

Location 78 High Road London N2 9PN

Reference: 23/5021/FUL Received: 23rd November 2023
Accepted: 27th November 2023

Ward: East Finchley Expiry 22nd January 2024

Case Officer: Emily Bell

Applicant: Zebulun/Finchlink/Dub Estates

Proposal: Conversion of the existing dwelling into 2no self-contained flats including a single storey rear extension and mansard roof extension including front and rear dormers. Modifications to the rear access to maintain 1no. car parking space and external amenity space, cycle storage and refuse and recycling facilities

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:
078HI-A-01-001
078HI-A-01-002 Existing block plan
078HI-A-02-001
078HI-A-02-002
078HI-A-03-001
078HI-A-03-002
078HI-A-03-003
078HI-A-03-004
078HI-A-03-005
078HI-A-05-001

078HI-A-05-002
078HI-A-06-001
078HI-A-06-002
078HI-A-06-003
078HI-A-06-004
078HI-A-01-002 Proposed block plan
078HI-A-02-101
078HI-A-02-102
078HI-A-03-101 REV 1
078HI-A-03-102
078HI-A-03-103
078HI-A-03-104
078HI-A-03-106
078HI-A-05-101
078HI-A-06-101
078HI-A-06-102
078HI-A-06-103 REV 1
Planning Statement 78 High Road, London, N2 9PN by UPP Architecture: Planning

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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

- 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
- 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, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

- 6
- 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.

- 7
- a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
 - b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat
 - c) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 8 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).

- 9 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.

- 10 a) Prior to the first occupation or use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would achieve 'Secured by Design' accreditation.

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

Reason: To ensure that the development meets Secure By Design principles as required by the Metropolitan Police, in accordance with Policy CS12 of Barnet's Core Strategy DPD (2012) and Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012).

- 11 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).

- 12 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 2013 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 SI 2 of the London Plan 2021.

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also

available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

- 3 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 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 .
- 5 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.

- 6 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

OFFICER'S ASSESSMENT

1. Site Description

The host site is located on the Eastern side of High Road, consisting of a mixed use three-storey unit, with a commercial ground floor space and residential uppers floors. The site is located within the East Finchley Town Centre, with the surrounding area consisting generally of a mixed character. That being said, the buildings fronting the town centre, particularly along this parade, follow a similar pattern of development with a commercial ground floor unit and residential uses on the upper floors.

The host site has a PTAL rating of 4 and is located in Flood Zone 1. The site is not within a conservation area, however, the property on the host site is locally listed. The local listing states:

"3 storey shopping parade of 14 elements with bookend building. Shopfronts on ground floor. Constructed from brick and stone the building also has a shallow pitched roofs behind sculpted pediments. Queen Anne revival, decorative roof parapets with corning, urn finials, decorative stucco window panels, brick arched windows at first floor, dividing pilasters."

2. Site History

Reference: 19/8505/QCE

Address: 78 High Road, London, N2 9PN

Decision: Pre-application advice issued

Decision Date: 25 March 2020

Description: Formation of 2 storey rear extension to No 78 High Road, as well as converting the existing residential upper floors to studio flats as well as adding a roof extension to the existing building.

Reference: 22/1374/FUL

Address: 78 High Road, London, N2 9PN

Decision: Refused

Decision Date: 11 May 2022

Description: Conversion of the upper floor to 2no self-contained dwellings including two storey rear bay extension and mansard roof extension. Construction of two storey rear extension maisonette. Associated refuse/recycling/cycle storage

Reference: C09472

Address: 78 High Road London N2

Decision: Withdrawn

Decision Date:30/08/1987

Description: Change of use from betting office to hot food takeaway

Reference: C06338E/08

Address: 80 High Road London N2 9PN

Decision: Approved subject to conditions

Decision Date:12/05/2008

Description: Formation of additional floor and single storey rear extension and conversion of upper floors to 3no self-contained flats

Reference: 18/3608/S73

Address: 58-60 High Road London N2 9PN

Decision: Approved subject to conditions

Decision Date: 07/08/2018

Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 15/03899/S73 dated 20/08/15 for 'Part single, part two storey rear extension to provide 2 self-contained residential units' Amendments include a front infill extension to no.60 and rear extensions to nos 58 and 60 and insertion of additional rooflights

Reference: 14/07339/FIL

Address: 58-60 High Road London N2 9PN

Decision: Approved subject to conditions

Decision Date: 30/01/2015

Description: Part single, part two storey rear extension to provide 2 self-contained residential units.

Reference: F/024240/13

Address: 60A High Road London N2 9PN

Decision: Refused (Allowed at appeal)

Decision Date: 31/07/2013

Description: Addition of new floor level with a mansard roof and conversion of existing maisonette into 2no self-contained flats.

Reference: F/04670/12

Address: 58-60 High Road London N2 9PN

Decision: Refused (Allowed at appeal)

Decision Date: 15/05/2013

Description: Two storey rear extension to provide additional retail space at ground floor level and an additional residential flat at first floor level

Reference: F/02451/12

Address: 58-60 High Road, London N2 9PN

Decision: Approved subject to conditions

Decision Date: 27/09/2012

Description: Part ground and part first floor rear extension

Reference: F/00056/12

Address: 60 High Road London N2 9PN

Decision: Approved subject to conditions

Decision Date: 26/04/2012

Description: Conversion of existing maisonette to form 2no 1 person flats

3. Proposal

Conversion of the upper floor to 2no self-contained dwellings including two storey rear bay extension and mansard roof extension. Construction of two storey rear extension maisonette. Associated refuse/recycling/cycle storage.

The two units proposed would be as follows:

Unit 01 is a 2 bed, 3 person unit over 2 storeys with GIA of 73sqm

Unit 02 is a 2 bed, 3 person unit over 2 storeys with GIA of 79sqm

4. Public Consultation

Consultation letters were sent to 122 neighbouring properties. 5 letters of objection have been received, summarised below:

- o Not in keeping with the surrounding area
- o Will further congest a busy area
- o Reduction in light and privacy for neighbouring properties
- o Increased presence of noise and rubbish
- o Impact negatively on view of interesting architectural features on East Finchley High Road
- o Reduces light to properties along Fairlawn Avenue
- o Overcrowding
- o Parking issues

5. Planning Considerations

5.1 Policy Context

Revised 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 19th December 2023. This is a key part of the Government's 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 Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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, CS14.
- Relevant Development Management Policies: DM01, DM02, DM06, 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 New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main

Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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:

- i. The principle of flats in this location
- ii. Whether the proposal provides satisfactory living accommodation for future occupiers
- iii. Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality
- iv. The impact on the amenities of neighbouring occupiers
- v. Parking and highways
- vi. Cycle Storage
- vii. Refuse and recycling storage.

5.3 Assessment of proposals

The application seeks consent for the conversion of the existing upper floor residential into 2no self-contained residential flats including a mansard roof extension and rear extensions

to allow for this conversion.

Principle of conversion into flats in this location

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 flat 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.

The existing property is a three-storey terraced building used for commercial purposes at ground floor level with a residential flat above. Residential units above commercial units characterise this section of High Road, and the proposal to sub-divide this space would not be out-of-character and would not result in harm to the surrounding area.

It is acknowledged that the existing flat is a 4 bed unit and the conversion into 2 no flats would result in the loss of a family sized unit. However, given its location above a commercial unit within a town centre, with no access to a garden, the site is not considered the most appropriate site for a family unit and its loss in this location is acceptable.

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 D6 (of the London Plan).

The proposal includes the erection of a mansard roof above the existing roof. Although the Council has recently given locally listed status to the host site, officers deem that the proposed mansard addition would be acceptable. The adjacent unit at no. 80 benefits from a mansard roof of its own, with nos. 58 and 60 both also being given permission for such additions. Furthermore, the proposed roof will be subordinate to the host site, and due to the low positioning and set back from the front façade, it would have limited visibility from the streetscene thus having little impact on the locally recognised architectural quality of the facade and detailed parapet.

Officers note that extensions of various sizes have been approved to the rear of various properties along the terrace of properties along High Road, and these are mostly single storey rear extensions or outbuildings. It is noted that a previous application at the site was refused which sought permission for a two storey rear bay extension to the main building, as well as a further extension to the rear which due to the sloping roof gave the appearance of further massing above ground level. The application was subsequently refused for the following reason:

"The proposed development would, by reason of the height and design of the proposed rear extension, appear incongruous and bulky within its plot and appear as a visually discordant form of development, to the detriment of the character and appearance of the surrounding area. The application is therefore considered unacceptable and contrary to Policy CS5 of Barnet's Core Strategy DPD (2012), Policy DM01 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy 7.4."

The current application seeks to overcome this reason for refusal by reducing the massing of the proposed rear extension. The extension will match the depth of the adjacent property no. 80 and will have a more moderate flat roof design, measuring approximately 2.8 metres and retaining the appearance of a single storey rear extension. As noted above, single storey extensions of various sizes have been approved to the rear of the properties within this terrace and as such the amended design is considered to be in keeping with the character and appearance of the area.

A small partial first floor extension is proposed to facilitate a staircase. Given the small scale of this extension it is not considered incongruous.

Whether the proposal provides a satisfactory living environment for future occupiers

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.

Floorspace standards:

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 2 bed, 3 person unit over 2 storeys 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 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

The proposed units are as follows:

Unit 01 is a 2 bed, 3 person unit over 2 storeys with GIA of 73sqm

Unit 02 is a 2 bed, 3 person unit over 2 storeys with GIA of 79sqm

The proposed units would meet the required minimum space standards.

Outlook and light:

Paragraph 135 of the National Planning Policy Framework states in point (f) that planning policies and decisions should ensure that developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..."

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point (e) that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

All units are considered to benefit from adequate levels of outlook and light.

Stacking:

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

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

Outdoor amenity space:

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

Unit 01 would be provided with a private amenity space measuring 10sqm in area. No private amenity space is provided for the upper level flat. Given the constraints of the site, including its town centre location and the fact that the existing flat has no access to private amenity space, this is considered to be acceptable in this case.

It is noted that a further reason for refusal of the previous application related to the quality of residential amenity, including substandard accommodation. As evidenced above, the current application overcomes these reasons for refusal.

Impact on the amenities of neighbours

Policy DM01 of the Development Management Policies 2012 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.

At ground floor level, the proposed extension would not extend any further in depth than the existing ground floor extension to no. 80 High Road. The proposed extension would project approximately 3.2 metres in depth past the rear building line of no. 76 High Road, however, this property does not benefit from habitable room windows to the rear of the ground floor. The extension at first floor would be minimal in depth adjacent to the common boundary with no. 80 and would not result in harm. As such, there is considered to be an acceptable impact on the amenities of these neighbouring properties with regards to light, outlook and overbearing.

To the rear of the site, the service road to which the rear extension would face backs onto the rear gardens of properties along Fairlawn Avenue. Barnet's Sustainable Design and Construction SPD states that the privacy of existing and future development should be protected and gardens and windows to habitable rooms should not be significantly overlooked. In new residential development there should be a minimum distance of 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. It is noted that the previous application was refused due to the inclusion of a sloped roof and Velux rooflight in close proximity to these gardens. In the current scheme, the amended design of the rear extension and inclusion of 2m high fencing to the rear of the site will ensure that views into the gardens of properties along Fairlawn Avenue are restricted. As a result, it is not considered that this element of the proposal would result in any increased overlooking or loss of privacy.

In terms of the arrangement at first and second floor levels, it is noted that these windows are currently in use for residential purposes and the use will not change. Given that these windows will be no closer to the neighbouring properties than the existing and the uses will not change, it is not considered that this aspect of the proposal would exacerbate harm.

At roof level, the rear dormer windows will look towards Fairlawn Avenue, however, there is a separation distance of at least 21 metres between facing habitable room windows and as such, this is considered acceptable and compliant with guidance.

With regards to noise and disturbance, it is considered that the net increase of 1no dwelling will not cause undue impact.

Parking and highways

The site is located on High Road, which is one of the major road networks and is centrally located to East Finchley Town centre. The site is located 2-3 minutes walking distance from East Finchley Underground Station. Fairlawn Avenue which is the road located at the rear has been included in a Controlled Parking Zone Resident permit holders only operating Monday to Saturday between 10am to 6:30pm. Additionally, there is payment parking available on High Road Monday-Saturday 8am-6:30pm, maximum stay 4hrs.

The PTAL rating for the site is 4 which is regarded as good accessibility. It lies within 1 minute walking distance from 7 TFL bus routes.

The proposal seeks to convert the existing flat into 2no self-contained flats comprising 2x2 bedroom units. 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 will remain the same as existing. The applicant is proposing to provide 1no off-street parking space at the rear which is acceptable on highways grounds.

Cycle parking and storage facilities should be provided in accordance with the London Plan and further details can be secured by way of a condition. Similarly, details of refuse storage can be secured by way of a condition.

Overall, the proposal is considered acceptable on highways grounds, subject to conditions.

Design Out Crime

Paragraph 3.9.1 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) states that the principles set out in the national Police initiative, Secured by Design should be considered in development proposals.

The previous application was refused for the following reason:

"The proposed development, by reason of lack of legitimate activity in the access road, particularly at night, lack of surveillance and lack of lighting would fail to provide a sense of security for future occupiers. The application is therefore found to provide unsatisfactory living conditions for future occupiers, contrary to Policy D11 of the London Plan (2021), Policy DM01 of the Adopted Local Plan Development Management Policies DPD (2012) and Policy CS12 of the Adopted Local Plan Core Strategy (2012)."

The application documents have been reviewed by the Metropolitan Police Service and the following comments made:

- The redesign from the previous refused submission is positive in respect of providing access to each unit from the main High Road and not a very long, dark rear service road with little legitimate daily activity and overlooking.
- Should any planning permission be granted for this proposal then I would respectfully request that its approval contains a relevant formal planning condition 'whereby the development must achieve Secured by Design (SBD) accreditation, prior to occupation'.

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 S1.5 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 S1.2 of the London Plan (2021) and the 2016 Housing SPG's requirements.

5.4 Response to Public Consultation

- o Not in keeping with the surrounding area
- o Impact negatively on view of interesting architectural features on East Finchley High Road

The impact of the proposal on the character and appearance of the area has been discussed within the main body of the report.

- o Will further congest a busy area
- o Reduction in light and privacy for neighbouring properties
- o Reduces light to properties along Fairlawn Avenue

The impact of the proposed development on neighbouring properties has been discussed within the main body of the report.

- o Increased presence of noise and rubbish

Given the established nature of the site and surroundings, any additional noise from comings and goings of 1no additional flat is not considered to result in detrimental harm. With regards to rubbish, bin stores are indicated to the rear service road. Both the Council's highways and waste teams have raised no objections to this. Further details of bin stores will be required by way of a condition.

- o Overcrowding

The proposal would result in the uplift of 1no additional flat. This is not considered to result in detrimental harm and both flats meet the minimum space standards required.

- o Parking issues

Highways officers have reviewed the submitted documents and have raised no objections to the scheme with regards to parking.

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, this application is recommended for APPROVAL.



