

The current proposal follows approval for planning permission for a similar proposal, under reference 22/2472/FUL, dated 02 March 2023. The approved scheme is similar to the current application in that it sought similar extensions and the proposed conversion into 4 flats. As this permission is extant, it is a material consideration.

For clarity, under the current application, the proposal seeks to construct an outbuilding in the rear garden and enclose the front canopy to create an enclosed front porch. Furthermore, the proposal will involve increasing the depth of the approved single storey rear elements and the first floor rear element.

### **Principle of Development**

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.

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 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.

Furthermore, the acceptability of the principle of the subdivision of the property has already been established via approval ref. 22/2472/FUL; significant weight is given to this extant consent. Since this decision was made, no policy or material considerations have emerged that would deem the principle of the subdivision unacceptable.

#### 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 proposal includes a ground floor extension measuring a maximum depth of 4 metres (as approved) along the boundary adjacent to neighbouring property at no.24, for a width of 3.3m. It will project a further 1.39m (further addition to approved scheme) to create an overall depth of 5.39m, before it sets back to create a rear stagger. This additional projection would be set away from the neighbouring boundary and would be centralised.

A single storey infill extension is also proposed to connect the main dwelling with the existing detached garage, which was previously approved. Under this scheme, it will project a further 1m in depth to the rear than the extant scheme, however it will still sit as a recessed element between the rear projections either side. In addition, a marginal increase in the height of this link is proposed, although it would still be set lower than the main ridge of the side wing; this is considered acceptable.

In addition, the existing garage adjacent to the street has also increased by an overall depth by 5 meters, which is 3.2 meters over the approved scheme (1.8 meters). It will have a pitched roof. This element is single storey and is sited adjacent to the street. Due to its corner location, design and sitting this element would be visible from the streetscene, however, on balance, is not deemed to have a negative impact on the character and appearance of the site and the street scene.

The Residential Design Guidance states that a depth of 4 metres is normally considered acceptable for a single storey rear extension to a detached dwelling. Whilst the proposal would partly comply with this with this recommendation, it is not considered that a further rear projection of 1.39 meters and 1meter respectively would harm the character and appearance of the site to an unacceptable level. Furthermore, the infill garage extension is not considered to significantly impact 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 (as approved) and to a maximum depth of 3.48 metres (1 metre over approved) 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. However, this was approved under ref. 22/2472/FUL. This application also approved the addition of 3no dormers to the roof, one to each side roof slope and one to the rear roof slope. 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 and on balance, 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. Whilst there will be an increased depth, this depth towards the rear will not extend full width and will be centrally located within the existing rear wall and will integrate satisfactorily with the building.

Two further elements have been proposed in addition to the above. An outbuilding and a front porch.

The proposed outbuilding will be sited within the rear garden along its South-western boundary. Due to the angular footprint of the plot, the outbuilding will have a depth of 1.5m to 2.6m and a width of 1.95m. It will have an footprint of 20m<sup>2</sup>, with a maximum height of 2.5m and an internal height of 2.3m. It will be used as storage for use by the residents of the units.

The porch to the front will allow access to the building. It will have a width of 2.7m and a depth of 1.3m and a height of 3.1m. It will cover a footprint of 2.7m.

Due to the size and sitting of the outbuilding and an enclosed front porch, it is not likely to impact the character and appearance of the building to an unacceptable level to warrant a refusal.

### 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 beyond this by approximately 1.3 metres which is considered to be an acceptable distance and would not result in detrimental impacts to light and outlook to the neighbouring property. Whilst it is noted that an additional depth of 1.39 meters has been proposed to create a central rear projection, it is sufficiently set away by 3.3 meters from the boundary with this neighbour to create significant harm to the amenities of this neighbouring property.

The infill ground floor extension is set back from the rear elevations, therefore, due to its siting it would be concealed from the public and neighbours.

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, which will protect the privacy of these neighbouring occupiers.

Likewise, the acceptability of the alterations at first and roof levels of the site in relation to its impact on the amenities of the neighbours has already been established via approval ref. 22/2472/FUL.

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 (1 additional bedspace compared to approved scheme) would result in an unacceptable level of harm to the amenity of the neighbouring occupiers that would warrant a refusal. Residential use and in particular flatted development has been 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. Therefore, the proposed development will have an acceptable impact to the neighbouring properties.

The outbuilding will be used as storage for the use of the residents of the building. Therefore, it is not envisaged that there will be any impact on the amenities of the neighbours in terms of noise nuisance. Furthermore, due to the size and sitting of the outbuilding and an enclosed front porch, it is not likely to impact the amenities of neighbours to an unacceptable level to warrant a refusal.

#### 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, 4 person unit with GIA of 72 sqm

Unit 2: 4 bed, 5 person unit with GIA of 96 sqm

Unit 3: 2 bed, 3 person unit with GIA of 65 sqm

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, a 4 bed, 5 person unit over 1 storey requires 90sqm and a 2 bed, 4 person unit over 1 storey requires 70sqm.

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 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> 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 m<sup>2</sup> per habitable room.

Unit 1 is provided with 30m<sup>2</sup> of private amenity space and Unit 2 is provide with 32m<sup>2</sup> of private amenity space. There is a further communal amenity space measuring 108sqm 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.

Whilst the units would benefit from smaller gardens compared to the approved scheme, the proposed outdoor amenity space provision still exceeds space standards.

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 will 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**

- Not in keeping with the character of these roads, neighbourhood and community
- Incongruous with the single family home layout of the neighbourhood
- Multiple occupancy properties result in the proliferation of crime and other unwanted problems
- increase in occupational density and will also be an over-use of the space
- The proposals call for the reduction of all green space around the property

Concerns have been mainly addressed within the body of the report. As stated above the principle of development has already been established via a previous approval ref. 22/2472/FUL. A review of the locality reveals that a number of properties along Renters Avenue have been historically converted into flats. The proposed development would provide a 4 bed family sized unit on the ground floor. The remaining units would contribute to providing a mix of housing types within the Borough. Furthermore, adequate quantity of outdoor greenspace/ private garden has been retained for the proposed dwellings.

- Loss of light

The siting of the dwelling and alterations to the property are such that it is not likely to result in loss of light to neighbouring properties.

- The street is already over-saturated when it comes to parking spaces and will put more pressure on insufficient street parking
- Safety of parking
- House is on a dangerous corner, accidents can easily happen with additional cars coming out of there

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

- Likely have a detrimental impact on the value of homes in its vicinity  
This is not a material planning consideration.

- impact on drainage

The proposal is for 4 units with an occupancy of 14 people. The existing house is three bedroom and able to accommodate 6 people. Whilst there will be an uplift in the number of people, it is not likely to impact the current drainage system to an unacceptable level.

## **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.



Site plan