

<u>MEETING</u> EAST AREA PLANNING SUB-COMMITTEE
<u>DATE AND TIME</u> WEDNESDAY 7 SEPTEMBER 2011 AT 7.00PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, HENDON NW4 4BG

TO: MEMBERS OF THE COMMITTEE (Quorum 3)

Chairman: Councillor Andreas Tambourides
Vice Chairman: Councillor Bridget Perry

Councillors:

Alison Cornelius	Barry Rawlings	<i>Vacancy</i>	Alan Schneiderman
Stephen Sowerby	Andrew Strongolou	Joanna Tambourides	Jim Tierney

Substitute Ward Members:

Pauline Coakley Webb	Brian Coleman	Anne Hutton	David Longstaff
Kath McGuirk	Andrew McNeil	Robert Rams	Lisa Rutter
Brian Salinger	Rowan Turner		

You are requested to attend the above meeting for which an agenda is attached.
Aysen Giritli – Head of Governance

Governance Services contact: Maria Lugangira 020 8359 2761

Media Relations contact: Sue Cocker 020 8359 7039

To view agenda papers on the website: <http://committeepapers.barnet.gov.uk/democracy>

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No.	Title of Report	Page Nos.
1.	MINUTES	
2.	ABSENCE OF MEMBERS	-
3.	DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS	-
4.	PUBLIC QUESTION TIME (if any)	-
5.	MEMBERS' ITEMS (if any)	-
6.	Report of the Assistant Director of Planning and Development Management	1 - 220
7.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	
8.	MOTION TO EXCLUDE THE PRESS AND PUBLIC:- That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act (as amended) shown in respect of each item:	-
9.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	-

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Maria Lugangira on 020 8359 2761. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by Committee staff or by uniformed porters. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings.

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

EAST AREA PLANNING SUB - COMMITTEE

7 SEPTEMBER 2011

ITEM 6

REPORT OF THE **ASSISTANT DIRECTOR OF PLANNING AND** **DEVELOPMENT MANAGEMENT**

BACKGROUND PAPERS – GENERAL STATEMENT

The background papers to the reports contained in the agenda items which follow comprise the application and relevant planning history files, which may be identified by their reference numbers, and other documents where they are specified as a background paper in individual reports. These files and documents may be inspected at:

Building 4, North London Business Park
Oakleigh Road South
New Southgate
London N11 1NP

Contact Officer: Mrs V Bell, 020 8359 4672

EAST AREA PLANNING SUB - COMMITTEE

DATE: 7 September 2011

INDEX TO THE REPORT OF THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT

Page 1 - 6

B/02841/11

Brunswick Park

119 Arlington Road, London, N14 5BA

Part single, part two storey rear extension and new front drive.

Approve Subject to Conditions

B/02925/11

Coppetts

Page 7 - 12

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of 3 no. non-illuminated car park signs.

Approve Subject to Conditions

B/02912/11

Coppetts

Page 13 - 17

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation.

Approve Subject to Conditions

B/02923/11

Coppetts

Page 18 - 23

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of 3No. ram raid bollards.

Approve Subject to Conditions

B/02922/11

Page 24 - 28

Coppetts

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of ATM (Cash Machine) unit to front elevation.

Approve Subject to Conditions

B/02924/11

Page 29 - 35

Coppetts

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation.

Approve Subject to Conditions

B/02927/11

Page 36 - 42

Coppetts

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building.

Approve Subject to Conditions

B/02911/11

Page 43 - 48

Coppetts

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

Installation of shopfront and associated ground floor external alterations.

Approve Subject to Conditions

F/02392/11

Page 46 - 62

East Finchley

42 Church Lane, London, N2 8DT

Demolition of existing outbuildings and erection of two storey self-contained residential unit adjoining the rear of 42 Church Lane.

Approve Subject to Conditions

East Finchley

Dick Turpin, 383 Long Lane, London, N2 8JW

Erection of a two storey building plus rooms in roofspace and basement living accommodation and parking, all to facilitate 8 residential flats following demolition of the public house.

Approve Subject to S106

High Barnet

5 Greenacre Close, Barnet, Herts, EN5 4QB

Retention of existing boundary wall and fence with proposed alterations.

Approve Subject to Conditions

High Barnet

The Pavilion, Brickfield Lane, Barnet, Herts, EN5 3LD

Installation of 6No. floodlights around the existing football pitch. Erection of new changing room block, internal alterations to existing clubhouse. Small spectator accommodation with designated spaces for wheelchair users. Provision of additional car parking spaces, pathways for disabled access, acoustic fencing and new tree planting / landscaping.

Approve Subject to Conditions

High Barnet

158 High Street, Barnet, Herts, EN5 5XP

Installation of two satellite dishes to rear elevation and two air conditioning units to flat roof at rear.

Approve Subject to Conditions

High Barnet

The Pavilion, Tudor Sports Ground, Clifford Road, Barnet, Herts

Partial change of use from Sports Pavilion to restaurant with A3 usage including external seating area.

Approve Subject to Conditions

B/01059/11

Oakleigh

33 Lyonsdown Road, Barnet, Herts, EN5 1JG

Erection of three detached, five bedroom houses (Outline).

Approve Subject to S106

B/02663/11

Page 134 -145

Oakleigh

9 Netherlands Road, Barnet, Herts, EN5 1BN

Conversion of property into 2no self-contained units including associated amenity space and provision of bin enclosure. Extension to existing basement including 2no front lightwells. New front porch. Creation of internal walkway from front to access garden using existing kitchen door/ entrance. First floor side extension. Extension to existing loft space including 1no front and 1no rear rooflight. Alterations to access to rear garden.

Approve Subject to Conditions

Page 146 - 155

B/02086/11

Totteridge

Land At Rear Of, 10-20 Holden Road, London, N12 8HT

Variation to development in course of completion for (Erection of 7no. three bed houses), Ref (N08421D/02) dated (5th December 2003), in respect of installation of rear dormer windows which will provide rooms in the roofspace of the newly built houses (one dormer per house).

Approve Subject to Conditions

Page 156 - 161

B/02419/11

Totteridge

43 Greenway Close, London, N20 8ES

Single storey rear extension, front porch, front bay window to replace existing front window. First floor side/front extension

Approve Subject to Conditions

B/02558/11

Totteridge

30 Great Bushey Drive, London, N20 8QL

Single storey side and rear extension. First floor rear extension. Addition of monopitch roof over the existing first floor side extension and the proposed first floor rear extension. New raised patio.

Approve Subject to Conditions

B/02674/11

Totteridge

Page 170 - 177

Priory Corner, 6 Oaklands Road, London, N20 8BA

Variation to a planning permission Ref: B/02649/10 dated: 16/9/2010 by the addition of a dormer to the west facing roofslope.

Approve Subject to Conditions

B/00827/11

Underhill

Page 178 - 182

1 Victoria Lane, Barnet, Herts, EN5 5UN

Continued use of part of site for storage of scaffolding boards.

Approve Subject to Conditions

F/02619/11

West Finchley

Page 183 - 187

23 Courthouse Gardens, London, N3 1PU

Extension to roof with rear dormer window, and roof lights to the front and side elevation to facilitate a loft conversion. Part single, part two-storey side extension.

Approve Subject to Conditions

F/02584/11

West Finchley

Page 188 - 195

713 High Road, London, N12 0BP

Erection of first floor rear extension, following demolition of existing first floor terrace.

Approve Subject to Conditions

F/03104/11

West Finchley

37 Dukes Avenue, London, N3 2DE

Single storey rear extension. Extension to length of existing first floor rear balcony with a railing. Alterations to the loft including insertion of 2no. rooflights.

Approve Subject to Conditions

TPO/CA/404

Page 201 - 205

Brunswick Park

St Mary the Virgin, East Barnet Parish Church, Church Hill Road, East Barnet, Herts EN4 8XD

To seek authority for confirmation of Tree Preservation Order, without modification.

Approve Subject to Conditions

TPO/CA/405

Page 206 - 210

Brunswick Park

St Mary's Church Hall, 54 Church Hill Road, East Barnet, Herts EN4 8TA

To seek authority for confirmation of Tree Preservation Order, without modification.

Approve Subject to Conditions

TPO/CA/407

Page 211 - 214

Totteridge

Ivonbrook, 27 Totteridge Village, London N20 8PN

To seek authority for confirmation of Tree Preservation Order, without modification.

Approve Subject to Conditions

Page 215 - 217

TPO/CA/408

East Barnet

104 Mount Pleasant, Barnet, Herts, EN4 9HQ

To seek authority for confirmation of Tree Preservation Order, without modification.

Approve Subject to Conditions

33 Lyonsdown Road, Barnet EN5 1JG

To seek authority for confirmation of Tree Preservation Order, without modification.

Approve Subject to Conditions

LOCATION: 119 Arlington Road, London, N14 5BA

REFERENCE: B/02841/11

Received: 07 July 2011

Accepted: 14 July 2011

WARD(S): Brunswick Park

Expiry: 08 September 2011

Final Revisions:

APPLICANT: Mrs O Photiou

PROPOSAL: Part single, part two storey rear extension and new front drive.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, P2 01, P2 02, P2 03, P2 04, P2 05.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

5. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the first floor flank elevations, of the extension hereby approved, facing No.'s 117 and 121 Arlington Road without the prior specific permission of the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, and H27, and: Supplementary Planning Design Guidance Note No. 5 - Extensions to Houses.

Core Strategy (Publication Stage) 2010: Relevant policies: CS5

ii) The proposal is acceptable for the following reason(s): - The proposed development is considered to be in keeping with the scale and design of the existing and adjoining properties and would have an acceptable impact on the character and appearance of the host property and general locality. There are not considered to be any adverse impacts on the amenities of occupiers of adjoining residential properties. The proposals are in accordance with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

The Mayor's London Plan: Consultation draft replacement plan 2009:

7.4

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, H27.

Supplementary Planning Design Guidance Note No. 5 - Extensions to Houses

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

tenants

- Noise and disturbance resulting from use due to its increased size

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a two-storey end of terrace single family dwelling house on the south east side of Arlington Road. The area is characterised by similar properties predominantly in single family occupation.

Proposal:

The application seeks planning consent for a part single, part two-storey rear extension to the dwelling and new hard surfacing to the front of the property.

The ground floor rear extension would project 3m from the main rear wall along the boundary with the attached property at 117 Arlington Road. The extension would step out an additional 0.9m at 3.3m from the boundary with No. 117. The extension would span the width of the property at 6m not projecting beyond the flank wall of the original dwelling and as such the extension would be 1.2m from the boundary with the adjoining property at 121 Arlington Road. The extension would have a crown roof with a lantern roof light. The roof would reach a height of 3.35m.

The first floor extension would be sited 3.3m from the boundary with the attached property and 1.2m from no. 121. It is proposed to would project 1.3m from the main rear wall and be 2.8m wide and would have a pitched subordinate roof form.

Hard surfacing to the front of the property is also proposed with two planting beds along the boundaries.

Planning Considerations:

The proposals subject of the current application were also proposed in a recent application for the conversion of the dwelling into 2no. self-contained flats. That application (B/01977/11) was refused by the Council due to the impact that the conversion would have on the character and appearance of the area and amenities of adjoining residents by virtue of the intensification of the use of the property. No objections were raised to the proposed extensions or hard surfacing to the front of the property which now form the basis of the current application. The current proposals although the same as those in the last application are solely for extensions to the existing single family dwelling house and not for the conversion of the property into flats.

The parking area to the front of the property would not be dissimilar to other front gardens in the street which have been paved over for car parking. Subject to planting beds to soften the appearance (as proposed) it is not considered that this element of the development would be out of character with the locality or detrimental to the street scene.

The proposed extensions are not considered to be harmful to the character or appearance of the property or the amenities of adjoining residents. The extensions have been designed to be sympathetic in scale and design and would be in keeping with the character, appearance and proportions of the existing dwelling.

There are existing ground floor extensions to both adjoining properties. As such the proposed extension is not considered to be detrimental to the amenities of the attached dwelling at No. 117. Whilst it is acknowledged that the extension would be deeper than the

extension at No. 121 on the detached side and this property is at a lower level, it is not considered that it would be detrimental to the amenities of these adjoining residents given it would be 1.2m from the boundary and only 0.8m deeper than the extension at this property.

The proposed first floor rear extension would be 3.3m from the boundary with No. 117 and 1.2m from the boundary with No.121. Given its limited projection from the main rear wall and its subordinate scale it is not considered to be unduly obtrusive or overbearing from neighbouring properties or gardens and would not result in a loss of light to neighbouring properties or gardens.

The extensions would not result in any greater levels of overlooking than currently possible from rear windows at the property.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed above, additional comments below:

- The application is for extensions to the dwelling and does not propose the conversion of the property into flats
- The impact on outlook would not be harmful to the amenities of adjoining residents
- Impact on drainage, access for repairs and foundations are not material planning considerations
- The property would still be in single family occupation despite an increase in the number of bedrooms which is not considered to result in undue levels of noise and disturbance in a residential area

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposals are considered to have an acceptable impact on the character and appearance of the property and general street scene and would have a minimal impact on the amenities of adjoining residents. The proposals accord with planning policy and guidance and approval is recommended.

SITE LOCATION PLAN: 119 Arlington Road, London, N14 5BA

REFERENCE: B/02841/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02925/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Property c/o CgMs Consulting
PROPOSAL: Installation of 3 no. non-illuminated car park signs.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 9716-101/A and 9716-511 (received 11/07/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

- 3 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

4. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 1992 to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

- 5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of the highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

7. The period of consent shall be a period of five years commencing with the date of this decision.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5.
Core Strategy (Publication Stage) 2010: CS5.
 - ii) The proposal is acceptable for the following reason(s): -
The signs are considered to accord with the aforementioned policies and are not considered to harm the character and appearance of the site, neighbouring visual amenity nor highway and pedestrian safety.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPG19 - Outdoor Advertisement Control.
Communities and Local Government Circular 03/2007.

The Mayor's London Plan: July 2011

Various.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework

(LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5.

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations. CURRENT APPLICATION.

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building. CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 114
Neighbours Wishing To 0
Speak

Replies: 6

The objections raised may be summarised as follows:

- The pub is of historical importance and it would be an act of vandalism to change the nature of the trade on these premises

- Garish signs would be unacceptable on this period building.
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Internal /Other Consultations:

- Traffic & Development -

The proposed signs are not expected to have a detrimental impact on the public highways and is considered acceptable on highways grounds.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for the erection of 3no. non-illuminated car park signs.

Two 'euro car park signs' will be wall mounted to the boundary fencing. Each of these signs are proposed to be 0.4m high by 0.4m wide. A welcome/goodbye sign is also proposed to the front of the car park. This will be pole mounted to a maximum height of 1.7m above floor level. The sign itself will be 0.7m by 0.8m. This sign is set in line with the main building line of the building.

Planning Considerations:

PPG19 explains that the main purpose of the advertisement control system is to help those involved in outdoor advertising to contribute positively to the appearance of an attractive environment in cities, towns and the countryside.

Government circular 07/03 states that the local planning authority's power to control advertisements under the {Town and Country Planning (Control of Advertisements)} Regulations may be used only in the interests of "amenity" and "public safety".

PPG19 advises that In assessing an advertisement's impact on "public safety", LPAs are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians). The vital consideration, in assessing an advertisement's impact, is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety.

Highways have been consulted during the course of the application and they have advised that the proposed signs which are to be sited within the existing car park would not harm highway or pedestrian safety.

With regard to visual amenity, the signs are considered to have an acceptable impact on the appearance of the building, application site and surrounding area. The signs are not considered out of keeping and are not considered to harm visual amenity. The signs are of an appropriate size, siting and design and will not lead to visual clutter on site.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Approval is recommended, subject to conditions.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02925/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02912/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Stores Limited c/o CgMs Consulting
PROPOSAL: Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 9716-101/A, 9716-105, 9716-711/A and 9716-716/A (received 11/07/2011).

Reason: agreeable
For the avoidance of doubt and in the interests of proper planning.

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

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:
To safeguard the visual amenities of the building and the surrounding area.

INFORMATIVE(S):

1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1 and D2.
Core Strategy (Publication Stage) 2010: CS5.

ii) The proposal is acceptable for the following reason(s): -
The minor changes proposed to this existing extension are not considered to harm the character and appearance of the building, site or streetscene. The external alterations will not harm residential amenity and the proposal accords with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, D5

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations. CURRENT APPLICATION.

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 114
Neighbours Wishing To 0
Speak

Replies: 6

The objections raised may be summarised as follows:

- The public house building is of historical importance and it would be an act of vandalism to change the nature of the trade on these premises.
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

The existing public house has a small adjoining extension on it's northern side. Permission is sought to infill an opening on this part of the building (at the rear) and to install a new window in this elevation at ground floor level.

Planning Considerations:

The new window will not be readily visible from adjoining sites or the main streetscene due to it's ground floor position on the side of the building. The opening to be infilled is also at

ground floor level, to the rear of the building adjacent to the car park.

The siting of the external alterations will ensure that they do not affect neighbouring residential amenity, do not harm the character and appearance of the application site and do not harm the streetscene of Friern Barnet Lane.

The minor changes to this new extension are considered acceptable.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

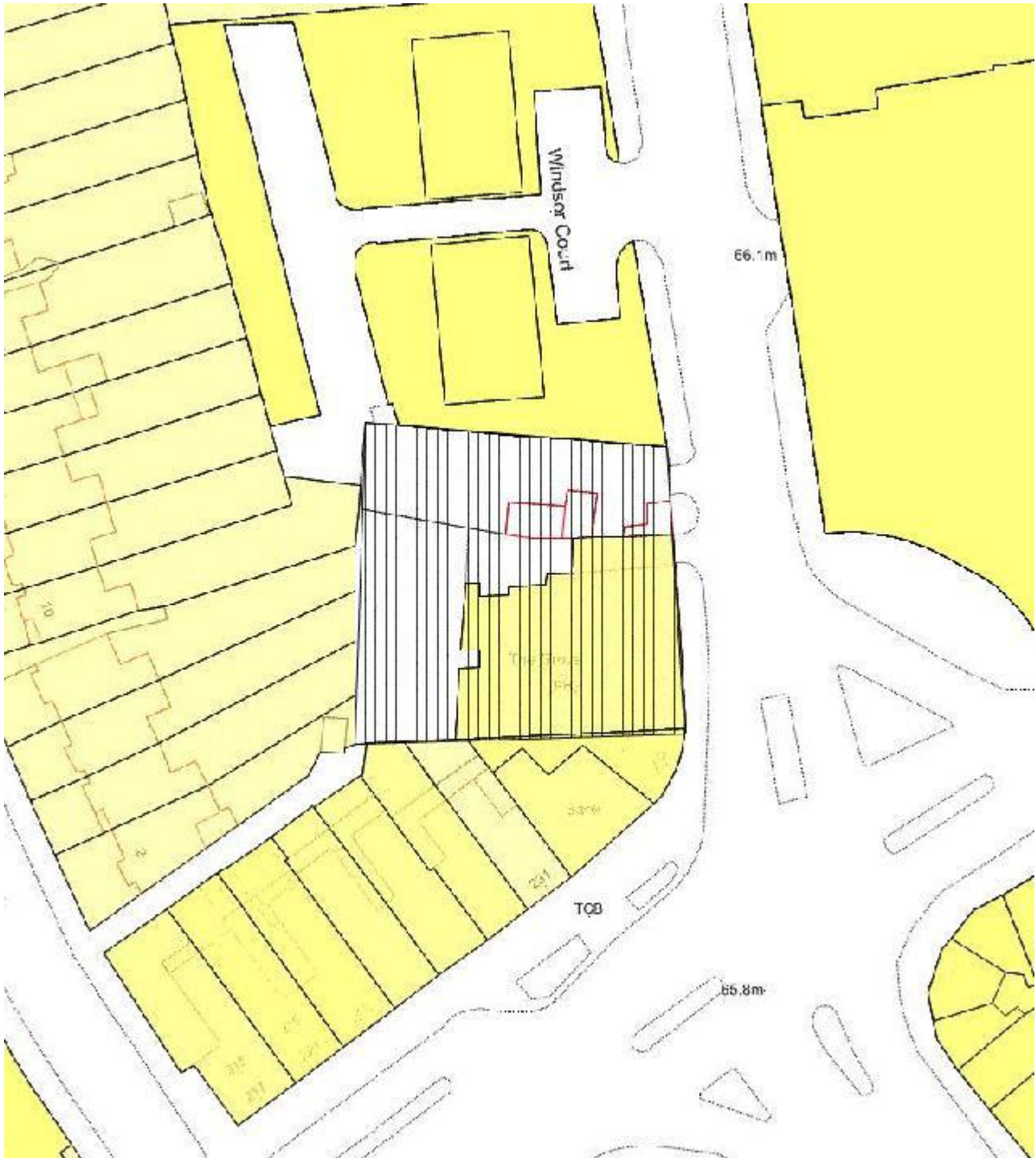
Given that permission is not required for the change of use the proposed development is considered to have an acceptable impact on the character and appearance of the building and the general streetscene. The alterations being considered are not considered to harm neighbouring residential amenity to an unacceptable degree and the development is considered to accord with Council policy and guidance. Approval is recommended, subject to conditions.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02912/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02923/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Stores Limited c/o CgMs Consulting

PROPOSAL: Installation of 3No. ram raid bollards.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 9716-101/A, 9716-105, 9716-221 and 9716-225 (received 11/07/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 proposal hereby approved shall not be implemented until any existing redundant crossovers are reinstated to footway by the Highway Authority at the applicant's expense.

Reason:

To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with the Policies M11 and M13 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1 and D2.

Core Strategy (Publication Stage) 2010: CS5.

ii) The proposal is acceptable for the following reason(s): -

Highways and the Metropolitan Police raise no objection to the proposal. The development will not harm the character and appearance of the site, the general locality nor the streetscene of Friern Barnet Town Centre. The proposal accords with the aforementioned policies and will not harm neighbouring amenity.

2. The approved bollards and any associated equipment should be located within the site's boundaries and not encroach onto the public highways.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

Policy CS5 - protecting and Enhancing Barnet's character to create high quality places.

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity.

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations.
CURRENT APPLICATION.

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building. CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 114
Neighbours Wishing To 0
Speak

Replies: 6

The objections raised may be summarised as follows:

- The junction is busy and dangerous, a supermarket will increase the risk of accidents and death
- Concern regarding location of premises
- Concern regarding the proposed delivery arrangements.
- Limited visibility for turning delivery vehicles may create a hazard
- Increase in traffic, noise and pollution
- Increase in people traffic.
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Internal /Other Consultations:

- Traffic & Development -

The proposal is for installation of 3 no ram raid bollards. The proposed bollards will be installed within the site's boundaries. The existing vehicle access into the car parking area will be maintained.

The redundant crossover leading to the existing gates where two of the bollards will be installed, should be reinstated to footway level.

The proposal is not expected to have a detrimental impact on the public highways and is considered acceptable on highways grounds.

- Metropolitan Police Service (CB) - No objection.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for the installation of 3No. ram raid bollards to the front of the building, in front of the existing doors which are slightly recessed on the northern side of the building.

The bollards are proposed at 1m high and are sited in front of where the new ATM is proposed (see separate application also on this agenda).

Planning Considerations:

Highways have assessed the proposal and raise no objection to the proposal providing the crossover is re-instated. A condition has been suggested which relates to this request.

The Metropolitan Police Service has also assessed the application and raise no objection to the proposed scheme.

The bollards are considered to have an acceptable impact on the character and appearance of the host property, the locality and the general streetscene of this part of the Friern Barnet Town Centre. Other street furniture, railings and additions can be seen in the vicinity of the site so the bollards are not considered to be out of keeping.

The bollards are set some distance away from the nearest residential neighbour to the site and are of a limited size and height, the bollards are therefore considered to have an acceptable impact on residential amenity.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

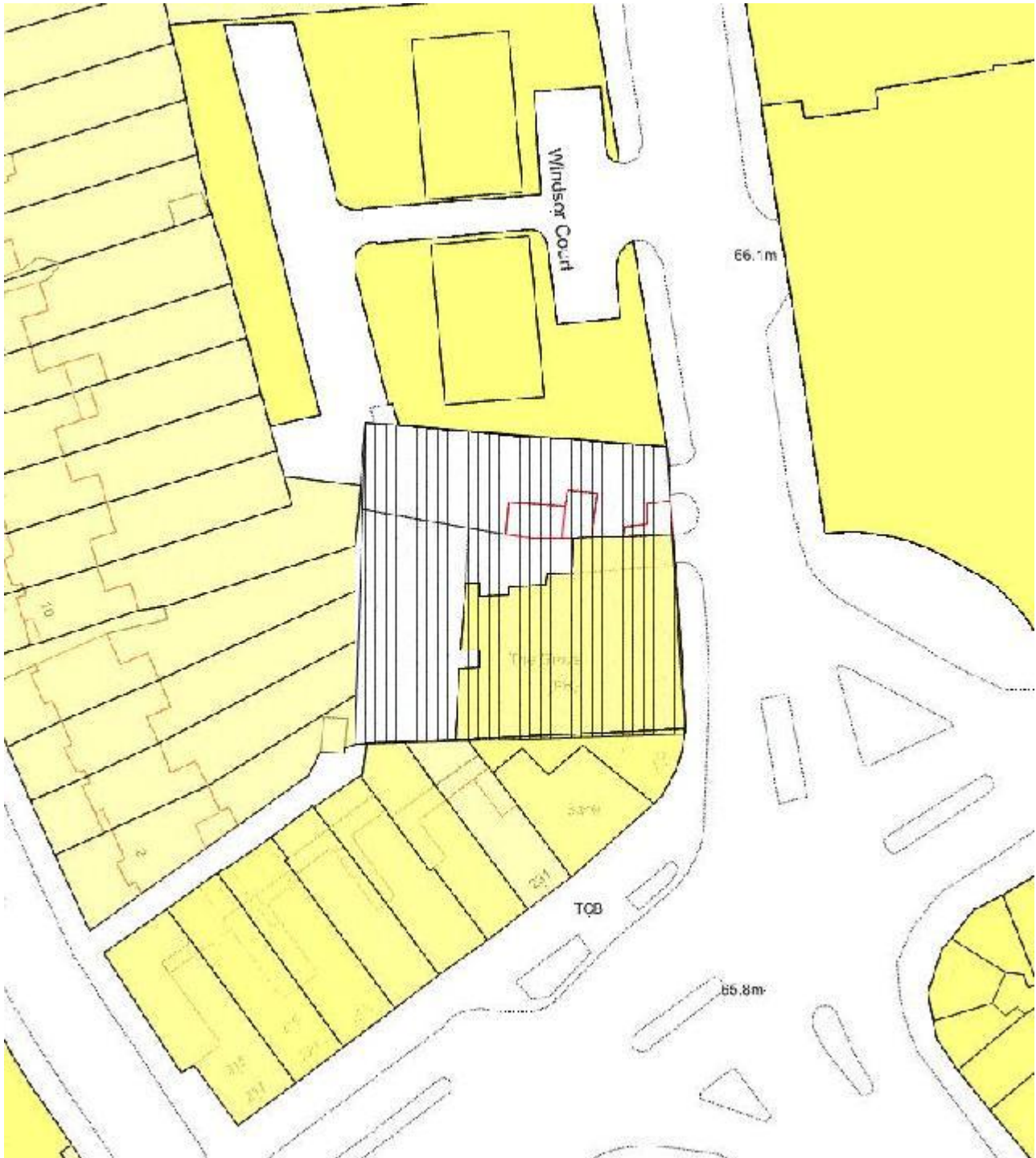
Given that permission is not required for the change of use the proposed development is considered to have an acceptable impact on the character and appearance of the building and the general streetscene. The alterations being considered are not considered to harm neighbouring residential amenity to an unacceptable degree and the development is considered to accord with Council policy and guidance. Approval is recommended, subject to conditions.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02923/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02922/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Stores Limited c/o CgMs Consulting
PROPOSAL: Installation of ATM (Cash Machine) unit to front elevation.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 9716-101/A, 9716-105, 9716-211/A, 9716-215/A and 9716-216/A (received 11/07/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D2, D9.

ii) The proposal is acceptable for the following reason(s): - The proposed ATM machine is considered to be an appropriate form of development for this site and would not have a detrimental impact on the character or appearance of the general street scene. It is not considered to result in opportunities for crime or the fear of crime and is in accordance with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, D2 and D9.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building. CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 113
Neighbours Wishing To 0
Speak

Replies: 6

The objections raised may be summarised as follows:

- Market saturation - there is a Tesco store very close to the proposed site
- Economic disaster - competition will be unfair
- Historical importance of the public house will not be respected
- Signage will look out of character on the frontage of the period public house building
- Noise and pollution concerns
- ATM will deface the building
- There are many other ATMs in the vicinity
- Concerns regarding traffic and pedestrian safety at this junction
- Concern regarding deliveries
- Concern regarding increase in traffic numbers
- Parking facility will encourage more car users
- Anti-social behaviour will be encouraged
- Shoplifting will be encouraged
- Concern regarding increased littering
- Objection to possible late night Sunday opening on religious grounds
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Internal /Other Consultations:

- Metropolitan Police Service (CB) - No objection.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is

within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane. The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for the installation of an ATM cash machine to the front elevation of the premises.

Planning Considerations:

The main considerations are whether or not the proposal would give rise to an increase in crime in the area, and whether it is appropriate to the area.

The site falls within a shopping area and as such it is considered normal to find ATM's in such locations providing that they do not give rise to an increase in crime. The Metropolitan Police's Crime Prevention Design Advisor has advised the Council that he has no objections to the principles of the proposal, which has therefore been found to be acceptable.

Crime, as fear or reality prevents people from enjoying the full use of their environment. The council is committed to reducing opportunities for crime and fear of crime. In terms of the impact of the installation of this ATM on peoples perception of crime and crime itself, this development is not considered to result in crime or opportunities for crime. The subject property lies within a busy local shopping parade which has a sufficient level of natural surveillance as a result of the amount of pedestrian footfall and passing vehicular traffic. The streets and paths in the immediate vicinity are well and appropriately lit. It is considered that the development as proposed would not lead to opportunities to commit crime or affect peoples feelings of safety and security.

The proposed ATM is considered to have an acceptable impact on the character of the street scene and general area and on the appearance of the subject property and this part of the street scene. Equipment such as ATM machines are recognised as being part and parcel of a functioning viable town centre and in light of this, introducing an ATM in this location is not considered to be inappropriate.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal. As stated above, the use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

This application is recommended for approval, subject to conditions.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02922/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02924/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Stores Limited c/o CgMs Consulting

PROPOSAL: Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, 9716-101/A, 9716-105, 9716-316/B and Rating Industrial noise Affecting Mixed Industrial and Residential Areas - Report by KR Associates (UK) Ltd (received 11/07/2011) and 9716-311/A (received 09/08/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 noise assessment, by an approved acoustic consultant, shall be carried out in accordance with Planning Policy Guidance Notes 24 on the development that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings.

4. The level of noise emitted from the air conditioning and condenser units hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, ENV12 and ENV13.
 - ii) The proposal is acceptable for the following reason(s): -
Environmental Health have assessed the application and raise no objection, subject to conditions. The plant hereby approved will not cause undue noise and disturbance to neighbouring residential occupiers. The development has an acceptable impact on the character and appearance of this commercial property and accords with the aforementioned policies.
2. Environmental Health would encourage the Applicant to liaise with them to produce a delivery assessment in line with the 'silent approach scheme' which could include noise mitigating measures.
3. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS 1 -Delivering Sustainable Development.

The Mayor's London Plan: July 2011

Various.

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, ENV12 and ENV13.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

Policy CS5 - protecting and Enhancing Barnet's character to create high quality places.

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations.
CURRENT APPLICATION.

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building. CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 115
Neighbours Wishing To
Speak

Replies: 7

The objections raised may be summarised as follows:

- Bulky, noisy and air polluting
- CO2 emissions will be unacceptable
- Tesco will destroy local shops already on a thin profit margin
- The area will deteriorate
- The market is saturated
- Traffic chaos
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Internal /Other Consultations:

- Environmental Health -

No objection to the installation of air conditioning units.

A further noise survey should be submitted to demonstrate that the units can comply with the Council's noise requirements to be 5-10db below background noise.

Recommend conditions and informatives.

Recommend an informative with regard to deliveries and adopting a 'silent approach scheme'.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for the installation of plant equipment to the northern side of the building including three floor mounted air conditioning units and a fan condenser.

The proposed air conditioning units would be positioned on the side, north west facing wall at floor level and the top of these units would be some 1.67m above ground level. The proposed condenser would be 3.2m long, 1.15m deep and 1.67m high, located at ground level on the north facing side of the building.

These units would be a minimum of 10.5m from the boundary shared with the nearest residential property, Windsor Court, to the north.

Planning Considerations:

The air conditioning units and condenser will not be readily visible as they are sited to the rear of the building set adjacent to the existing car park which is bound by a fence. As a result, this development will not harm the character and appearance of the streetscene.

Given that the building at ground floor level is commercial in use the development is not considered out of character with the existing building and as such is not considered to detract from its character and appearance.

Environmental Health have assessed the application and have raised no objection. A noise survey has been submitted in support of the application, further details have been requested by a condition to ensure noise requirements are met. Environmental Health are confident that, subject to conditions, the air conditioning and condenser units would not harm neighbouring residential amenity and will not lead to levels of undue noise and disturbance.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

As this application does not consider the change of use from A4 to A1 implications of the use of the premises as a shop on traffic, parking, hours of use, and the vitality/viability of the shopping parade cannot be taken into consideration.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Given that permission is not required for the change of use the air conditioning units and condenser are considered to have an acceptable impact on the character and appearance of the building and the residential amenities of neighbouring occupiers. The development accords with the relevant policies.

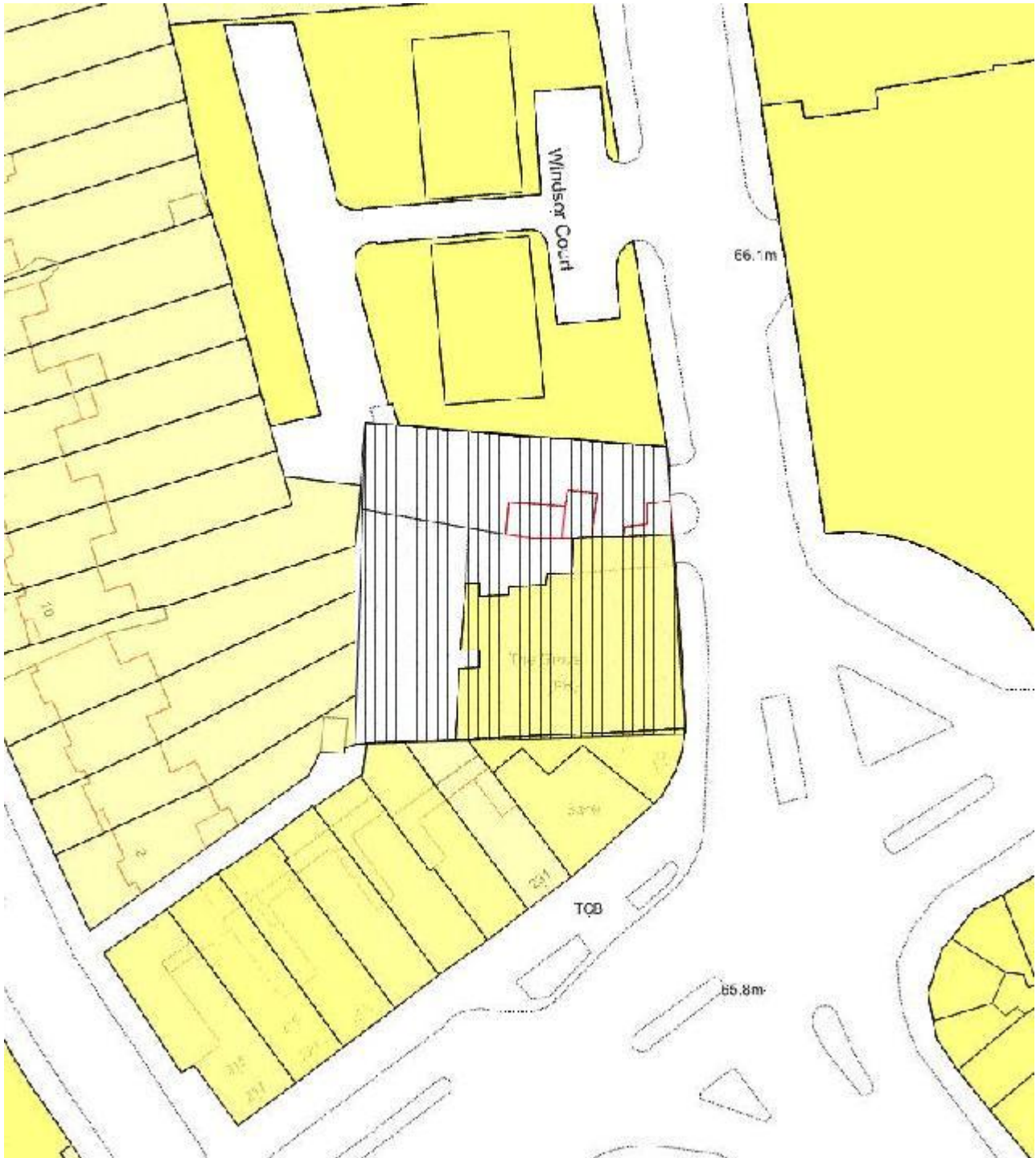
Approval is recommended, subject to conditions.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02924/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX
(Formerly The Grove)
REFERENCE: B/02927/11 **Received:** 11 July 2011
Accepted: 14 July 2011
WARD(S): Coppetts **Expiry:** 08 September 2011

Final Revisions:

APPLICANT: Tesco Property c/o CgMs Consulting
PROPOSAL: Installation of externally illuminated fascia signage and internally illuminated projecting signage and non illuminated signage to side of building.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, ORABEKE1C Front Elevation, ORANELE1C Side Elevation, 9716-101/A, 9716-105, 9716-515 and 9716-516/A (received 11/07/2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

4. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 1992 to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

5. The maximum luminance of the signs shall not exceed the values recommended in the association of Public Lighting Engineer's Technical Report No.5, Zone 3.

Reason:

In the interest of highway safety and amenity.

6. No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of the highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

7. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

8. The period of consent shall be a period of five years commencing with the date of this decision.

Reason:

To comply with Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, D2. Core Strategy (Publication Stage) 2010: CS5.

ii) The proposal is acceptable for the following reason(s): -

The proposed signage is considered to have an acceptable impact on the appearance of the host property and streetscene. The signage accords with the aforementioned policies and is considered to respect the size and scale of the host building.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPG19 - Outdoor Advertisement Control

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, D2.

Design Guidance Note No.1: Advertisements

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5.

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity.

Relevant Planning History:

B/02911/11 - Installation of shopfront and associated ground floor external alterations. CURRENT APPLICATION.

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3no. floor mounted air conditioning units and 1no. fan condenser unit to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 114
Neighbours Wishing To 0
Speak

Replies: 6

The objections raised may be summarised as follows:

- Historical importance of the pub is not respected. It would be an act of vandalism to change the nature of the trade on these premises
- Garish plastic, illuminated signs would be unacceptable on this period building.
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for an externally illuminated fascia sign, two internally illuminated projecting signs and a non illuminated sign at high level on the side of the building.

The fascia sign has a height of 0.5m and a width of 6.9m above the new shop front and existing window, 4m above ground level.

The projecting box signs each have a height of 0.5m, a width of 0.8m and will be sited at the same level as the fascia board, 4m above ground level. The signs will be placed at either end of the existing frontage.

The high level, non-illuminated sign will use the existing sign board. The existing sign will be re-decorated and new lettering will be installed. The sign will be 1.5m high by 1.5m wide and

will be set 4.7m above ground level on the northern side of the building.

Planning Considerations:

Carefully designed advertisements and signs can enhance the quality of our surroundings and contribute colour and variety to the environment. However, if poorly design or sited, they can reduce environmental quality and detract from the appearance of buildings and the street scene. Advertisements and signs should, where appropriate be well related to their surroundings in terms of size, scale and siting, be located to avoid visual clutter, not conflict with traffic signs or signals or be likely to cause confusion or danger to road users, respect the character and architectural details of any building on which they are to be located and should be carefully designed and controlled in sensitive areas such as conservation areas.

The council has produced a Supplementary Design Guidance Note 1: Advertising and Signs. This guidance recognises the importance of advertisements to the national economy. It is a material consideration when assessing applications of this nature.

The proposed signage for Tesco is considered to have an acceptable impact on the character of the host property, respecting the size and appearance of the building with it's siting and design. The signs proposed (apart from the projecting box sign) replace existing signs on the public house.

The externally illuminated fascia sign is considered to be acceptable. As this will be the main entrance sign to the commercial use at ground floor and directly facing the street, it is considered that this sign is acceptable. It would not harm the visual amenities of the locality and this type of sign is common along this part of the street. It clearly advertises the company and the sign is of a size which relates well to the design of the building at ground level, replacing the existing fascia sign for the public house.

The projecting sign is also considered to be acceptable as the positioning and size of the sign takes account of the building on which it will be placed. During the site visit, numerous examples of similar projecting signs were noted along the parade opposite, some of which were on a much larger scale and as such this type of signage is considered to be in keeping with the established character and appearance of the area. Internal illumination is also considered to be in-keeping.

The high level sign will use the board of the existing signage, the sign will be re-decorated and new pinned off lettering will be installed. Keeping the existing sign will ensure that the sign is not out of character with the building as it is already established.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

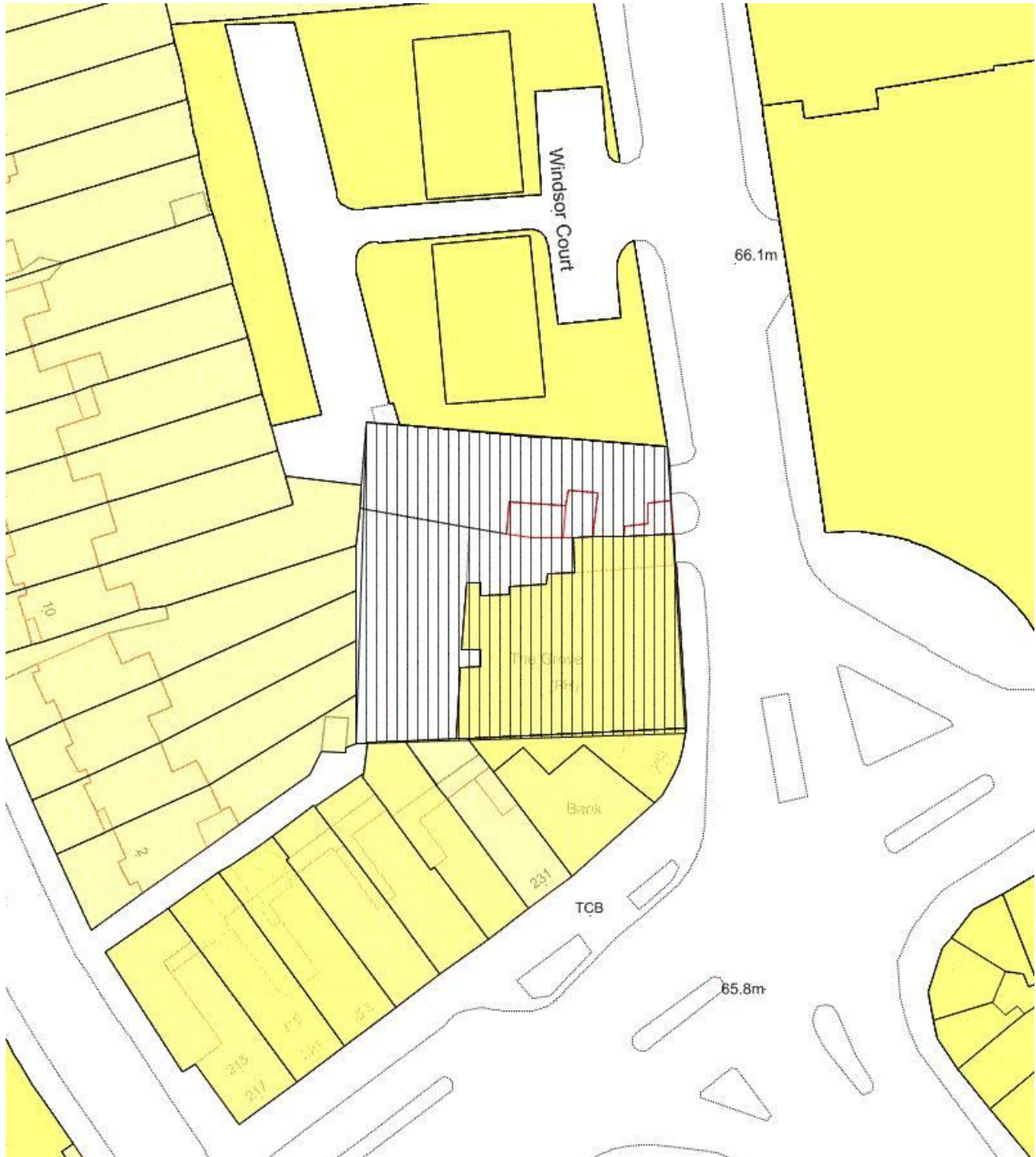
The proposed signage is considered to relate well to the appearance of the building on which they will be placed and on the character of the general street scene. They are considered to be in scale with the building and its surroundings and are not considered to create undue prominence. It is therefore recommended that these signs are approved.

**SITE LOCATION PLAN:
(Formerly The Grove)**

Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX

REFERENCE:

B/02927/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)
REFERENCE: B/02911/11
WARD(S): Coppetts

Received: 11 July 2011
Accepted: 14 July 2011
Expiry: 08 September 2011

Final Revisions:

APPLICANT: Tesco Stores c/o CgMs Consulting
PROPOSAL: Installation of shopfront and associated ground floor external alterations.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 9716-101/A, 9716-105, 9716-411/B, 9716-415 and 9716-416/C (received 11/07/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D22, D24, D25. Supplementary Design Guidance Note 10: Shopfronts.

Core Strategy (Publication Stage) 2010: CS5.

ii) The proposal is acceptable for the following reason(s): -

The proposed development is considered to have an acceptable impact on the character and appearance of the host property and the general locality. It accords with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS 1 -Delivering Sustainable Development

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, D22, D23 and D24.

Supplementary Design Guidance Note No 10: Shopfronts.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Barnet Development Management Policies DPD

DM01 - Protecting Barnet's character and amenity

Relevant Planning History:

B/02922/11 - Installation of ATM (Cash Machine) unit to front elevation. CURRENT APPLICATION.

B/02923/11 - Installation of 3No. ram raid bollards. CURRENT APPLICATION.

B/02925/11 - Installation of 3 no. non-illuminated car park signs. CURRENT APPLICATION.

B/02927/11 - Installation of externally illuminated fascia signage and internally

illuminated projecting signage and non illuminated signage to side of building.
CURRENT APPLICATION.

B/02912/11 - Infill of opening to rear adjoining building and associated external alterations including installation of new window to side elevation. CURRENT APPLICATION.

B/02924/11 - Installation of plant equipment including 3No. floor mounted air conditioning units and 1No. fan condenser units to side elevation. CURRENT APPLICATION.

Consultations and Views Expressed:

Neighbours Consulted: 115

Replies: 6 objections
1 comment

Neighbours Wishing To 0
Speak

The objections raised may be summarised as follows:

- The historical importance of the pub is not respected. It would be an act of vandalism to change the nature of the trade on these premises
- New large windows and signs will be out of keeping
- Parking is already limited for the existing shops and residential roads
- Traffic is already at a high level and this will add to the extra traffic cause by the road works on the North Circular
- The location is unsuitable for a shop, on the corner of a main junction
- The store exit is unsafe and may cause hold ups and accidents
- There are plenty of existing local shops serving the needs of the residential community
- There is already a large Tesco nearby
- Loading and unloading for neighbouring shops will be more difficult
- Lighting, pollution and noise will disturb and harm neighbouring residents
- Lorries will have a direct effect on the amenities of neighbours
- Deliveries will have a detrimental effect on the surrounding road network
- Deliveries will raise health and safety concerns
- Illuminated signs are in close proximity to residential neighbours and will disturb them at night
- Local residents were not made aware of this proposal.

Comments:

- Support for the new use which will lift the retail area
- Request for the railings at the cross roads to be removed as they do not contribute to the streetscene
- A section 106 agreement should require the removal of the railings.

Internal /Other Consultations:

Urban Design and Heritage:

The shop front has been well designed so that it is in keeping with the application property. The use of timber is encouraged and no objection is raised.

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the western side of Friern Barnet Lane close to the junction shared with Woodhouse Road, Friern Barnet Road and Colney Hatch Lane. The site is within the Friern Barnet Town Centre and sits adjacent to residential properties.

The site has two distinct elements: on the southern part of the site is the large, two storey detached building, the Orange Tree Public House, on the remaining part of the site is the car park with vehicular access to Friern Barnet Lane.

The use of the premises as Class A1 (Shops) is lawful and does not require planning permission.

Proposal:

Planning permission is sought for the installation of a new shop front, a new window and associated ground floor alterations.

Planning Considerations:

The new shop front is considered to be of an appropriate size, siting and design and is not considered to dominate the frontage of the public house. The materials to be used include timber and glazing which are both in-keeping with the existing building.

The shop front is considered to be in proportion and scale with the existing building. The new shop front is not considered to unbalance the existing frontage and is considered to retain much of the original character of the building given its limited size.

The shopfront will enable disabled access into the building.

Other alterations include sealing and making good the existing doors to the front, making good the existing timber moulding and making good other original features to the front of the property. In addition to this, door openings to the side and rear will be infilled to match the existing building, the door to the rear of the site will be replaced with a new security door and an existing area of hard standing to the rear will be resurfaced to create a level threshold to the property from the back.

A new window is also proposed and is considered acceptable, in-keeping with other windows on the frontage. The window will replace other openings and signage and is considered to improve the appearance of the building.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Given that permission is not required for the change of use the proposed development is considered to have an acceptable impact on the character and appearance of the building and the general streetscene. The alterations being considered are not considered to harm neighbouring residential amenity to an unacceptable degree and the development is considered to accord with Council policy and guidance. Approval is recommended, subject to conditions.

SITE LOCATION PLAN: Orange Tree PH, 2 Friern Barnet Lane, London, N11 3LX (Formerly The Grove)

REFERENCE: B/02911/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 42 Church Lane, London, N2 8DT

REFERENCE: F/02392/11

Received: 06 June 2011

Accepted: 06 June 2011

WARD(S): East Finchley

Expiry: 01 August 2011

Final Revisions:

APPLICANT: Gallery Zadah Pension Fund

PROPOSAL: Demolition of existing outbuildings and erection of two storey self-contained residential unit adjoining the rear of 42 Church Lane.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, Drawings 932-BA-120A, 932-BA-119A, 932-BA-118A, 932-BA-117A, 932-BA-116A, 932-BA-115A, 932-BA-114A, 932-BA-112A, 932-BA-111A, 932-BA-110A.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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. No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

4. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

5. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

6. Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

7. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.

8. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

9. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows:
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GSD, GLand, GBEnv1, GBEnv2, GParking, GEMP2, EMP4, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.

Core Strategy (Publication Stage) 2010:

Relevant Core Strategy Policies:

Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach

Policy CS 3 Distribution of growth in meeting housing aspirations

Policy CS 4 Providing quality homes and housing choice in Barnet

Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places

Policy CS 13 Ensuring the efficient use of natural resources

Relevant Development Management Policies:

DM01 Protecting Barnet's character and residential amenity

DM02 Design considerations for development

DM03 Environmental considerations for development

DM06 Ensuring a variety of sizes of new homes to meet housing need

DM14 Parking standards and travel impact

ii) The proposal is acceptable for the following reasons: The proposal would ensure the protection and enhancement of the character and appearance of East Finchley in line with UDP policies. It represents an efficient justified use of the land. Subject to a number of conditions to control the quality of materials and detailing the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1, PPS3

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

GSD, GLand, GBEnv1, GBEnv2, GParking, GEMP2, EMP4, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.

Supplementary Planning Documents:

Sustainable Design and Construction (2007)

Contributions to Education (2008)

Contributions to Libraries (2008)

Contributions towards Health (2009)

Planning Obligations for S106 Agreements (2007)

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework

(LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
Policy CS 3 Distribution of growth in meeting housing aspirations
Policy CS 4 Providing quality homes and housing choice in Barnet
Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
Policy CS 13 Ensuring the efficient use of natural resources

Relevant Development Management Policies:

DM01 Protecting Barnet's character and residential amenity
DM02 Design considerations for development
DM03 Environmental considerations for development
DM06 Ensuring a variety of sizes of new homes to meet housing need
DM14 Parking standards and travel impact

Relevant Planning History:

Site Address: 42 Church Lane N2
Application Number: C05607
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/12/1975
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **change of use from shop/residential to Council Offices.**

Site Address: East Finchley Advice Service, 42 Church Lane, London, N2 8DT
Application Number: 04190/09
Application Type: Full Application
Decision: Refuse
Decision Date: 18/11/2010
Appeal Decision: DISMISSED
Appeal Decision Date: 18/11/2010
Proposal: **Demolition of existing ground floor annexes and construction of new three storey dwelling house with basement and roof terrace to rear of 42 Church Lane fronting King Street.**
Case Officer: David Campbell

Site Address: 42 Church Lane, London, N2 8DT
Application Number: 02936/10
Application Type: Full Application
Decision: Refuse
Decision Date: 06/09/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Three storey rear extension and extension of existing basement following demolition of existing rear extension and outbuildings to create a self contained office to the rear of the property. Associated alterations to South and West elevations and new parapet wall.**
Case Officer: David Campbell

Site Address: East Finchley Advice Service, 42 Church Lane, London, N2 8DT
Application Number: 04409/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/12/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of existing offices on 1st & 2nd floors and rear ground floor to 5No. residential units with associated extension at basement level and formation of bin enclosure. Access fronting King Street.**
Case Officer: Fabien Gaudin

Site Address: East Finchley Advice Service, 42 Church Lane, London, N2 8DT
Application Number: F/00504/11
Application Type: Conditions Application
Decision: Approve
Decision Date: 02/03/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of Condition 3 (Education/ Libraries/ Health Obligations) pursuant to planning permission F/04409/10 dated 21/12/10.**
Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 71 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- loss of light and associated security issues
- impact on parking
- loss of privacy
- overshadowing
- overlooking and loss of privacy
- land ownership issues and resultant access issues

Internal /Other Consultations:

- Traffic & Development - no objection
- Thames Water - no objection

Date of Site Notice: 16 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site lies on the corner of Church Lane and King Street within the East Finchley ward. The surrounding area is largely residential but does have a few other uses including the existing building at 42 Church Lane which is used as an advice service. This section of Church Lane is also a one way street and leads towards the High Road. The site does not fall within a conservation area.

The surrounding area is comprised of a mixture of different tenures and some non-residential uses, which largely incorporate brick on the external surfaces and pitched roofs; although there are some which have been rendered. There are a mixture of different designs with no one style being dominant.

Proposal:

The proposals relate to the demolition of the existing outbuildings and the construction of a two storey self contained residential unit. Following discussions between the applicant and officers, the scheme has been amended since first being submitted.

Planning Considerations:

A planning application for a larger scheme consisting of a three storey dwelling house with basement and roof terrace was refused in 2010 and later dismissed at appeal. A copy of the appeal decision is attached.

As part of his appeal decision, the Inspector identified 3 main issues:

- The character and appearance of the area around Church Lane and King Street,
 1. The living conditions of the occupiers of neighbouring residential properties by way of light and outlook, and
 2. The living conditions of future occupiers of the property by way of amenity space.

Taking each issue in turn:

3. The character and appearance of the area around Church Lane and King Street

The Inspector considered that the dwelling would not, on visual grounds, adversely affect the appearance of the area or that a dwelling using modern design principles and materials, as would be the case with the refused and currently proposed development, would necessarily be out of character.

The Inspector however commented that the character of an area is not just defined by its buildings and had concerns regarding the impact of the proposal on the spaces within the surrounding area. The refused scheme would have occupied the whole of its plot and, in so doing, the Inspector commented that it would deprive No 42 of any external space, whilst also largely blocking off existing views of the small spaces behind neighbouring properties on Church Lane and King Street.

The Inspector concluded that balancing the site and building design issues involved, the proposal would have been harmful to the character of the area around Church Lane and King Street.

The scheme currently proposed has been greatly reduced since the appeal decision. It is still of a relatively modern design which the Inspector did not object to. Turning to the main objection at the time of the appeal relating to spaces and views, it is considered that the reduced building would now respect the pattern of buildings and spaces in this part of the road. The reduced height, massing and bulk ensure that views are not blocked off for neighbouring sites. Since the appeal decision, number 42 was granted planning permission for use as flats without external amenity space. The proposals would therefore not deprive the property of outdoor amenity space.

The first reason for dismissing the appeal is considered to have been addressed by the resubmission.

- The living conditions of the occupiers of neighbouring residential properties by way of light and outlook

As part of the appeal, the Inspector found that the proposal would be harmful to the living conditions of the occupiers of Nos 38 and 40 Church Lane by way of light and outlook. The amended proposals have been greatly reduced in height and mass and those issues are considered to have now been addressed.

- The living conditions of future occupiers of the property by way of amenity space.

Policy H16 of the UDP indicates that new residential developments should provide, amongst other things, adequate daylight, residential amenity, and garden or amenity space. Policy H18 sets out outdoor amenity space standards which consist of 40 square metres of amenity space should be provided for a house with up to 4 habitable rooms or 5 m² per habitable room for flatted development.

As part of the appeal, the Inspector considered the standard of amenity space both poor in size and quality and concluded that the proposed dwelling would provide inadequate amounts and types of external amenity space.

The current scheme proposes a smaller dwelling less suitable for use as a family house and more similar in size and appeal to a flat. It is in fact comparable to the type of flatted accommodation recently granted at the neighbouring site 42 Church Lane. The proposals include the provision of a covered private balcony which is considered sufficient for the type of accommodation proposed. It is considered that this provision of outdoor space, the type of unit proposed and the planning history at the neighbouring site would not warrant refusal for the application on this ground and that the Inspector's previous concerns have been addressed.

Other matters:

Sustainability

The Sustainable Design and Construction SPD states that proposals for such developments need to demonstrate compliance with both the broader sustainable design principles and the specified environmental minimum requirements. Where an applicant considers that certain minimum requirements are not viable or deliverable, they will be expected to demonstrate this through design and feasibility studies.

The Council expects that proposals for such developments show how they fully embrace the principles, guidance and minimum requirements set out in the SPD. Any aspect of a proposal which does not fully comply with what is set out in this SPD will need to be fully

explained and justified through appropriate feasibility studies. A condition requiring the scheme to achieve Code 3 of the Sustainable Homes is required.

Contributions

Highways:

Highways officers have made the following comments:

"The proposal is for the demolition of the existing outbuildings and erection of a two storey building to provide a 2 bedroom accommodation. No vehicular parking is proposed. Two cycle parking are proposed.

The parking standards set out in the UDP 2006 requires parking provision of 1.5 to 1 parking spaces per unit for a 2/3 bedroom units. As no parking is provided for the proposed development it does not meet the parking standards.

However, a proposal for a 3 bedroom residential accommodation was refused on highway grounds in 2009 and a planning appeal was lodged by the applicant against the refusal. The planning inspector at the appeal did not consider that the application merited refusal on highway grounds although the appeal was dismissed on planning grounds.

Although the application does not meet the parking standards as set out in UDP 2006, in view of the Planning Inspectors previous appeal decision and considering that the application is for a smaller development consisting of a 2 bedroom unit, [there are] no objection on highway grounds.

Based on the planning inspectors previous decision the application is recommended for approval on highway grounds".

Planning contributions:

Government Circular 05/05 and the Council's adopted SPD for related planning obligations is applicable for this site in respect of the following areas:

Education: Under Policy CS8 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future education needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Education available on the Council's website. As proposed, the figure is £2,659.

Library Services: Policy CS2 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities. A contribution will be sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services available on the Council's website. As proposed, the figure is £244 for the residential aspect of the development.

Health: Under Policy CS13 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future health needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Health available on the Council's website. As proposed, the figure is £1,184.

Monitoring Contribution: The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. The amount of contribution being sought would depend upon the final scheme. The figure is £204.35.

All of the above contributions are sought under Policies IMP1 and IMP2 of the Adopted UDP (2006) and subject to a planning condition.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal would ensure the protection and enhancement of the character and appearance of East Finchley in line with UDP policies. It represents an efficient justified use of the land. Subject to a number of conditions to control the quality of materials and detailing the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives. **APPROVAL** is recommended.



Appeal Decision

Site visit made 14 October 2010

by J D Westbrook BSc(hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 November 2010

Appeal Ref: APP/N5090/A/10/2131555

East Finchley Advice Service, 42 Church Lane, London, N2 8DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alex Zadah against the decision of the Council of the London Borough of Barnet.
 - The application Ref F/04190/09, dated 16 November 2009, was refused by notice dated 13 January 2010.
 - The development proposed is the demolition of ground floor annexes and the construction of a new three-storey dwelling house with basement and roof terrace in the rear yard of 42 Church Lane fronting King Street.
-

Decision

1. I dismiss the appeal.

Main issues

2. The main issues in this case are the effects of the proposed dwelling on:
 - The character and appearance of the area around Church Lane and King Street,
 - The living conditions of the occupiers of neighbouring residential properties by way of light and outlook, and
 - The living conditions of future occupiers of the property by way of amenity space.

Reasons

3. The appeal site comprises land to the rear of No 42 Church Lane (No 42), which is a brick-built, three-storey building, currently used as a neighbourhood centre by the East Finchley Advice Service. No 42 is a corner plot with a long return frontage on King Street. The land to the rear includes small brick-built single-storey annexes and outbuildings within a rear yard.

Character and appearance

4. No 42 is a tall yellow-brick property with a complex façade and roof structure to King Street. It has a ground-floor bay window to the rear of this elevation and a shop window wrapping round the junction with Church Lane. The upper floors have windows with a vertical emphasis and narrow bands of red brick to
-

line up with window placements. The rear elevation continues the window type and level but excludes the bands of red brick. In all other respects the rear elevation complements the side elevation.

5. Nos 4 and 5 King Street are two-storey dwellings, also in yellow brick, but of a more simple, modern design. Although they are semi-detached, they have differing front window depths. Other properties in the vicinity are of varied design and height, such that there is no clearly defined architectural character in the vicinity. On this basis, I do not consider that a dwelling using modern design principles and materials, as would be the case with the proposed development, would necessarily be out of character.
6. In this case, I find that the inset portion of the front elevation would reflect the inset in the centre of the King Street façade of No 42. Furthermore, the overall height of the building, when seen from King Street, would share elements of the height of No 42 Church Lane and No 5 King Street at ridge and eaves levels, and would, in my opinion, form an acceptable visual link between the two properties. I have some concerns regarding the lack of consistency between the window levels in No 42 and the proposed dwelling, and the mixture of materials that would be apparent from the road. However, on balance, I find that the proposed dwelling would not, on visual grounds, adversely affect the appearance of the area.
7. However, the character of an area is not just defined by its buildings and I have more significant concerns regarding the impact of the proposal on the spaces within the surrounding area. The area around this part of Church Lane and King Street, whilst of a relatively high density, maintains space between buildings. Most properties in the vicinity have small- to medium-sized rear gardens or yards, and some, including Nos 4 and 5 King Street and the dwellings on King Street opposite to the appeal site, also have small front gardens. The proposed dwelling would occupy the whole of its plot and, in so doing, it would deprive No 42 of any external space, whilst also largely blocking off existing views of the small spaces behind neighbouring properties on Church Lane and King Street.
8. In conclusion on this matter, therefore, and balancing the site and building design issues involved, I find that the proposal would be harmful to the character of the area around Church Lane and King Street, and that it would conflict with policies GBEnv1, D2, D3, and D4 of the Barnet Unitary Development Plan (UDP).

Living conditions in neighbouring properties

9. No 42 has a long, full-height and full width rear extension. Nos 38 and 40 Church Lane have smaller rear extensions that slope down to a low first floor level. There are windows in the rear elevations of these properties. The proposed dwelling would be located to the west and north-west of these properties and would significantly fill the current gap between No 42 Church Lane and No 5 King Street. It would reach, and in parts extend higher than, the current eaves level of No 42. The outcome would be that afternoon and early evening light would be blocked from the rear elements of Nos 38 and 40. Furthermore, the existence of a three-storey high blank wall along the side

boundary of No 40 would result in an oppressive outlook for the occupiers of that property and, to a lesser extent, those of No 38.

10. For these reasons, I find that the proposal would be harmful to the living conditions of the occupiers of Nos 38 and 40 Church Lane by way of light and outlook, and that it would conflict with policies GBEnv2, D5 and H16 of the UDP.

Amenity Space

11. Policy H16 of the UDP indicates that new residential developments should provide, amongst other things, adequate daylight, residential amenity, and garden or amenity space. Policy H18 indicates that 40 square metres of amenity space should be provided for a house with up to 4 habitable rooms. The current proposal would provide only about 20 square metres in the form of a small roof terrace, small balconies at first and second floor levels, and a lower terrace at basement level. This is significantly below the standards given in the UDP. Furthermore, the lower terrace would have a depth of only 0.9 metres and would be some 2.5 metres below ground level. It would face a blank wall which, for a significant part of its width would extend well above ground level. In my opinion, this would result in an oppressive outlook and render the amenity space unattractive and undesirable.
12. I have no information on levels of light reaching the rear portion of the basement dining room, but given the depth of the basement, the limited extent of the lower terrace, and the existence of a high wall in front of much of the light well, I consider it likely that such levels would be low and potentially unsatisfactory.
13. I conclude on this issue that the proposed dwelling would provide inadequate amounts and types of external amenity space and, in addition, that the occupiers would have an oppressive outlook from the basement dining room and the amenity space of the lower terrace. In these respects, the proposal would conflict with policies H16 and H18 of the UDP.

Other Matters

14. The Council contends that the proposed dwelling should provide at least one parking space. The appellant contends that the site is in an accessible location and that he has provided a dedicated cycle store to encourage the use of more sustainable means of transport. I have sympathy with this view, even though the appellant has no control over the choices made by future occupiers of the house. Nevertheless, the site is small and moderately accessible, and I do not consider this issue to be sufficient reason to dismiss this appeal.
15. The Council contends that the proposal makes no provision for the storage of refuse and recycling bins. The appellant notes that such bins could be kept in the cycle store. I have no details on the size or requisite number of bins for a dwelling such as the one proposed, but I am not convinced that the cycle store would be large enough to conveniently accommodate both a cycle (or more than one cycle) and two or more bins. I have even more concern about the effect of the proposal on the ability of the East Finchley Advice Service to store its refuse and recycling bins (which would presumably be larger and/or more numerous) in the absence of any external space to do so.

16. Furthermore, it would seem important in the cause of sustainability that the Advice Service had space outside to provide a cycle store. Again, this would be lost in the event of the existing yard being developed for a house. The advantages of providing for sustainable transport in the house would, in this case, be offset by loss of opportunities to encourage cycle use associated with the Advice Service. The issue of lost external space for use by the Advice Service adds to my concerns about the adverse impacts of this proposal.
17. Policies IMP1 and IMP2 of the UDP indicate that the Council will require new developments to provide for facilities necessary to support and serve it. This is done through the use of Section 106 Obligations. The Council also has a number of Supplementary Planning Documents (SPDs) to supplement these policies. In the case of the proposed dwelling, the Council requires the appellant to enter into a Section 106 Obligation to contribute to education, library, health and social care facilities. It would appear that there may have been communication problems with regard to this issue. In any event, there is no such obligation before me and I cannot comment more on this matter.
18. Finally, I note that the proposal would involve the infilling of existing windows in the rear elevation of No 42. This would leave some of the rooms in the rear of the building with no source of light. The appellant contends that this could be overcome by reconfiguration of the rooms. I have no information as to whether any of the relevant internal walls are of a load bearing nature, but such a reconfiguration, if possible, would appear to require the removal of chimneys, and would leave very large rooms on the first and second floor, each served by a very small window. I consider that this would be an undesirable outcome and that the proposal to infill the rear windows would render No 42 less flexible for any future use and would potentially be harmful to its character. Again, this adds to my conclusions regarding the unacceptability of the proposal as a whole.

J D Westbrook

INSPECTOR

SITE LOCATION PLAN: 42 Church Lane, London, N2 8DT

REFERENCE: F/02392/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Dick Turpin, 383 Long Lane, London, N2 8JW
REFERENCE: F/03082/11 **Received:** 21 July 2011
WARD(S): East Finchley **Accepted:** 21 July 2011
Expiry: 15 September 2011

Final Revisions:

APPLICANT: Mr A H Warwick

PROPOSAL: Erection of a two storey building plus rooms in roofspace and basement living accommodation and parking, all to facilitate 8 residential flats following demolition of the public house.

RECOMMENDATION: Approve Subject to S106 Agreement

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £17,436.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £1,112.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £8,708.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Open Spaces (boroughwide) £3,500.00**
A contribution towards the improvement of Open Spaces in the London Borough of Barnet.
- 7 **Monitoring of the Agreement £881.80**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/03082/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, Drawings 1334.P.01C, 1334.P.02, 1334.P.03C, 1334.P.04C.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 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 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

5. Before the building hereby permitted is occupied all proposed window shown as "Fixed window Obscure glazing" on drawing 1334.P.04C 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

6. Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

7. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

8. Part 1

Before development commences other than for investigative work:

A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.-

a. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- b. a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

9. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

10. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

13. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

14. The level of noise emitted from the **any** plant or machinery hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

15. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and

recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

- 16 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows:
i) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GSD, GLand, GBEnv1, GBEnv2, GParking, GEMP2, EMP4, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.

Supplementary Planning Documents:

Sustainable Design and Construction (2007)
Contributions to Education (2008)
Contributions to Libraries (2008)
Contributions towards Health (2009)
Planning Obligations for S106 Agreements (2007)

Core Strategy (Publication Stage) 2010:

Relevant Core Strategy Policies:

Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
Policy CS 3 Distribution of growth in meeting housing aspirations
Policy CS 4 Providing quality homes and housing choice in Barnet
Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
Policy CS13 Ensuring the efficient use of natural resources

Relevant Development Management Policies:

DM01 Protecting Barnet's character and residential amenity
DM02 Design considerations for development
DM03 Environmental considerations for development
DM06 Ensuring a variety of sizes of new homes to meet housing need

The Community Infrastructure Levy Regulations 2010

ii) The proposal is acceptable for the following reasons:

The proposal would ensure the protection and enhancement of the character and appearance of East Finchley in line with UDP policies. It represents an efficient justified use of the land. The number of units proposed is considered acceptable on site. Subject to a number of conditions to control the quality of materials and detailing the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2. In complying with the contaminated land condition parts 1 and 2:

Reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents;
- 2) Planning Policy Statement 23 (PPS 23) - England (2004);
- 3) BS10175:2001 Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

3. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of

road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

4. Your attention is drawn to the fact that this decision is subject to a Section 106 Planning Obligation.

RECOMMENDATION III

That if an agreement has not been completed by 04/11/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/03082/11 under delegated powers for the following reasons:

- a. The proposed development does not include a formal undertaking to meet the costs of extra education places and community benefit arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet supplementary Planning Document - Contributions to Education from Development February 2008, Policy CS8 of the Adopted Unitary Development Plan (2006) and Government Planning Policy Statement PPS1.
1. The proposed development does not include a formal undertaking to meet the costs of extra libraries and related cultural/learning facilities arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Document on Contributions to Library Services and Policy CS2, IMP1 and IMP2 of the Adopted Unitary Development Plan 2006.
2. The proposed development does not include a formal undertaking to meet the costs of extra health facilities arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Document on Contributions to Health Services and Policy CS13, IMP1 and IMP2 of the Adopted Unitary Development Plan 2006.
3. The proposed development does not include a formal undertaking to meet the monitoring of planning obligations as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Document on Planning Obligations (2006) and Policies IMP1 and IMP2 of the Adopted Unitary Development Plan 2006.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1, PPS3

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GSD, GLand, GBEEnv1, GBEEnv2, GParking, GEMP2, EMP4, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.

Supplementary Planning Documents:

Sustainable Design and Construction (2007)
Contributions to Education (2008)
Contributions to Libraries (2008)
Contributions towards Health (2009)
Planning Obligations for S106 Agreements (2007)

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
Policy CS 3 Distribution of growth in meeting housing aspirations
Policy CS 4 Providing quality homes and housing choice in Barnet
Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
Policy CS 13 Ensuring the efficient use of natural resources

Relevant Development Management Policies:

DM01 Protecting Barnet's character and residential amenity
DM02 Design considerations for development
DM03 Environmental considerations for development
DM06 Ensuring a variety of sizes of new homes to meet housing need
DM14 Parking standards and travel impact

Relevant Planning History:

None directly relevant to the current proposals.

Consultations and Views Expressed:

Neighbours Consulted:	96	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- lack of off street parking spaces
- subsidence / impact of construction

Internal /Other Consultations:

4. Traffic & Development - no objection
 - Campaign For Real Ale (CAMRA) - no response

Date of Site Notice: 04 August 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a public house single family house at the corner of Long Lane and New Trinity. Most buildings in this part of East Finchley date from the Victorian period and vary in design. They include terraced houses on New Trinity Road and semi-detached houses on Long Lane. Overall, they form an attractive streetscene of which the pub forms an important feature. The pub is contemporary to surrounding Victorian buildings. The site currently has three vehicular accesses.

Proposal:

The proposal is for the demolition of the existing public house and erection of a two storey building to provide 8 residential units comprising 2 x 1 bedroom units and 6 x 2 bedroom units. 8 car parking spaces are being provided in the basement and a disabled parking space is provided at ground level.

Planning Considerations:

Principle of redevelopment including employment issues:

The threat of the loss of an employment site has to be set against forecasts indicating a future demand for employment land in Barnet during the period up to 2015. The resulting conflict makes it important that the borough's existing stock of employment land is retained. Any such proposed change of use must comply with policies EMP2 and GEMP4.

In considering the Unitary Development Plan Policies for the protection and consolidation of employment land, paragraph 10.3.9 makes it clear that the improvement of the competitiveness of the local economy is a key aim of the council, together with the creation of jobs in the local economy which meet local needs. Industrial and business sites in Barnet are a principal source of jobs for the borough's residents. Such sites make an important contribution to the competitiveness of both the local and regional economy. The consolidation and promotion of business and industry on these sites will contribute towards the continued development of a healthy and stable economy in Barnet.

In considering such a change of use, the Unitary Development Plan states that sites may be re-developed if there is no interest expressed in its use as an industrial site in its current form for a period of at least 18 months, and it has been actively marketed for such re-use or redevelopment. Although it is acknowledged that this is not an industrial site, it is still considered that the same principles should apply.

Marketing details have been submitted and based on the current state of the site and the marketing information, it is considered that the small loss of employment floorspace is acceptable. The use as a pub is not considered viable.

Character:

PPS1 states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted. This is reinforced by Policies D1, D2, D3, D4, D5, D6 and H16 of the Adopted UDP (2006) which advocate that the design and layout of proposals should be of a high standard which complements the character of the existing development in the vicinity of the site and maintains a harmonious street scene.

PPS3 advocates that local planning authorities should avoid developments which make inefficient use of land. It is considered that the proposal would represent an efficient use of previously developed land in accordance with national legislation, the London Plan and policy H21 of the Adopted UDP.

The proposed scheme has been the subject of pre-application discussions between the applicant and officers and a number of amendments have been made to ensure that the building would not appear as an incongruous and obtrusive addition to the streetscene. The site is relatively small and the great effort has been made to ensure that the redevelopment does not result in overdevelopment.

The site is relatively prominent in the streetscene due to its corner location. At the moment, the pub building offers interesting features and provides a link between Long Lane and New Trinity Road. The proposed corner view has been the subject to several discussions and it is considered that its design would provide sufficient architectural interest and respect the quality of existing surrounding buildings .

The elevation facing New Trinity Road relates appropriately with terraces along the road. The proposed eaves are of similar height to existing. The overall design is considered to pick up on various architectural features of nearby Victorian buildings in terms of general proportions, fenestration or use of materials.

The general mass and bulk of the proposed development is considered to be compatible with the surrounding area.

Amenity:

As proposed, the development would not result in significant harm to the amenity of neighbouring residents. Overlooking standards of 21m between habitable rooms and 10.5m between habitable rooms and neighbouring gardens at ground and first floor level are met.

All proposed flats would provide suitable standards of amenity for future occupiers and would comply with space standards set out in annexe 1 of the Adopted Sustainable Design and Construction Supplementary Planning Guidance (2007).

The provision of outdoor amenity space for future occupiers is restricted to the ground floor flats. To accord with Policy H18 the Council require garden space for new flats comprising of 5m² per habitable room. The scheme would provide two private gardens to the rear of the site that would meet the needs of future occupiers of flats A and B. The rest of the flats would have no outdoor amenity space.

The policy recognises that proposals in or near town centre sites may be exempt from this requirement if alternative amenities are provided. The site is not near to a town centre but is located close to a neighbourhood centre where alternatives are proposed. The non-provision of outdoor amenity space is not considered sufficient to warrant refusal for the application due to the location of the site and the type of units subject to the payment of £1000 per unit towards the upkeep of local parks.

Sustainability

The Sustainable Design and Construction SPD states that proposals for such developments need to demonstrate compliance with both the broader sustainable design principles and the specified environmental minimum requirements. Where an applicant considers that certain minimum requirements are not viable or deliverable, they will be expected to demonstrate this through design and feasibility studies.

The Council expects that proposals for such developments show how they fully embrace the principles, guidance and minimum requirements set out in the SPD. Any aspect of a proposal which does not fully comply with what is set out in this SPD will need to be fully explained and justified through appropriate feasibility studies. A condition requiring the scheme to achieve Code 3 of the Sustainable Homes is required.

Highways matters:

Highways officers have advised as follows:

"8 car parking spaces are being provided in the basement with dual lift access. 6 metre deep waiting area is provided in front of the lifts to ensure that the cars do not wait in the road whilst the lifts are in use. 4 cycle parking spaces are being provided. A disabled parking space is provided at ground level. The parking provision is in accordance with the Parking Standards set out in the London Borough of Barnet Adopted Unitary Development Plan 2006. The proposal is acceptable on highways grounds subject to [...] conditions and informatives".

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters considered to have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. SECTION 106 ISSUES

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

Government Circular 05/05 and the Council's adopted SPD for section 106 related planning obligations is applicable for this site in respect of the following areas:

Education

Under Policy CS8 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future education needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Education available on the Council's website. As proposed, the figure is £17,436.

Library Services

Policy CS2 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities. A contribution will be sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services available on the Council's website. As proposed, the figure is £1,112 for the residential aspect of the development.

Health

Under Policy CS13 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future health needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Health available on the Council's website. As proposed, the figure is £8,708.

Local Parks

The shortage of amenity space on site would result in increased use of local parks. The applicant has agreed a £6,000 contributions towards their upkeep.

Monitoring Contribution

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. The amount of contribution being sought would depend upon the final scheme. The figure is £1,662.80.

All of the above contributions would be sought under Policies IMP1 and IMP2 of the Adopted UDP (2006).

6. CONCLUSION

The proposal would ensure the protection and enhancement of the character and appearance of East Finchley in line with UDP policies. It represents an efficient justified use of the land. The number of units proposed is considered acceptable on site. Subject to a number of conditions to control the quality of materials and detailing the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would

have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. **APPROVAL** is recommended.

SITE LOCATION PLAN: Dick Turpin, 383 Long Lane, London, N2 8JW

REFERENCE: F/03082/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 5 Greenacre Close, Barnet, Herts, EN5 4QB

REFERENCE: B/01981/11

Received: 09 May 2011

Accepted: 09 May 2011

WARD(S): High Barnet

Expiry: 04 July 2011

Final Revisions:

APPLICANT: Sid Owen

PROPOSAL: Retention of existing boundary wall and fence with proposed alterations.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 3706/11/1 and 3706/11/2 (received 22/08/2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D5.
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5
 - ii) The proposal is acceptable for the following reason(s): -
The proposed wall and fence are now considered to have an acceptable impact on the character and appearance of the host property and residential streetscene of Greenacre Close. The wall and fence are considered to accord with the aforementioned policies.
2. The alterations to the brick piers, walls and fence as approved shall be fully implemented within 2 months of the date of this decision notice to ensure that the existing unlawful works are removed in order to address the outstanding enforcement investigation.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, D5. Council Design Guidance Note No.9 - Walls, Fences and Gates.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

Application:	Planning	Number:	B/04585/09
Validated:	17/12/2009	Type:	HSE
Status:	DEC	Date:	11/03/2010
Summary:	APC	Case Officer:	Fiona Dinsey
Description:	Two storey side extension and new front porch. Single storey rear extension and single storey side extension. Conversion of garage. Alterations to roof including rear dormers to facilitate a loft conversion.		

Consultations and Views Expressed:

Neighbours Consulted: 8
Neighbours Wishing To
Speak

Replies: 5

A joint letter with 10 signatures was also received in opposition to the development.

The objections raised may be summarised as follows:

- Out of character with the rest of properties in the Close which have open plan gardens
- Development is an eyesore
- Concrete posts sticking up above the fence make the site look like a prison
- Development obscures the view of traffic coming down the Close
- Traffic visibility concerns
- Dangerous development for pedestrians

- If a front wall is required it should be only to delineate the boundary and be no higher than necessary to prevent car theft
- The fence sits beyond the front building line
- Corner position makes the application site more sensitive and makes the front boundary unusually long
- Open plan nature of the original house has been lost
- Detrimental to the local environment
- There is a protective covenant
- Brickwork is out of keeping with the Neo-Georgian design of the houses.

Internal /Other Consultations:

- Hertsmere Borough Council -
The retrospective works will not cause any detriment to the visual character and appearance of land lying within Hertsmere Borough Council, nor the residential amenities of local residents residing within the boundaries of Hertsmere Borough Council.
- Highways -
No objection.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is situated on the northern side of Greenacre Close, a cul-de-sac, and relates to a two storey detached dwelling house which is of single family occupation. It occupies a prominent corner position on the turning head of the cul-de-sac.

The house has recently been extended by way of a two storey side extension, single storey rear extension, a porch and roof extensions.

Site levels vary along Greenacre Close and the application property is located at a higher ground level to neighbouring properties on the other side of the cul-de-sac, to the east.

The dwelling is of a similar design and character other properties on Greenacre Close and the surrounding area is residential.

The site is located outside the Monken Hadley Conservation Area but is within the North Barnet (with North Enfield and Harrow Weald) Area of Special Character.

Proposal:

Brick walls, piers and a fence have been erected to the front and side of the site without the benefit of planning permission. As existing the wall to the front exceeds 1m in height, with brick piers which protrude above this height by an additional 0.4m. The spans the main frontage which meets a fence which spans the full depth of the site at a varied height to a maximum of 2.3m overall. The fence posts also project above the fence.

Permission was originally sought to retain this development.

Concerns were raised with regard to the scale, appearance and height of the proposed fence to the side and amendments were sought.

Planning permission is now sought for the retention of the development following alterations.

As proposed, the front wall wraps around the front and side of the site, spanning the width of the frontage at 21.6m and part of the side frontage at 18.9m. Beyond this, along the side there is a fence with a depth of 13.8m.

Due to the fall in levels around the site the wall varies in height, at a minimum the height is proposed at 1.05m and at a maximum it is proposed at 1.4m. The piers project above the main wall, but to a reduced height of between 0.2m and 0.3m. The fence proposed has a maximum height of 2.05m, stepping down slightly in its overall height to the rear.

Planning Considerations:

Walls, fences and gates are an important feature of a property whether to its front, side or rear. It encloses not only the buildings but the space between the buildings which is often a road or street. Therefore the boundary treatment should relate to the property that it surrounds and the space in front of it.

This is even more important for corner properties which require careful consideration to avoid a monotonous streetscene.

Compared to the unlawful development which is currently existing on site, the amended scheme represents a vast improvement. The design, height and siting of the fence is such that it would no longer be overbearing or obtrusive in the streetscene to such an extent as to warrant refusal.

The proposed boundary treatment is now considered to have an acceptable impact on both the character of the application property and the general streetscene of this part of Greenacre Close. The changes have sought to ensure that the openness of this prominent corner site has been preserved and the development is no longer considered excessive, overly dominant or out of keeping.

The amended fencing to the rear is no longer considered out of character as it is set further back, close to the substation and other, higher, boundary treatments at the northern turning head.

With regard to the wall, this is also considered to be acceptable. As proposed the wall is not considerably higher than that what would be considered 'permitted development'. Without planning permission a wall can be erected to the front of the property with a height of 1m above ground level. In addition, the wall has been design to step down around the corner and this is considered to improve the design of the wall, retaining the openness of the corner plot.

Overall the development will not harm neighbouring amenity and Highways are satisfied that the development will not compromise highway and pedestrian safety.

Approval is recommended for the amended scheme.

3. COMMENTS ON GROUNDS OF OBJECTIONS

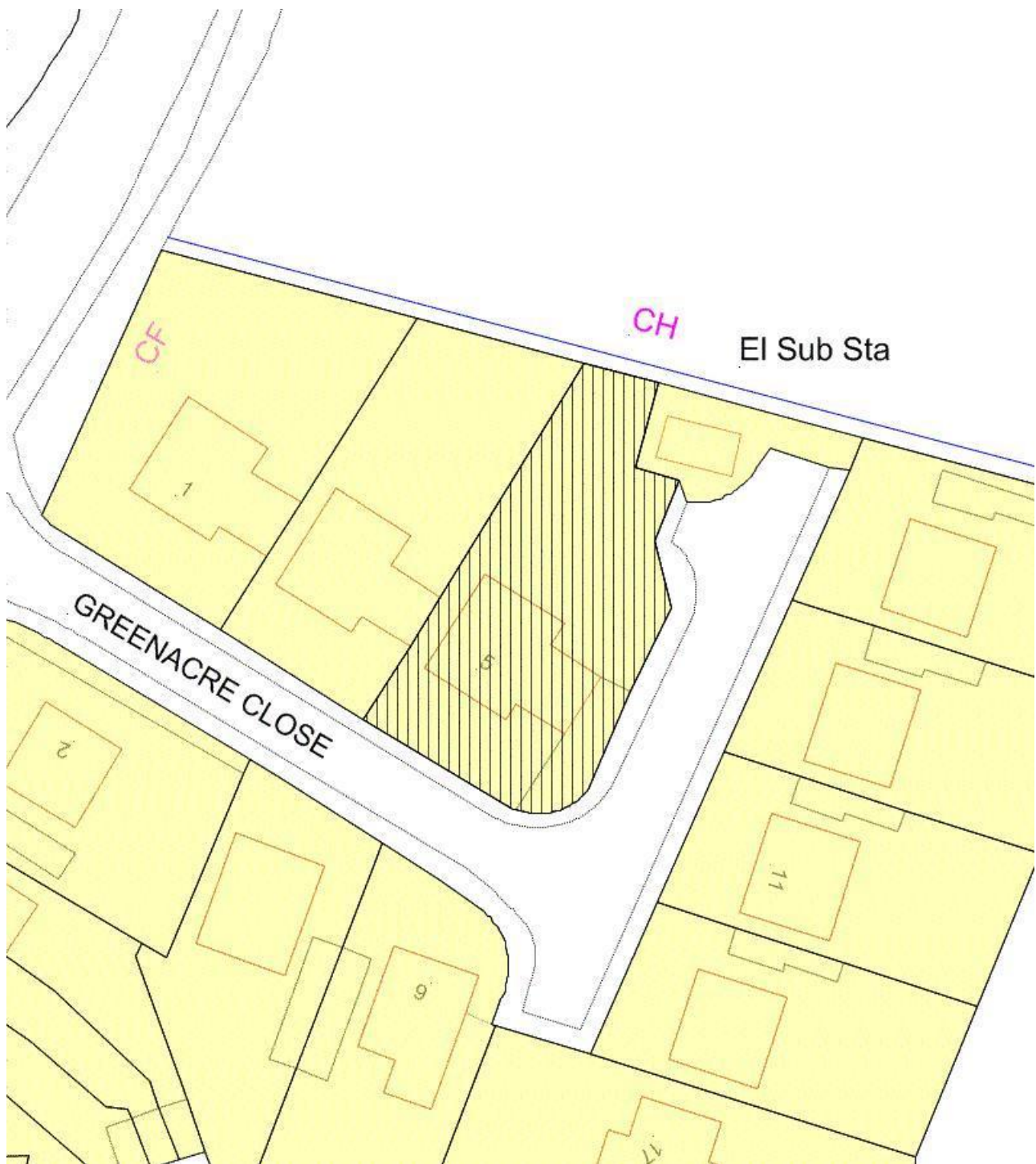
Mainly addressed in the planning appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

SITE LOCATION PLAN: 5 Greenacre Close, Barnet, Herts, EN5 4QB

REFERENCE: B/01981/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: The Pavilion, Brickfield Lane, Barnet, Herts, EN5 3LD
REFERENCE: B/02293/11 **Received:** 28 May 2011
WARD(S): High Barnet **Accepted:** 17 June 2011
Expiry: 16 September 2011

Final Revisions:

APPLICANT: Hadley Disabled Sports Association

PROPOSAL: Installation of 6No. floodlights around the existing football pitch. Erection of new changing room block, internal alterations to existing clubhouse. Small spectator accommodation with designated spaces for wheelchair users. Provision of additional car parking spaces, pathways for disabled access, acoustic fencing and new tree planting / landscaping.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

178_PL_01, 178_PL_02, 178_PL_03, 178_PL_04, 178_PL_05, 178_PL_06, 178_PL_07, 178_PL_08, 178_PL_09, 178_PL_10, 178_PL_11, 178_PL_12, Disability Football Development Strategy 2012-2016, Design and Access Statement, Sports Pack: HL250 15 Metre Abacas Information, Sptectator Stand 09_7300_52_01, Challenger 1 Information, Guidance Notes for the Reduction of Obtrusive Light, UKS4427/6_0m, UKS4427/6_2m, UKS4427/6_4m, Jakoustic Fencing Information, Travel Plan, ArbTech - General Ecological Appraisal, Grasscrete Details (received 28/05/2011) and Internal Buildings Surveys - Emergence Survey and Dusk/Dawn Bat Survey Enhancement Strategy (received 20/07/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas, including the Grasscrete car parking area, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

5. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

6. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

9. The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

10. The floodlights hereby approved shall only be used and in their full upright position between the following times: Monday to Friday 4.00pm - 9.00pm, Saturday and Sunday 4.00pm - 5.30pm. The floodlights shall not be used at any time on Bank or Public Holidays and be retracted outside of these permitted times of operation.

Reason:

To ensure the floodlights are operating appropriately, to minimise light pollution and to minimise the impact on the Green Belt.

11. Notwithstanding details already submitted, before the development hereby permitted is brought into use, details of the site enclosures and proposed fencing both around and within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the character and appearance of the Green Belt 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.

12. Lighting levels emitted from the floodlighting columns shall be in accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

13. Before the development is occupied the Borough-level Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan Champion. In order to ensure the objectives of the Travel Plan are met a 'Monitoring Contribution' of £5000 is required for monitoring the objectives of the Travel Plan. The Travel plan should be reviewed annually in accordance with the target set out in the Travel Plan.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with policies GSD and M3 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

14. The demolition and/or construction of the development hereby approved, shall be carried out in accordance with a method statement and Construction Management Plan, which shall have been submitted to and approved in writing by, the local planning authority one at least month prior to the commencement of the demolition. Any demolition or construction shall be carried out in complete accordance with the approved scheme

Reason:

In the interests of the free flow of traffic, highway safety and sustainable development.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006):
GBEnv1, GBEnv2, GBEnv4, GL1, GParking, D1, D2, D3, D5, D6, D11, M14, O1, O2, O3, O6, L11, L19, L20, L21, ENV6.
Core Strategy (Publication Stage) 2010: CS5.
 - ii) The proposal is acceptable for the following reason(s): -
The proposed development is considered to have overcome the Inspector's concerns raised at the appeal. The development is considered to have an acceptable impact on the Green Belt, residential amenities of neighbouring occupiers, the character and appearance of the area and the streetscenes to which it is visible. The proposal accords with the aforementioned policies.
2. Any and all works carried out in pursuance of this planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in criminal prosecution.
3. Details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the method statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (excavation, site preparation and construction) and the provision on site of a storage /delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1: Delivering Sustainable Development

Paragraph 18 of Planning Policy Statement 1 (PPS1) states that "Planning should seek to maintain and improve the local environment....through positive policies on issues such as design...."

PPS1 further states that good design ensures attractive usable, durable and adaptable places. Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see paragraph 33, 34 and 35 of PPS1).

PPG2: Green Belt

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out. Paragraph 3.2 of PPG states inappropriate

development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted.

PPG17 - Planning for Open Space, Sport and Recreation.

Three Strands Approach – Approved September 2004 (Protection, Enhancement and Growth)

The Mayor's London Plan: July 2011

Various.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GBEnv4, GL1, GParking, D1, D2, D3, D5, D6, D11, M14, O1, O2, O3, O6, L11, L19, L20, L21, ENV6.

Important policy context:

Policies GBEnv1 and GBEnv2 indicate that the Council will protect and enhance the quality and character of the Boroughs built environment and that high quality design will be required in all new development in order to enhance the quality of the built and open environment and to improve amenity for residents.

Policy L19 states that development proposals to provide new or improved sports grounds and playing fields will be acceptable provided that they:

- do not have a demonstrably harmful impact on the amenity of nearby residential properties and other uses;
- do not have a demonstrably harmful impact on the character and appearance of the site and surrounding area;
- are designed to be accessible by people with disabilities; and
- on sites which are easily accessible by walking, cycling and public transport.

Policy L20 states that proposals for floodlighting will be permitted where this would not cause significant nuisance to nearby residents and to users of other properties and where wildlife interests would not be affected. The council may restrict hours of use.

Policy ENV12 relates to noise generating development and states that proposal to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted.

Policy O1 indicates that (except in very special circumstances) the council will refuse any development in the Green Belt or Metropolitan Open Lane which is not compatible with their purposes and objectives and does not maintain their openness.

Policy O2 outlines that the construction of new buildings and changes of use of existing land and buildings within the Green Belt or MOL (unless there are very special circumstances) will be inappropriate unless:

- for agriculture, horticulture and woodland;
- for nature conservation and wildlife use; or
- for essential outdoor sport facilities, recreation purposes, cemeteries and other uses which complement and improve access to, and preserve the openness and do not conflict with, the purposes and objectives of the Green Belt or MOL land.

Policy M3 advocates that for significant trip-generating developments the council will require the occupier to develop, implement and maintain a satisfactory Travel Plan to minimise any increase in road traffic and encourage the use of transport modes other than the car. The council will lead by example with policies which help its employees.

Policy M10 states that where it is considered necessary as a consequence of development, the council may introduce measures to reduce the effects of traffic on the environment and the community.

Policy M14 states that the council will expect development to provide parking in accordance with the London Plan parking standards.

Policy GParking states the council will encourage the use of more sustainable modes of travel.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

N01420D/07 - 6No. floodlights around the existing football pitch. Erection of new changing room block. External alterations to existing clubhouse. Spectator stand with designated spaces for wheelchair users. Provision of 12 additional car parking spaces.

Appeal against non-determination.

Appeal dismissed 09/12/2009.

A copy of this appeal decision has been attached as an appendix.

Consultations and Views Expressed:

Neighbours Consulted: 38
Neighbours Wishing To
Speak

Replies: 20

The objections raised may be summarised as follows:

- The access road is a narrow, unadopted lane and is not meant to be used as a roadway
- The increase in traffic would make the road more dangerous for pedestrians to walk along this public footpath
- The new stand, new wheelchair spaces, increased match officials, carers, extra trainers and coaches, the number of people trying to access the site will increase during the day and at night
- Congestion will impact on the junction with Barnet Road and the traffic lights at the junction with Hendon Wood Lane
- Accidents due to excess traffic from the football club have already happened - this will worsen this already dangerous situation
- Development, whilst screened from Barnet Road, will have a serious effect on residents in Barnet Road which are overlooked by the pitch at the moment
- Brickfield Lane would need to be upgraded by the developer
- Concerns regarding light pollution
- The area benefits from a minimal intrusion of light so the introduction of floodlighting, even if well directed, will change the character of the area for residents and wildlife, giving the appearance of a supermarket car park in the green belt
- Noise and light pollution
- The area is full of buildings from the 19th century and the proposal changes the whole nature of the area from a historic Green Belt area enjoyed by the community to an exclusive sports centre
- Existing noise levels are unacceptable and this will be worsened. Floodlights could enable 24 hour disturbance
- The football club does not care for the amenity and environment of the local area
- Buildings, land and fences at the club have been poorly maintained and the site is already an eyesore which detracts from the environment and beauty of the area
- Floodlights would cause overlooking
- The extra use after dark would lead to a loss of privacy
- Scale of the project is far too big
- Drainage problems will be caused
- There are existing sewage problems and these will be exacerbated
- Blockages cause spillage into adjacent private property/lakes
- Grass-crete will cause localised flooding
- A drainage study is essential for any grant of permission
- Loss of light from the building
- There is a Conservation Area to the rear which must be preserved
- Noise nuisance will be unacceptable
- Impact on the health of neighbouring residents
- The use is not appropriate
- Development is out of scale with the site and heritage land/green belt land
- The UDP defines the area as Green Belt and Heritage Land - this should not be eroded
- Harm to neighbouring amenity
- Out of character and out of keeping
- Development is in direct conflict with the terms of usage of the lease
- Floodlights are unsightly in both stowed and full extension position
- There will be over 100 people attending matches which may coincide with busy events at the Arkley association hall and tennis matches and this will have huge implications for traffic, access, parking, safety, drainage, noise, disturbance and light pollution
- Increased use will cause a lack of privacy and undue noise and disturbance
- Noise levels will be above acceptable and legal regulations/limits

- Floodlighting until 10pm will mean that noise and traffic will remain until 11pm
- Unsightly stand is very close to residential houses - noise will be considerable
- Light pollution will be unacceptable and trees will do little to shield this
- Lighting calculations are optimistic and erroneous
- Light levels will be above the legal limits
- Floodlighting may deter visiting wildlife
- Development will harm the Green Belt
- The disabled use on site is very limited. Concern is raised that the increase to the facilities will be for the Hadley Football Club, not the disabled users
- Residents will not be able to use the open space for walks and tennis matches
- The Inspector raised concerns with regard to a number of issues and concluded that the proposal would have a harmful impact on the openness and visual amenity of the Green Belt, the living conditions of residents and on road safety
- Even when retracted the floodlights will be 7m high which is considered unacceptable
- Lighting will harm this undeveloped area
- Light overspill is clearly indicated
- It is appreciated that the alterations and new information try to overcome the aspects that the previous Inspector found unacceptable, however, the truth is no matter what mitigation is brought to bear on the scheme the relationship between this Green Belt site and the more intensive use proposed on the residential amenities of the neighbouring properties will prove unacceptable in its intensity and in its exacerbation of problems that are already extremely difficult for the occupiers of these properties.

6 letters of support were also received from:

- Great Britain Deaf Football
- Fitability
- Hadley Football Club
- Special Olympics Barnet
- Interactive: Disability Equality in Sport
- Hearts 4 Herts

Internal /Other Consultations:

- Traffic & Development -

The proposal is for the new changing facilities, floodlighting, a spectator stand for 52 seated spectators and 14 wheelchair users and additional parking provision.

There are currently 12 parking spaces in the existing car park. However, vehicles regularly park on the grassed area. The proposal includes an additional 19 parking spaces, including 7 disabled spaces. The application includes provision for mini bus parking and cycle parking within the site. No changes are proposed to the existing vehicle access. It is considered that the formalisation of the parking area will have a minimal impact on the public highway in the vicinity of the site.

A previous application (N01420D/07) has been submitted and although no objections were raised on highways grounds in the Council's highways advice, the application was refused on appeal and highways reasons for refusal were included in the appeal decision. The Inspector's concerns included highways safety issues resulting from a significant increase in off site parking and stated that it was not possible to determine the transport and safety consequences without a careful

estimate of the additional vehicle journeys to be generated.

It is considered that the submitted additional information with this application, which in conjunction with the proposed Travel Plan measures address these concerns.

The submitted Disability Football Development Strategy, Travel Plan and Design and Access Statement provide information regarding the proposed use of the site. Activities will include Disability Football and Hadley Football Club events. It is not proposed to hold more than one activity on site at the same time.

The Disability football regular use will consist of two evening coaching sections a week when 15-20 players are expected on site. Matches and tournaments will also be held during these times during the football season. At these events it is expected that there will be 30 players plus a manager, coach and spectators, resulting in a maximum of 60 people on site. The spectators will consist mainly of players family members and friends, this should encourage car sharing for car mode trips.

The Design and access Statement states that Hadley Football Club will continue to use the facilities and the number of players and spectators are expected to be similar to the Disability football games, and similar to existing use. Most Hadley FC football matches take place on Saturday afternoons during the football season, but they also play occasional midweek matches. These Hadley FC matches have been taking place at this site for several years.

There will be occasional activities which may generate larger number of players spectators on site, however parking associated with these activities is expected to be contained on site.

The applicant has provided trip generation details. Trip generation details included in the submitted Design and Access Statement and Travel Plan show that a maximum of 30 cars and 2 mini buses will be on site at one time. These vehicles can be accommodated within the site.

The proposal will marginally increase trips to the site, however a vehicle trip generation of this level is not expected to have a detrimental impact in the surrounding highways. In addition the majority of these trips are likely to occur outside the peak hours on the road network in the vicinity of the site. In order to control any impacts appropriately and provide any necessary mitigation a Travel Plan will be required to promote more sustainable travel and to manage the overall level of activities that are occurring on the site at any one time, in conjunction with the submitted Activities Management Plan.

It is considered that in conjunction with a Travel Plan for visitors and staff, the proposal is not expected to have a detrimental impact on the public highways and is acceptable on highways grounds.

In conclusion, the application is recommended on highways grounds for approval subject to approval and implementation of a Travel Plan and a Section 106 Contribution of £5,000 towards Travel Plan monitoring and the following conditions.

- Theresa Villiers MP - Requests that her constituents views are taken into account by the sub-Committee when reaching a decision.

- Natural England -

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

- Street Lighting Engineers-

The submission for the floodlighting is technically acceptable.

Raise-and-lower columns or telescopic columns will reduce the visual impact of the masts.

- Trees and Landscaping -

Having reviewed the relevant ecological surveys, no objection is raised.

All the development is proposed outside the root protection areas of protected trees on and off site.

A landscaping condition should be attached.

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located on Brickfield Lane which is a turning off the A411 (Barnet Road) on the opposite side of its junction with Hendon Wood Lane.

The site is designated as Green Belt and is currently used by Hadley Disabled Sports Association as a football ground.

The site currently accommodates one full size football pitch, surrounding grass areas, a clubhouse incorporating changing rooms, a garage and a small car park.

Proposal:

Planning permission is sought for floodlighting (6 new lights at 15m high), a new changing room block (approximately 108sqm at 3m in height), a revised parking area and spectator stand.

The 6no. floodlights will be erected around the main football pitch. The nearest column to residential neighbours on Barnet Road will be approximately 15m from the shared boundary - to the rear of these properties. Each column will be 15m in height overall, when in use. However, the masts to be use will be retractable and will be reduced in height when not in use.

The new changing room will have a width of 13.45m and a depth of 6.9m. The new changing room has a flat roof and will be sited behind the existing car parking area, set back from Brickfield Lane.

The car parking area will be increased to accommodate 19 additional car parking spaces for users of the site, 7 of these will be for disabled visitors. The car parking area will be made from 'Grasscrete', a cellular concrete surface system.

The spectator stand has a length of 14.63m and a depth of 2.78m. This stand will have an overall height of 2.88m and will accommodate 52 seats and 14 wheelchair spaces. The stand will be screened with soft landscaping. The stand will be over 40m from the nearest residential boundary.

Planning Considerations:

The committee report has been structured to comment on the main issues identified by the Inspector at the appeal, having regard to the additional information that has been submitted in this application.

The first issue in this case was:

1) Whether the proposal would be inappropriate development for the purposes of 'Planning Policy Guidance Note 2: Green Belts' (PPG 2) and development plan policy;

In point 4 of his decision, the Inspector states that the proposed development does not conflict with the purposes and objectives of the Green Belt as it provides facilities for outdoor sport and recreation and concludes that the proposals are essential for outdoor sport and recreation and are not inappropriate.

It has not been suggested that the appellant organisation is other than genuinely involved in operating sporting opportunities for the disabled. I therefore conclude that the proposals can be considered as essential facilities for outdoor sport and recreation, and do not amount to inappropriate development in the Green Belt.

As a result, no objection is raised in principle to the proposed redevelopment of the site.

The second issue in this case was:

2) The effect of the proposal on the openness of the Green Belt, the purposes of including land within it, and the visual amenity of the Green Belt;

In his decision the Inspector raised concerns regarding floodlighting on the site, stating that the group of six, 15m high columns would be particularly noticeable. Whilst he states this is emphasised by their height, the height of the columns was not his main concern.

He states that floodlights:

are not a characteristic of rural landscape, and their height would make them prominent in the locality. I therefore consider that they would have some modest but adverse effect both on the openness of the Green Belt and on the visual amenity of the surrounding Green Belt area.

Following these comments the Applicant has amended the height and design of the floodlights which can now be raised when in use and lowered after use. This will significantly reduce the impact they have on the openness of the Green Belt and their prominence on site. The height of the masts can be reduced to 7m which is a comparable height to neighbouring houses and streetlights in the vicinity. A condition has been suggested to ensure that the floodlights are retracted when not in use.

Street-lighting have been consulted on the new information and raise no objection to the floodlighting given that the amount of light spill has been significantly reduced. The Inspector

did raise a concern with the character of the light as proposed and stated:

The lights when in use would form a new, brilliantly lit visual element in an open, undeveloped area which would be seen from various public vantage points as well as from nearby houses, and which until now has been unlit and quiet during the hours of darkness. I consider that this would have some adverse impact on visual amenity and the character of the Green Belt area.

However, this concern can be overcome with an hours of use condition which will restrict when the lights can be used. As the site is surrounded by residential properties, the floodlighting should be restricted to 9pm on weeknights.

Whilst Officers appreciate that there are requirements for the funding programme with regard to the hours of use for the lighting, the harm caused to neighbouring residents and the rural character of the site each form material considerations and it is considered that extending the hours of use later than 9pm is not acceptable.

Permission is sought to operate the floodlights until 5.30pm on Saturdays and no objection is raised to this.

Whilst the Inspector stated the development is not inappropriate (as discussed in point 1), in his report he did raise a concern with the size of the proposed changing rooms and stand. He states that they would be of '*utilitarian appearance*'. Even with the reduced stand he states that an '*adverse effect would remain*'.

To overcome this, the stand has been reduced. The impact of the changing rooms is discussed later in this report.

The Inspector also raised a concern with the car park, stating that this would be an '*additional urbanising feature*'. As a result Officers have recommended that the new car park is constructed using 'Grasscrete' and a condition has been attached.

To conclude the Inspector stated that:

The proposals would also amount to a small but noticeable encroachment of urban development into open land, and I conclude that they would have an adverse impact on the openness and the visual amenity of the Green Belt, and on the purposes of including land within it.

However, with the changes that have been made and the recommended conditions, this concern is considered to have been overcome.

The third issue in this case was:

3) The effect on the living conditions of the occupiers of nearby dwellings, with particular reference to the effect of floodlighting and noise and disturbance;

As discussed above, more information has been submitted with regard to floodlighting which would seek to address points 7 and 8 of the Inspector's decision.

The Inspector did state that the reliance upon the leylandii trees is insufficient to warrant any light spill. However, the light spill issue has been overcome with the information submitted and this has been confirmed by Street Lighting.

Despite this, a landscaping plan should be submitted with the application to indicate that the leylandii trees will be retained.

The absence of information about the extent of use of the facility was acknowledged as particularly important by the Inspector. He stated that if the use is:

'one or two nights a week for training and to allow matches to finish at, say 5pm on Saturdays [the scheme] might not be deemed particularly harmful'

The Inspector also raises a concern with regard to the additional affect of the proposals on noise and disturbance, stating that this depends on:

'the number and duration of occasions when the lights are to be used, and the number of participants- players and spectators- expected to be present.'

This application includes a far greater level of detail than the previous application and with a condition to limit the hours of use at this currently unrestricted site, the Inspectors concerns can be overcome.

The siting of the spectator stand was also highlighted during the appeal as it was proposed just 50m from the nearest houses. This was not raised previously by the Council but still needs to be addressed. It is suggested that the stand is moved to the other side of the pitch.

He states in his final comments that:

Any significant increase in the number of training sessions and the number of people attending could also give rise to greater levels of noise. In the absence of fuller details of the intended pattern of use, I consider that the proposal would have the capacity to result in unacceptable levels of noise and disturbance for adjoining occupiers. This together with my view of the effect of the lighting leads me to conclude that the proposal would harm the living conditions of nearby occupiers, contrary to UDP Policy ENV12.

Planning conditions and information in the Travel Plan have sought to overcome these concerns.

The fourth issue in this case was:

4) The effect on road safety;

Highways have scrutinised the new information and have raised no objection. Their comments are detailed above.

The final issue in this case forms the conclusion:

5) Is the harm to the Green Belt outweighed by other considerations?

The Inspector attached considerable weight to the benefits that the proposal would bring to the users of the site and to the encouragement to improve existing sports facilities set out in PPG17.

In balancing this against the harm caused, the Inspector stated that the harm to the Green Belt, though permanent and visible, would be relatively small in its effect, and the weight to be attached to this is limited. As a result the principle of the development has been deemed acceptable.

Returning to point 2, the size of the changing rooms was raised as a concern, however, comments by the Inspector later in the decision argue that this alone is not grounds to refuse permission.

The reason for the dismissal was therefore due to the lack of information submitted. The new information is now considered to assess the harm of the floodlights, traffic implications and the proposed hours of use.

Subject to restrictive conditions it is considered that a new application has overcome the Inspectors reasons for dismissing the appeal.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the planning appraisal.

With regard to wildlife on site, an ecological survey has been submitted with the application which confirms there will be no adverse impact on European Protected Species. The Trees and Landscaping Team have reviewed this information and Natural England have been consulted. An informative is recommended with regard to this matter.

Concerns regarding sewage are not material planning considerations.

4. EQUALITIES AND DIVERSITY ISSUES

The aim of Hadley Disabled Sports Association is to become a Regional Centre for Disability Football, encouraging and promoting the development of Disability Football and other sporting activities within the London Borough of Barnet.

Disability Football can be played by a wide range of disabled people: not just amputees and wheelchair users, but also people with cerebral palsy, thalidomide damage and learning, hearing and visual impairments. The project aims to develop opportunities for people with learning disabilities and hearing impairments.

5. CONCLUSION

Approval is recommended, subject to conditions.

APPENDIX 1. INSPECTORS DECISION

Appeal Decision

Site visit made on 24 November 2009

by Victor Crumley DipTP DMS MRTPI

The Planning Inspectorate

4/11 Eagle Wing

Temple Quay House

2 The Square

Temple Quay

Bristol BS1 6PN

0117 372 6372

email:enquiries@pins.gsi.gov.uk

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date:

9 December 2009

Appeal Ref: APP/N5090/A/09/2109110

Hadley Disabled Sports Ground, Brickfield Lane, Arkley, Barnet EN5 3LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Hadley Disabled Sports Association against the London Borough of Barnet.
- The application Ref. 1420D/07 is dated 16 April 2007.
- The development proposed is the construction of floodlights round football pitch, new changing room block, spectator stand, car park and renovation of existing clubhouse.

Decision

1. I dismiss the appeal.

Main issues

2. I consider the main issues in this appeal to be:

- a) Whether the proposal would be inappropriate development for the purposes of 'Planning Policy Guidance Note 2: Green Belts' (PPG 2) and development plan policy;
- b) The effect of the proposal on the openness of the Green Belt, the purposes of including land within it, and the visual amenity of the Green Belt;
- c) The effect on the living conditions of the occupiers of nearby dwellings, with particular reference to the effect of floodlighting and noise and disturbance;
- d) The effect on road safety;
- e) If it is inappropriate, whether the harm to the Green Belt by virtue of inappropriateness and any other harm is clearly outweighed by other considerations.

Reasons

3. The appeal site is an open sports ground on the edge of the village of Arkley, on the northern fringe of London. It lies within the Green Belt. The appeal proposal envisages the erection of 6 floodlighting columns, 15m high, with 3 being set on each side of the football pitch, each carrying a pair of flood lamps.

It further envisages the construction of a small spectator stand, new changing rooms and a new car park for 19 cars, including 7 spaces for disabled drivers' vehicles. Refurbishment of the existing clubhouse is also proposed.

Would it be inappropriate development?

4. Government advice set out in PPG 2 states that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of a short list of purposes which includes essential facilities for outdoor sport and recreation. Such facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it; small scale changing rooms or unobtrusive spectator accommodation for outdoor sport are cited as possible examples. The appellant states that the floodlights are required to enable them to extend training and playing times during the winter season, while the other features will improve facilities for players, spectators and users of the club rooms. It has not been suggested that the appellant organisation is other than genuinely involved in operating sporting opportunities for the disabled. I therefore conclude that the proposals can be considered as essential facilities for outdoor sport and recreation, and do not amount to inappropriate development in the Green Belt.

Effect on openness, amenity and the purposes of including land in the Green Belt

5. PPG 2 states in para. 1.4 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Other key purposes (para.1.5) are checking the unrestricted sprawl of large built up areas and safeguarding the countryside from encroachment. The sports ground is an attractive field with open country to the north, and contains very few built features to detract from these purposes. The proposal would introduce a number of additional built structures. The group of six floodlighting columns would be particularly noticeable, emphasised by their height. Advice in 'Planning Policy Guidance Note 17: Sport and Recreation' (PPG 17) states that in considering applications for floodlighting, the impact on the openness of the Green Belt, or on the character of the countryside, of the lighting towers should be a key factor in determining whether permission should be granted. Although the floodlights proposed here would be supported on slim columns which are widely used in sports grounds throughout the country, they are not characteristic of rural landscape, and their height would make them prominent in the locality. I therefore consider that they would have some modest but adverse effect both on the openness of the Green Belt and on the visual amenity of the surrounding Green Belt area.

6. Similarly, the changing rooms and spectator stand, though small, would be of utilitarian appearance, would add to the number of built structures round the field, and would have a degree of negative impact on its appearance. I note that the appellant is prepared to reduce the size of the spectator stand from that shown on the plan, but some adverse effect would remain. The car park, though less visible when not in use, would be an additional urbanising feature. Further, the lights when in use would form a new, brilliantly lit visual element in an open, undeveloped area which would be seen from various public vantage points as well as from nearby houses, and which until now has been unlit and quiet during the hours of darkness. I consider that this would have some adverse impact on visual amenity and the character of the Green Belt area. The proposals would also amount to a small but noticeable encroachment of urban development into open land, and I conclude that they would have an adverse impact on the openness and the visual amenity of the Green Belt, and on the purposes of including land within it. This would contravene Policies O1 and O2 of the Barnet Unitary Development Plan (UDP).

Effect on living conditions of nearby occupiers

7. I deal firstly with floodlighting. The appellant organisation has provided no adequate grounds of appeal or statement of case, and only minimal technical supporting documents detailing the proposal. Although in its comments on third party observations the appellant states that '...our proposed hours of use could not be more stringent..', I have seen no proper description of the lighting levels proposed, the number and duration of occasions when it is expected to be used, or any informed view of its effects on the surroundings and

the impact on residential occupiers.

8. However, it appears from the limited information provided that the football pitch would be lit by twelve 2-kilowatt lamps, designed and shielded to direct the light onto the playing surface while minimising the spillage of light to areas beyond the pitch. Lighting contours included in the appeal show lighting levels of between 170 and 350 lux over the pitch, reducing quickly to 5 lux outside the pitch. The 5 lux contour reaches the boundary of the nearest gardens at Mountview Cottages, but no other properties. Beyond this, a 1lux contour is shown to reach the walls of the nearby houses, although this appears to depend upon the height of the 1 lux contour above the ground. I understand 1 lux to be approximately equivalent to bright moonlight.

9. While this appears to suggest that the lighting would not have a severe adverse effect on surrounding properties, I consider the reality to be considerably more complex. Firstly, it seems clear that the 1-lux and 5-lux levels expected close to the houses depend heavily upon the leylandii trees which surround the gardens. These trees, while apparently planted by the Sports Association, are on Council-owned land, and are resented by some residents because of the effect on their gardens. I am not convinced that these can be relied upon as a permanent baffle to light from the scheme. In any case these trees would not protect all the nearby houses from light spillage, with New Cottage and Mayflower Cottage being less directly shielded by the leylandii trees, and Melrose House only partially shielded by deciduous trees, whose effect is greatly reduced in winter.

10. Secondly, absence of information about the extent of the use of the facility is important. It seems to me that while occasional use of lights on one or two nights a week for training and to allow matches to finish at, say 5pm on Saturdays might not be deemed particularly harmful, the high level of investment required by funding agencies suggests that a significantly greater use would have to be made, and the effects of this on nearby occupiers, even in areas where the lighting levels were modest, would be considerably greater. In the absence of fuller and more detailed information, therefore, I consider it likely that the lighting would have an adverse effect on the living conditions of nearby occupiers.

11. Turning to the effect of noise and disturbance, I take into account the fact that the site is an established sports ground legitimately used for football matches and training purposes, and the club rooms host a number of activities. Some element of noise and disturbance, particularly from the football, is inevitable. However, the additional effect of the current proposals on noise and disturbance experienced by residents would in my view depend entirely on the number and duration of occasions when the lights are to be used, and the number of participants- players and spectators- expected to be present. As previously indicated, I have no information on this important consideration.

12. The spectator stand, originally for 159 seats, would be just 50m from the nearest houses. Not all spectators would use the stand, and a match which caused it to be full would be likely to generate a larger total number of spectators who together would be likely to cause considerable noise and disturbance for nearby occupiers. If this happened regularly the resulting disturbance could become quite unacceptable. The Council's delegated report suggests that the size of the stand may be reduced, but no formal confirmation of this or revised plan has been provided by the appellant organisation. Any significant increase in the number of training sessions and the number of people attending could also give rise to greater levels of noise. In the absence of fuller details of the intended pattern of use, I consider that the proposal would have the capacity to result in unacceptable levels of noise and disturbance for adjoining occupiers. This together with my view of the effect of the

lighting leads me to conclude that the proposal would harm the living conditions of nearby occupiers, contrary to UDP Policy ENV12.

Road safety

13. In relation to the effects on road safety, the Council's highway advisors, though not opposing the development in principle, has sought the submission of a travel plan and unspecified improvements through a condition of any planning permission. However, it seems to me that it is not possible to determine the transport and safety consequences of the new proposals without a careful estimate of the additional vehicle journeys likely to be generated. While the appellants state that their matches do not give rise to coach travel, no indication of how a stand-full of spectators would travel to the ground has been given. I have taken account of the various traffic constraints close to the ground, including the busy nature of the main road, the narrow carriageway, the light controlled junction, its close proximity to Brickfield Lane, and the poor condition of Brickfield Lane. In my view any significant increase in off-site parking would result in considerable difficulties to the free flow of traffic, and therefore to road safety. In the absence of fuller information on the expected traffic consequences of the use of the site for football matches and training, I can only conclude that there is a possibility of local congestion and a threat to road safety.

Is the harm to the Green Belt outweighed by other considerations?

14. Although I have found that the proposals would not be inappropriate development for the purposes of PPG 2, I have concluded that they would have some small adverse effect on the openness and visual amenity of the Green Belt, and would conflict with the purposes of including land within it. In addition, I have concluded that the proposal has the potential to harm the living conditions of nearby occupiers and to have an adverse effect on road safety. I have also argued that the full extent of the amenity and road safety consequences cannot properly be assessed without further information.

15. I take fully into account the benefit of providing additional facilities for the disabled. I am in no doubt about the difficulty of providing properly for the recreational needs of groups of disabled people, including those with sporting abilities, and I attach considerable weight to the benefits that the proposal would bring to the users. I have also taken account and given due weight to

the encouragement to improve existing sports facilities set out in PPG 17. In balancing this against the harm caused, I accept that the harm to the Green Belt, though permanent and visible, would be relatively small in its effect, and the weight to be attached to this is limited. However, I attach far greater weight to the absence from the appeal of sufficient information to assess properly the extent of the harm to the living conditions of nearby occupiers. This together with the more modest concern for the effect on the Green Belt in my view outweighs the benefits from the scheme. I therefore conclude that the proposals would have a harmful effect on the openness and visual amenity of the Green Belt, the living conditions of residents and on road safety, contrary to the terms of PPG 2 and Barnet UDP Policies O1, O2, L20, L19, ENV12, M11 and M12.

Victor Crumley

INSPECTOR

APPENDIX 2.

JOINT LETTER WRITTEN ON BEHALF OF NEIGHBOURING RESIDENTS

(1) Introduction included personal details and has been removed.

Main content of the letter:

(2) Previous application and Appeal

It is appreciated that the application follows on from application N1420D/07 which was for a similar development and which was refused and dismissed on appeal (I attach a copy of the Appeal Decision as Appendix 1 of this letter).

In the Appeal Decision dated December 2009 the Inspector considered that there were five main issues to be considered:

- Whether the proposal would be inappropriate development for the purposes of PPG2 and approval development policy.
- The effect of the proposal on the openness of the Green Belt and visual amenity of the Green Belt.
- The effect on the living conditions of the occupiers of nearby dwellings with particular reference to the effect of floodlighting and noise and disturbance.
- The effect on road safety.
- If the development is inappropriate, whether the harm to the Green Belt is outweighed by other considerations.

Inappropriate development

The Inspector concluded on Item 1. that the proposals can be considered as essential facilities to outdoor sport and recreation and did not amount to inappropriate development in the Green Belt.

Effect on Green Belt

On item 2, the Inspector found that the fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open and further to safeguard the countryside from encroachment. He found that the sports ground is an attractive field with open country to the North and that the proposal would introduce a number of built structures. The six floodlighting columns being particularly noticeable. The Inspector observed that advice in PPG17 stated that in considering applications for floodlighting, the impact on the openness of the Green Belt, or on the character of the countryside, light positions and impact of the lighting towers should be a key factor in determining whether permission should be granted. The Inspector concluded that the lighting columns would be prominent by reason of their height and have a modest but adverse effect on the openness of the Green Belt and the visual amenity of the area.

Similarly, he found that the changing rooms and the spectator stand would have a negative effect impact on the Green Belt, and in addition that the car park would be an additional urbanising feature. Further the lights, when in use, would form a new brilliant lit visual element in an open and undeveloped area which would be seen from various public areas as well as from nearby houses which until now have been unlit and quiet in the hours of darkness. This would amount to an encroachment of urban development into open land and an adverse impact on the openness and visual amenity of the green belt.

Effect on living conditions of neighbours

With regard to Item 3, the Inspector found that only minimal technical information had been supplied with the floodlighting and he had no proper description of lighting levels. He noted that the lighting contours would extend beyond the pitch crossing the boundary of nearby properties and in one case reaching the walls of nearby houses. He was not convinced that the tree planting would baffle the light or protect nearby houses in particular New Cottage, Mayflower Cottage and Melrose House from light pollution and he particularly noted that this would be worse in winter. He concluded that the lighting would have an adverse effect on the living conditions of nearby residential occupiers.

With regard to noise and disturbance he considered that additional effect of noise and disturbance would depend on the number and duration of occasions when the lights were used. In addition, the spectator stand would be just 50 metres from the nearest houses and that the increase in the number of spectators would be likely to cause considerable noise and disturbance for nearby occupiers and if this happened regularly, the resulting disturbance could become quite unacceptable.

An increase in the number of training sessions and the number of people attending would also give rise to greater levels of noise.

The Inspector concluded that the noise potential and the effect of the lighting meant that the proposal would harm the living conditions of nearby occupiers.

Road Safety

With regard to the fourth point, the Inspector concluded that it wasn't possible to determine transport and safety consequences without greater information. He took into account the various traffic constraints close to the ground, the busy nature of the road, the narrow carriageway and the light controlled junction as well as the poor condition of Brickfield Lane. He was of the view that any significant increase in offside parking would result in difficulties in the free flow of traffic and therefore road safety. He concluded that there is a possibility of local congestion and a threat to road safety.

Other considerations

With regard to issue 5, the Inspector concluded that the proposals would not be inappropriate development and he took fully into account the benefit of providing additional facilities for the disabled and he attached considerable weight to the benefits that the proposals would bring to the users as well as the encouragement for improvement set out in PPG17. He accepted that the harm to the Green Belt would be relatively small in its effect but stressed in para 15 of his decision that he attached far greater weight, in the absence of information, to the extent of harm to nearby occupiers.

He concluded that the proposal would have a harmful effect on the openness and visual amenity of the Green Belt, the living conditions of residents and on road safety.

(3) The Current Application

As far as the current application is concerned, the applicants have held pre-application meetings with the officers of the Planning department. They have amended the scheme and provided additional information to overcome the objections of the Inspector.

The principle changes are:

- The lighting columns are now retractable when not in use and will reduce from 15 metres to 7 metres.
- Information has been provided on the illumination contours and its effect on

neighbouring properties.

- The hours of use of the floodlights have been specified as two evenings per week between the hours of 6 pm and 10 pm and on Saturdays between the hours of 3 pm and 5.30 pm as well as floodlighting Hadley FC 1st team matches on Saturdays and mid-week as appropriate.
- The spectator stand has been reduced from the original 159 unit (which was reduced to 86 at the time of the last appeal) down to 52 seats and 14 wheelchair user spaces (66 spaces in total).
- The surface of the car park has been changed to grasscrete (my clients query whether this would be an appropriate surface for a disabled organisation).
- The erection of Jakoustic Environmental Noise Barriers around that part of the pitch closest to the properties at the junction of Brickfield Road and Barnet Road.
- The introduction of team changing rooms enables alterations to the main clubhouse which will effectively triple the size of the club room enabling it to be used for significantly larger functions.

With regard to these changes it is appreciated that these alterations are trying to overcome the aspects that the previous Inspector found unacceptable in relation to the development but the truth is no matter what mitigation is brought to bear on the scheme the relationship between this Green belt site and the more intensive use proposed on the residential amenities of the neighbouring properties will prove unacceptable in its intensity and in its exacerbation of problems that are already extremely difficult for the occupiers of these properties.

(4) Examination of the proposed alterations in relation to the original Inspector's concerns

- *Whether the proposal would be inappropriate development for the purposes of PPG2 and development policy.*

The Inspector concluded on this item that the original proposals could be considered as essential facilities that did not amount to inappropriate development. In these circumstances the amended proposals must be seen in the same light.

- *The effect of the proposal of the openness of the Green belt and the visual amenity of the Green Belt.*

With the alteration of the lighting columns to be retractable down to 7 metres, this must reduce the impact of the floodlighting columns on the openness of the Green Belt and the character of the countryside and given that he advised that the lighting columns would only have a modest effect on the Green Belt, the reduction of them in this manner must be seen as providing mitigation albeit that at 7 metres the columns will still be prominent from various viewpoints and surrounding residential properties.

The spectators pavilion has been reduced in amount and the extended car park has been changed in character by the use of grasscrete both elements of which address the Inspector's concerns on this point and the effect on the Green Belt.

However, the Inspector commented that the lights, when in use, would form a *new brightly lit visual element* in an otherwise open but undeveloped area which would be seen from various public areas as well as nearby houses and that this would have an adverse impact on the openness visual amenity of the Green Belt. This aspect remains identical in the new application and is just as unacceptable.

- *The effect on the living conditions of the occupiers of nearby dwellings with reference to the effect of floodlighting and noise and disturbance.*

This aspect has not changed from the original proposal and nor can it. It is a natural effect of the restricted size of the site and its closeness to the neighbouring properties.

With regard to the floodlighting equipment, a lux contour map has been provided that clearly shows an overspill of light both onto the properties and gardens of surrounding residential houses. With the floodlights in operation the effect in neighbouring properties will be identical to that originally considered by the Inspector, tree planting would not baffle the light or protect nearby houses from light pollution which will by its nature be worse in winter. His conclusion that the lighting would have an adverse impact on the living conditions of nearby residents must remain and be a significant factor on any decision made.

With regard to noise and disturbance as the Inspector noted this will depend on the number and duration of the occasion when the lights were used. Further, with the spectator stand just 50 metres from the nearest houses, the increase in the number of spectators would be likely to cause considerable noise and disturbance to nearby occupiers to an extent that *it could become quite unacceptable*.

The reduction of the spectator stand to provide for 66 users is still located 50 metres from the nearest houses and the application advises that the lights would be used on a Saturday afternoon and for 2 evenings a week for training until 10 pm and in addition, for Hadley FC 1st matches both on Saturdays and mid-week.

There is no doubt that this use of the ground will exacerbate noise and disturbance which is already significant and extend it to evening times that is completely unacceptable in an otherwise quiet locality, an aspect specifically identified by the previous Inspector.

1. The effect on Road Safety

Further information has been provided including a draft travel plan supplying more information. However, no amount of information can address the point that this pitch when floodlit, and with an increased spectator stand and in use by Hadley FC 1st team, will attract significantly more traffic causing problems to road safety, on street parking and a subsequent deterioration to pedestrian safety in an area unsuited to such development.

2. The alterations to the Main clubhouse

Although not a specific factor raised by the previous Inspector, the alterations proposed to the grounds include the building of new changing rooms will enable the main clubhouse to be opened up as is currently proposed, so that the club room becomes significantly larger. This would enable functions to take place on a significantly larger scale than have hitherto been possible with all the consequent noise and disturbance, increased car parking and comings and goings to the clubhouse, all of which will be to the detriment of local residents in the immediate area.

3. Whether, if the proposals were inappropriate development, the harm caused is outweighed by other considerations?

The Inspector considered carefully the use of the site and the benefits it brought to disabled people and to the improvement of sports facilities and he accepted that the harm to the Green Belt would be relatively small in its effect but he attached *far greater weight* (my emphasis) to the harm to the living conditions of nearby occupiers. The alterations identified address various aspects of the scheme but do not ameliorate to any significant degree the potential harm caused to local residents.

(5) Conclusions

Whilst the amendments to the scheme can be seen to have addressed points raised by the previous Inspector, taken in the round the proposals will still enable this site to be used late into the evening on two or three occasions mid-week throughout the training and playing season (i.e. most of the year).

The increased spectator facilities will enable greater participation for spectators particularly at Hadley FC 1st team events where despite the acoustic fencing proposed there is likely to be significant noise and disturbance to surrounding residents which will be particularly unacceptable late in the evenings during the mid-week.

If the floodlights are in use until 10 pm it is anticipated there would still be players and spectators in the clubhouse until 11 pm which will be completely unacceptable as far as the occupation of family houses nearby is concerned. The increased activity of the use of the sports field and of the increased facilities for spectators as well as the unknown quantum of the increased use of a much enlarged clubhouse will cause noise and disturbance, increased parking and pedestrian activity in Brickfield Lane and to the surrounding areas to a significantly greater extent than currently exists.

The truth is that the site is simply too close to surrounding residential properties and too inappropriately located to utilise public transport in any significant way to enable this scheme, reduced as it is, from the original proposals to be found acceptable in either Green Belt terms or local policy terms with regard to the effect of the proposal on residential amenities by reason of noise, on street parking, and visual intrusion of a flood lit pitch in an area that has hitherto been quiet at night..

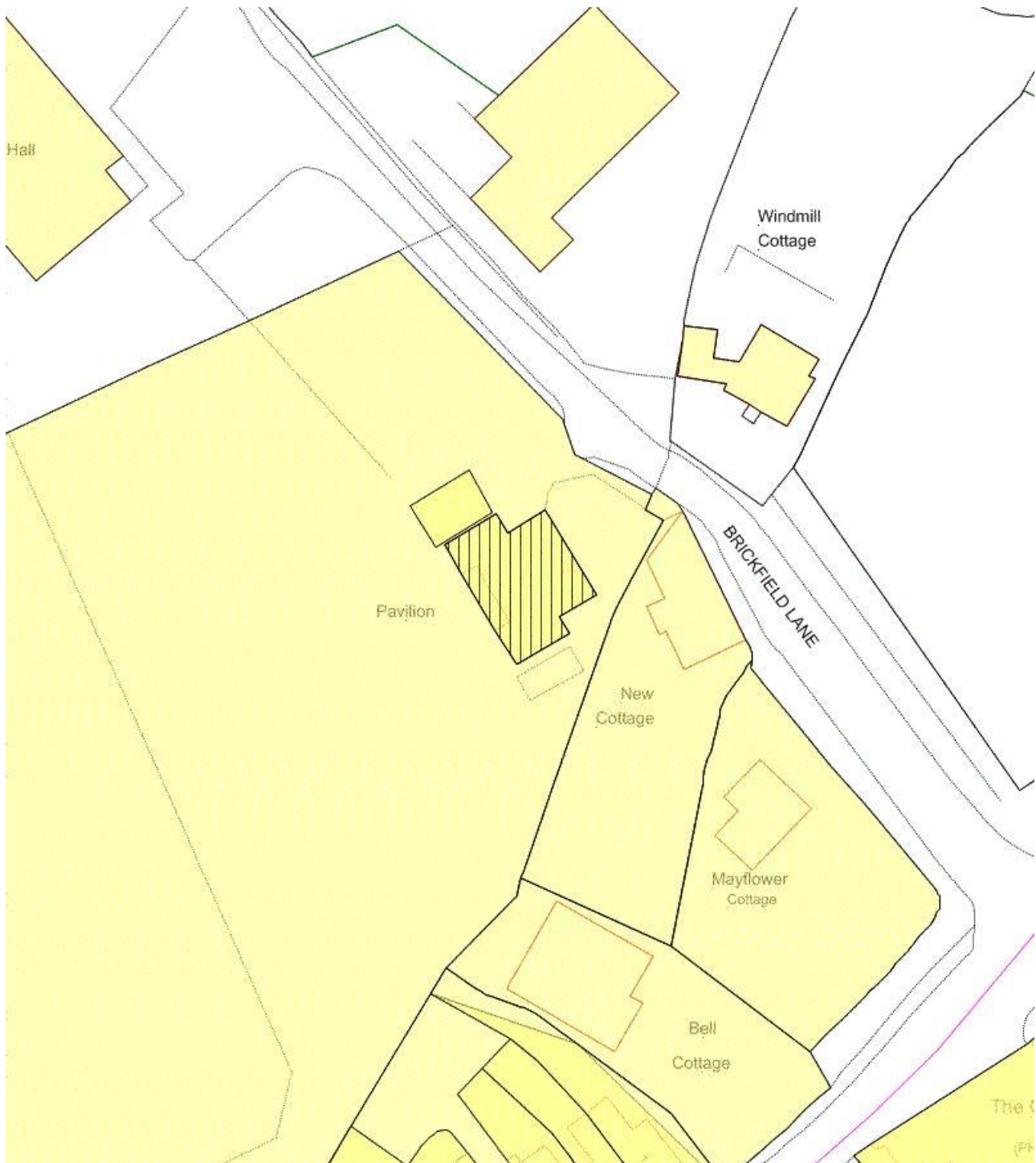
(6) Conditions if approved

If despite the legitimate concerns raised by my clients the scheme is found to be acceptable by the local Planning Authority, it is essential that consideration is given to the following conditions:

- The lighting columns must be retracted when not in use and should be the subject of a maintenance contract to ensure their permanent ability to be retracted.
- The floodlit pitch should only be used by the Hadley Disabled Sports Association and for Hadley FC 1st team matches (for no more than eight occasions a year) and for no other purposes.
- A landscaping proposal must be brought forward with the intention of mitigating the impact of floodlights on the residential curtilages of surrounding properties.
- At no stage should the noise emanating from the site audible within the gardens of surrounding residential properties be greater than 3 decibels above the normal noise profile of the area at the appropriate time of day (the base figures to be established at the applicant's expense prior to any development taking place).
- The use of the clubhouse for external events or for entertaining players or visitors shall be restricted and in any event not extend beyond 11 pm at night.

SITE LOCATION PLAN: The Pavilion, Brickfield Lane, Barnet, Herts, EN5 3LD

REFERENCE: B/02293/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 158 High Street, Barnet, Herts, EN5 5XP

REFERENCE: B/02878/11

Received: 11 July 2011

Accepted: 13 July 2011

WARD(S): High Barnet

Expiry: 07 September 2011

Final Revisions:

APPLICANT: Coral Racing Ltd

PROPOSAL: Installation of two satellite dishes to rear elevation and two air conditioning units to flat roof at rear.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 10/3554/01, 10/3554/02, Design and Access Statement dated July 2011, Air Conditioners technical Data by Daikin, Supporting information relating to acoustic enclosures from Environ (date received 11-Jul-2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 air conditioning units and the associated acoustic enclosures hereby permitted shall not be raised, extended, altered or relocated in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason:

To safeguard the character and appearance of the general locality and the amenities of adjoining occupiers.

4. The level of noise emitted from the roof mounted chiller units hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): ENV12, ENV13, GBEnv1, D2.

Core Strategy (Publication Stage) 2010:

CS5

ii) The proposal is acceptable for the following reason(s): -The proposed development is considered to have an acceptable impact on the character and appearance of the building on which it will be placed and the general locality. It is not considered to have a significantly adverse impact on the amenities of the neighbouring occupiers both within the building itself and within neighbouring properties and is not considered to result in undue noise and disturbance. The proposal is in accordance with the aforementioned policies.

2. This grant of consent relates solely to the installation of two satellite dishes to the rear elevation and two air conditioning units to flat roof at the rear.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS24 - Planning and Noise

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

ENV12, ENV13, GBEnv1, D2.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

Site Address: The Woolwich - 158 High Street Barnet Hertfordshire EN5 5XP
Application Number: N03339M/07
Application Type: Full Application
Decision: Refuse
Decision Date: 15/05/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Alterations to shopfront and installation of new entrance door and replacement ATM machine.**
Case Officer: Robert Lancaster

Site Address: The Woolwich 158 High Street Barnet Hertfordshire EN5 5XP
Application Number: N03339J/03
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 14/07/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of internally illuminated fascia signage and projecting box-signs.**

Site Address: Woolwich Plc 158 High Street Barnet Herts EN5 5XP
Application Number: N03339H/03
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 30/04/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Replacement shopfront.**

Site Address: The White Horse Public House 158 High Street Barnet
Application Number: N03339
Application Type: Full Application
Decision: Approve
Decision Date: 19/06/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **continuation of use as a retail shop**

Site Address: 158 High Street BARNET Herts
Application Number: N03339E
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 29/06/1988
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internally illuminated fascia and projecting box signs.**

Site Address: 158 High Street BARNET Herts
Application Number: N03339G
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 11/07/1996
Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists
Proposal: **New shopfront.**

Site Address: 158 High Street BARNET Herts
Application Number: N03339F
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 11/07/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internally illuminated fascia and projectingbox sign.**

Site Address: 158 High Street Barnet Hertfordshire EN5 5XP
Application Number: N03339L/07
Application Type: Full Application
Decision: Refuse
Decision Date: 01/03/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Alterations to shopfront to install new entrance door and replacement ATM machine.**
Case Officer: Robert Lancaster

Site Address: 158 High Street Barnet Hertfordshire EN5 5XP
Application Number: N03339K/06
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 06/10/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign.**
Case Officer: Robert Lancaster

Site Address: 158 High Street Barnet
Application Number: N03339A
Application Type: Full Application
Decision: Refuse
Decision Date: 01/06/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: 01/06/1981
Proposal: **Change of use of ground floor from retail to building society office with residential use on first and second floors.**

Site Address: 158 High Street Barnet
Application Number: N03339C
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 04/11/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Advert**

Site Address: 158 High Street Barnet
Application Number: N03339D
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 22/07/1982
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Advert**

Site Address: 158 High Street Barnet
Application Number: N03339B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 04/11/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of new shopfront**

Site Address: 158 High Street, Barnet, Herts, EN5 5XP
Application Number: 00597/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/04/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of existing maisonette into 2 No. self-contained flats with associated rear external stairway access. Installation of door at ground floor front elevation.**
Case Officer: Lisa Cheung

Site Address: 158 High Street, Barnet, Herts, EN5 5XP
Application Number: B/04915/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/01/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey rear extension.**
Case Officer: Lisa Cheung

Site Address: 158B High Street, Barnet, Herts, EN5 5XP
Application Number: 00961/11
Application Type: Householder
Decision: Approve with conditions
Decision Date: 19/04/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed rear dormer to existing loft room of No.158b**
Case Officer: Lisa Cheung

Site Address: Woolwich Plc, 158 High Street, Barnet, Herts, EN5 5XP
Application Number: B/01508/11
Application Type: Material Minor Amendment/Vary Condition
Decision: Approve with conditions
Decision Date: 25/05/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Removal of condition 2 to enable open class A2 (Financial and Professional Services) use of premises, pursuant to planning permission reference (T/APP/5004/A/80/12341/G6) dated (1 Jun 1981)**
Case Officer: Fiona Dinsey

Site Address: 158 High Street, Barnet, Herts, EN5 5XP
Application Number: B/02851/11
Application Type: Advertisement
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of 1No. internally illuminated fascia sign and projecting sign.**
Case Officer: Lisa Cheung

Consultations and Views Expressed:

Neighbours Consulted: 84
Neighbours Wishing To 0
Speak

Replies: 4

The objections raised may be summarised as follows:

- The new building is extremely ugly as it stands with its windows and doors facing outward reducing a further loss of privacy
- Totally against the construction and installation of two satellite dishes which will further blot the landscape
- There is already a betting shop within a distance of 30 to 40 yards of these premises so why must we suffer yet more horrendous type outlets?
- Barnet residents deserve to be served by a better quality shop more suited to this environment
- New building is ugly
- Cannot see a need for another betting shop
- The other betting shop often attracts at the rear of the premises people of an unsavoury nature who consume alcohol and leave rubbish and unwanted material
- Another betting shop in the area is unnecessary

Internal /Other Consultations:

- Environmental Health - No objections subject to conditions

Date of Site Notice: 21 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a three storey mid-terraced building located on the eastern side of High Street, Barnet. This site lies within the Chipping Barnet Town Centre, close to many public transport links and routes. The ground floor of the premises is currently vacant however is Class A2 (unrestricted). The upper floors are residential. The building is an imposing and prominent building within the street scene as a result of its height in relation to the adjoining properties and its design.

The High Street is comprised mainly of commercial units at ground floor with residential or office space at upper floors.

Proposal:

This application seeks consent for the installation of two satellite dishes to the rear elevation and two air conditioning units to flat roof at the rear.

The submitted plans indicate that the occupier of the ground floor premises is to be Coral (betting shop). **Planning permission is not required for this use.**

The two satellite dishes would be erected on the rear wall of the building just above first floor level and would measure 90cm and 60cm respectively. These are proposed to provide television services to Coral.

The two air conditioning units would be positioned on the lower rear roof. They will operate during trading hours as outlined with the applicants design and access statement.

Planning permission has previously been granted for a two storey rear extension (see relevant planning history) which is currently being constructed but is yet to be completed. There is also another current application for this site for adverts to the ground floor A2 premises. Therefore whilst signage is shown on the submitted drawings, it does not form part of the application.

Planning Considerations:

The proposed development is considered to have an acceptable impact on the character and appearance of the building on which it will be placed and the general locality. Satellite dishes are common to the rear of buildings, especially in town centres and therefore is not considered to be out of keeping or detract from the appearance of the building or the character of the locality. The satellite dishes have been placed on the rear elevation so as not to be visible from the street scene and given their location and their size are not considered to be visually obtrusive.

The proposed air conditioning units have been located on the flat roof of a single storey rear projection. They would largely be shielded from view from outside the site given the large flat roof rear extension on the neighbouring site of 154-156 High Street and also because of the positioning of neighbouring buildings No's 160 and 162 High Street. Again it is considered that this type of development is not uncommon in town centres and is therefore not considered to be out of keeping or obtrusive.

It is acknowledged that there are residential units on the upper floors of this building however the satellite dishes have been placed between the first and second floor so as not to obscure views from the rear windows. Environmental Health have considered the information submitted as part of the application in relation to the air conditioning units and consider that subject to conditions, the general background noise levels will not be affected as a result of this development. The proposed acoustic enclosures are considered to mitigate the noise impact of the chiller fans and therefore it is considered that the proposal is acceptable on noise grounds. Overall the development is not considered to result in a significant loss of amenity for neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the planning appraisal however the following comments can be made:

- The proposed use of the ground floor as a betting office does not require planning permission as it falls within Class A2 which is the permitted use for the ground floor.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposed development is considered to accord with council policies and guidance which seek to safeguard the character and appearance of a building as well as the surrounding locality and the amenities of neighbouring occupiers. It is therefore recommended for approval, subject to conditions.

SITE LOCATION PLAN: 158 High Street, Barnet, Herts, EN5 5XP

REFERENCE: B/02878/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: The Pavilion, Tudor Sports Ground, Clifford Road, Barnet, Herts

REFERENCE: B/03227/11

Received: 29 July 2011

Accepted: 28 July 2011

WARD(S): High Barnet

Expiry: 22 September 2011

Final Revisions:

APPLICANT: Mr Wright

PROPOSAL: Partial change of use from Sports Pavilion to restaurant with A3 usage including external seating area.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: KB/Wright/001, Site location plan (date received 28Jul-2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 use hereby permitted shall not be in operation before 8:00am or after 19:00pm on weekdays and Saturdays or before 10:00am or after 17:00pm on Sundays and Public Bank Holidays (excluding Easter Sunday, Christmas Day and New Years Day when it shall not be in operation at any time) unless otherwise specified in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

4. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 10:00am or after 16:00pm on any other day unless otherwise specified in writing by the Local Planning Authority.

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

5. The storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable to be used in conjunction with the development hereby permitted shall be stored within the storage area to the rear of the building as stated in an email from Kevin Birch dated 15th August 2011 unless otherwise specified in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

6. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

7. The level of noise emitted from any approved plan and machinery shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 8 The premises shall be used as a restaurant/cafe and no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

- i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv4, ENV12, ENV13, D2, HC1, O1, O2, L11, M14.

Monken Hadley Character Appraisal Statement

Core Strategy (Publication Stage) 2010:

CS5, CS7

- ii) The proposal is acceptable for the following reason(s): -

The proposed development is considered to be an appropriate use on this site in this location and would increase the usability and viability of Tudor Sports Ground. It would be consistent with council policies and guidance and would be ancillary to the use of land as open space and complement its functions. It would not have a significantly harmful impact on the residential amenities of neighbouring occupiers nor would it

have an adverse impact on highway safety, free flow of traffic or parking in the locality. The proposal is considered to accord with the aforementioned policies.

- 2 This development is on land owned by the Council. The grant of planning permission confers no rights to commence works on this site and the applicant is advised to consult with Property Services prior to taking any further action in respect of the grant of planning permission.
- 3 This grant of consent does not include any signage on the building or within the site related to the proposed A3 use.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS5 - Planning for the Historic Environment
PPG17 - Planning for Open Space, Sport and Recreation

The Mayor's London Plan: July 2011

Various including Policy 7.4 - Local Character

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv4, ENV12, ENV13, D2, HC1, O1, O2, L11, M14.
Monken Hadley Character Appraisal Statement

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5, CS7

Relevant Planning History:

Site Address: Tudor Sports Pavilion Tudor Sports Ground New Barnet EN5
Application Number: N14153/04
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 31/08/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of premises for provision of childcare and activity services (arts and crafts, sports etc.) for up to 40 children aged 4-14 years operating hours 8am to 6pm daily.**

Site Address: The Pavilion, Tudor Sports Ground, EN5
Application Number: B/01846/11
Application Type: Full Application
Decision: Withdrawn
Decision Date: 28/06/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Partial change of use of sports pavilion to restaurant with A3 useage**
Case Officer: Lisa Cheung

Consultations and Views Expressed:

Neighbours Consulted: 86

Replies: 0 at the time of writing the report. Any replies will be reported at the meeting

Neighbours Wishing To 0
Speak

Internal /Other Consultations:

- Green Spaces (inc Allotments) - No response received at the time of writing the report. Any response received will be reported at the meeting.
- Property Services - No response received at the time of writing the report. Any response received will be reported at the meeting.
- Traffic & Development - No response received at the time of writing the report. Any response received will be reported at the meeting.
- Monken Hadley and Wood Street Conservation Area Advisory Committee - No response received at the time of writing the report. Any response received will be reported at the meeting.

Date of Site Notice: 11 August 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a pavilion building located to the south of Tudor Sports Ground. Tudor Sports Ground is an area of open space designated as Metropolitan Open Land located within the Monken Hadley Conservation Area.

The Sports Ground is bounded by residential properties to the west and south. Vehicular access to the sports ground is to the west from Clifford Road and pedestrian access both from Clifford Road and Boleyn Way.

Proposal:

This application seeks planning permission for the partial change of use from Sports Pavilion to restaurant with A3 use including external seating area.

The Pavilion is currently used as a hall/changing rooms with kitchen facilities.

The application would involve largely internal alterations to subdivide the Pavilion retaining the changing rooms, showers and kitchen area. The main hall would be converted into a seating area with a kitchen (to be used as a restaurant). An external seating area is also proposed, around the south and eastern sides of the Pavilion.

Planning Considerations:

The proposed development is not considered to have an unacceptable impact on the character and appearance of the locality or on the park in general. Policy L11 states that development in areas of public open space will not be permitted except where it is ancillary to the use of the land as open space, complements its functions, is not harmful to the open character of the area and is in the interests of the community. This development is considered to complement the functions of the public open space in that it would allow greater usability of the park and given that it is a partial use of an existing building would not be harmful to the open character of the area. Whilst the proposal includes an area of external seating, a cafe with an outdoor seating area is a common feature in public open spaces and parks, as can be seen in other parks within the borough.

The proposed development is considered to be in the interests of the community.

The site is designated as Metropolitan Open Land (MOL) and there are policies which seek to ensure that all development within MOL is compatible with the purposes and objectives, would maintain their openness and would not harm their visual amenity. The proposed partial change of use of the existing building is considered to preserve the openness of the Sports Ground and would actually complement and improve the usability of this area. The development would allow for the retention of the changing room and shower facilities which are used by other groups in the area and overall would preserve the open character of the land and its purposes and objectives.

In terms of amenity, the proposed development is not considered to result in undue noise and disturbance to the neighbouring occupiers. The part of the site within which the Pavilion is located backs onto a residential development in Boleyn Way with the nearest residential property sited some 11.5m away. However the proposed use is not considered to have an adverse impact on the amenities of the occupiers of these properties. There is a car park area immediately to the west of these residential properties which provides parking for the residents and there is screening along the boundaries between the two sites. Both of these factors are considered to help mitigate the impacts of the proposed use as well as the imposition of conditions relating to hours of operation and deliveries which would ensure minimal disruption and maintaining an acceptable degree of amenity for the occupiers of these properties. Residential properties in Clifford Road are located some 220m away to the west and it is considered that this distance is sufficient to ensure that the amenity of these occupiers is safeguarded. Whilst there is external seating, this seating would largely be used during daylight hours and therefore is not considered to lend itself to be used anti-socially. Furthermore, it is highly likely that the restaurant will be used by people visiting and using the park only rather than as a commercial business, to be used by those living out of

the area. The park is also known to be locked at certain hours and therefore it is likely that it will only operate during park opening times.

Any refuse resulting from the use will be store to the rear of the pavilion building within the confines of the fenced area as confirmed in an email received from the agent. The collection of any existing refuse is carried out by the refuse department within the Council and it has been confirmed that this will remain the case.

3. COMMENTS ON GROUNDS OF OBJECTIONS

None received at the time of writing the report.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal will be of a benefit to the general public and the surrounding community and is not considered to cause significant harm to the amenities of neighbouring occupiers or to the park in general. It complies with UDP policies and is therefore recommended for approval, subject to conditions.

SITE LOCATION PLAN:
Barnet, Herts

The Pavilion, Tudor Sports Ground, Clifford Road,

REFERENCE:

B/03227/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 33 Lyonsdown Road, Barnet, Herts, EN5 1JG

REFERENCE: B/01059/11

Received: 05 March 2011

Accepted: 18 March 2011

WARD(S): Oakleigh

Expiry: 13 May 2011

Final Revisions:

APPLICANT: Society of African Missions

PROPOSAL: Erection of three detached, five bedroom houses (Outline).

RECOMMENDATION: Approve Subject to S106 Agreement

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £35,847.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £6,048.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £732.00**
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £2,131.35**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: B/01059/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 345P(00)100, 345P(00)102, 345P(00)101B, 345P(00)104, 345P(00)103, 345P(00)105B, Topographical Survey 05420-T-01C, Arboricultural Method Statement dated February 2011 (Ian G. Tupling), Report on Trees amended February 2011 (Ian G. Tupling), Planning Statement March 2011, Design and Access Statement February 2011.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. Application for the approval of the reserved matters must be made before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act, 1990.

3. Details of the access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason:

To ensure a satisfactory development.

4. The development to which this permission relates must be begun not later than two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act, 1990.

5. Details of siting, design and external appearance of the building(s) and means of access thereto shall be approved by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality, the flow of traffic and conditions of general safety on the adjacent highway or the enjoyment of neighbouring occupiers of their properties.

6. Before development hereby permitted is occupied, turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

7. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

8. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

9. Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

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.

10. Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, D, E, F of Part 1 to Schedule 2 and Class A of Part 1 of Schedule 2 of that Order shall be carried out within the individual curtilages of the dwellinghouses hereby approved without the prior written permission of the local planning authority.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

12. Before the development hereby permitted commences details of all boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the locality and trees of special amenity value.

13. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

16. No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

17. Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

18. No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees of special amenity value in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature.

19. No development or other operations shall commence on site in connection with the demolition and development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

To safeguard the health of existing trees which represent an important amenity feature.

20. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D12, D13, H16, H17, H18, CS2, CS8, IMP2, M11, M12, M13, M14.

SPD – Planning Obligations

SPD – Health

SPD – Education

SPD – Libraries

SPD - Sustainable Design and Construction

Core Strategy (Publication Stage) 2010:

CS4 and CS5.

ii) The proposal is acceptable for the following reason(s): - The proposed redevelopment of the site would have an acceptable impact on the character and appearance of the area, trees of special amenity value and the amenities of future and adjoining residents. The proposals have overcome the previous reasons for refusal of an earlier application and includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

RECOMMENDATION III

That if an agreement has not been completed by 07/12/2011 that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application B/01059/11 under delegated powers for the following reason/s:

1. The development does not include a formal undertaking to meet the extra education, health and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8 and IMP2 of the Adopted Barnet Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries and Supplementary Planning Document - Contributions to Health Facilities.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS3 - Housing

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: Spatial Development Strategy for Greater London 2011

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, H16, H17, H18, M11, M12, M14, D11, D12, D13, CS2, CS8, IMP2.

Supplementary Planning Document - Sustainable Design and Construction

Supplementary Planning Document - Planning Obligations

Supplementary Planning Document - Contributions to Education

Supplementary Planning Document - Contributions to Health Facilities arising from Development

Supplementary Planning Document - Contributions to Libraries Services

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material

consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS4, CS5.

Development Management Policies:

DM01, DM02, DM03, DM04, DM07, DM17.

Relevant Planning History:

B/04547/10 - Refused 13/01/2011

Erection of four detached, 5 bedroom houses (Outline)

N01422C – Refused 02/06/1971

15 flats, 16 garages and 2 casual parking spaces

Grounds for refusal:

1) The proposed development by reason of its siting and projection beyond established building lines would be a cramped and obtrusive form of development detrimental to the character and appearance of the Lyonsdown Road and Richmond Road street scenes as well as the openness of the corner at this junction contrary to policies GBEnv1, GBEnv2, GBEnv4, D1, D2, D3 and H16 of the Adopted Barnet Unitary Development Plan (2006).

2) The proposed dwelling fronting Richmond Road would be a poor form of development that would result in the loss of trees and restricting views of trees of special amenity value which make an important contribution to the visual amenity of the locality detrimental to the character and appearance of the area contrary to policies GBEnv1, GBEnv4, D2, D12 and D13 of the Adopted Barnet Unitary Development Plan (2006).

3) The proposed dwelling fronting Richmond Road would by reason of its siting and proximity to the rear boundary of the proposed central dwelling fronting Lyonsdown Road would be obtrusive and overbearing as perceived from the rear windows and rear gardens of the proposed dwellings on Lyonsdown Road detrimental to the amenities of future occupiers of the dwellings contrary to policies D5 and H16 of the Adopted Barnet Unitary Development Plan (2006).

4) Inadequate information has been submitted in respect of the impact of the proposed works and development on the trees of special amenity value, protected by Tree Preservation Order; the local planning authority is therefore unable to properly assess its impact. On the basis of the information submitted the proposal is considered to result in loss of trees of special amenity value as well as damage which may be severe enough to cause loss. This would be harmful to the character and appearance of the locality and contrary to policies GBEnv1, GBEnv4, D2, D12 and D13 of the Adopted Barnet Unitary Development Plan (2006).

5) The development does not include a formal undertaking to meet the extra education, health and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8 and IMP2 of the Adopted Barnet Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries and Supplementary Planning Document - Contributions to Health Facilities.

Consultations and Views Expressed:

Neighbours Consulted: 87
Neighbours Wishing To 1
Speak

Replies: 3

The objections raised may be summarised as follows:

- Reduction of direct light to St. Mirren Court if buildings come forward of the existing building line
- Noise and disturbance during the building process
- Concern that trees would be removed as a result of the development which provide a pleasant view resulting in loss of privacy and resale value of adjoining properties
- Nothing has changed since the last application was refused
- Trees and wildlife would disappear if the houses were built changing the environment significantly
- The junction of Lyonsdown and Richmond Roads is dangerous and has had its fair share of accidents
- Parking is an ongoing problem given the parking restrictions on Lyonsdown Road meaning commuters park on Richmond Road blocking gates and access to properties; a further 6-10 cars would exacerbate the situation

Internal /Other Consultations:

- Traffic & Development -

The proposal is for demolition of existing property, currently used as a residential institution, and erection of 3 5-bedroom houses. A total of 2 off street parking spaces are proposed for each house, accessed via 3 crossovers, two in Lyonsdown Road and one in Richmond Road.

The parking provision is in accordance with the parking standards set out in the London Borough of Barnet Adopted Unitary Development Plan 2006.

If the development is carried out it will be necessary for new crossovers to be constructed by the highways authority at the applicants' expense, any redundant crossovers must be reinstated to footway.

- Trees and Landscaping -

No objections to the amended proposals subject to conditions.

Date of Site Notice: 24 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site lies on the eastern side of Lyonsdown Road on the southeastern corner with the junction at Richmond Road. Levels drop significantly from the front to the rear of the site and as such the building is at a much higher level than the neighbouring properties on Richmond Road.

The building that occupies the site is a substantial Victorian property which is currently occupied by the Society of African Missions and is used as a residential institution providing board and teaching for priests engaged on missions whilst in the UK. It is a three-storey building although the lower storey is partly concealed from Lyonsdown Road due to the level changes affecting the site. It has a distinctive single storey front entrance corridor which projects from the main building up to the footpath. Given the site's elevated position, its corner location and minimal boundary enclosures the building is highly visible when travelling west on Richmond Road and south along Lyonsdown Road.

There are 2 group TPO's on the site, one which extends almost from the rear of the building and up to the rear boundary sited adjacent to the boundary with No. 35 Lyonsdown Road and relates to land and trees on a raised bank. The other fronts Richmond Road. Given the openness of the rear part of the site the trees are visible in the street and contribute to the visual amenity of the locality providing visual relief from the built form.

In addition there are 2 mature horse chestnut trees on the site that make a significant contribution to public amenity. During the course of the application 2 new TPO's (TPO/CA/409) have been served in order to safeguard the contribution that these trees make to the character and appearance of the general locality and public amenity. One lies to the front of the site between the application site and the adjoining block of flats at Apex Lodge. The other lies on the corner with Richmond Road occupying a very prominent position.

Lyonsdown Road is residential in character and comprises predominantly of large blocks of purpose built flats. Some single houses remain but a number of these have been converted into flats given their substantial size.

Richmond Road is characterised by smaller single family dwellings.

Proposal:

The application seeks outline consent for the erection of 3 detached dwellings. Whilst the application is in outline form with all matters reserved, a site layout has been submitted (which has been amended during the course of the application) and indicative floor plans and sections have also been submitted.

The proposed dwellings would be sited fronting Lyonsdown Road and would form a stagger from the road frontage largely within the footprint of the existing building. As such the proposed dwellings would be sited 11-14m back from the front boundary of the site. Unit 1 which would occupy the corner position would be sited closer to Richmond Road than the existing flank wall of the building but would still maintain a gap of 5.5m to the boundary of the site. Unit 1 would adjoin Apex Lodge and would be sited 1/1.5m from the boundary and there would be a gap of approximately 2.5m between units 2 and 3 and 1.5m between units 1 and 2.

Given the drop in levels at the site the indicative sections indicate that a lower ground floor level of accommodation would be utilised with an additional three storeys of accommodation above.

Planning Considerations:

The application follows the refusal of a previous application which is detailed in the relevant planning history above. That proposal was for the erection of 4 dwellings, 1 of which was proposed to be sited in the rear garden of the site fronting Richmond Road. Given the significant objections raised by the LPA with regards to the impact of this dwelling on TPO

trees, the character and appearance of the area and amenities of future occupiers this dwelling has been omitted from the current application. In addition the siting of the dwellings fronting Lyonsdown Road has been amended to take account of established building lines and trees of special amenity value.

Following amendments to the siting of the dwellings the LPA is now satisfied that the proposed development can be carried out without causing harm to the character or appearance of the area and trees of special amenity value.

The site is of a significant size and currently accommodates a substantial building and has served as a residential institution for the Society of African Missions since the 1970's. The building is Victorian but is not locally or statutorily protected from redevelopment. It is underused at present given its substantial size and the more modest requirements of the Mission than previously. The Society of African Missions intend to consolidate their accommodation within another building which they occupy at No. 28 Lyonsdown Road in order to retain a presence within the London Borough of Barnet.

The site would be subdivided into 3 separate curtilages. The widths would vary between 10-14m and with the general conformity to the front building line along the street would provide garden depths in excess of 23m. Given the width and depth of the plot the subdivision into three is considered to have an acceptable impact on the character and appearance of the locality and is not considered to be unduly cramped or out of keeping with the established pattern of development in the locality. Unit 1 has been set back from the front and side in order to respect the TPO Horse Chestnut on the corner of site and the return building line on Richmond Road retaining the openness at this junction.

The siting is still indicative given that the application is in outline form with all matters reserved but provides assurance that the site can accommodate three dwellings without damaging TPO trees and providing a good form of amenity for future occupiers whilst protecting the amenities of existing residents. Each of the dwellings would have suitable private amenity space and 2no. off-street parking spaces for each dwelling could also be accommodated without affecting the root protection areas of the existing trees. Conditions have been imposed to ensure the spaces are provided at a suitable level in relation to the land.

It is not considered that the proposals would be detrimental to the amenities of adjoining residents although detailed scale, height, design and siting are reserved matters that will be subject to further consideration by the LPA and public consultation. The extension of the built form towards the northern boundary of the site is not considered to result in a loss of light to the flats opposite.

Whilst it is acknowledged that Lyonsdown Road is predominantly characterised by flatted developments it is not considered that redevelopment of the site for 3 single family dwellings would be detrimental to the character or appearance of the residential nature of the area. There is a demand for family housing in the borough as outlined within chapter 9 and policy CS4 of the Core Strategy and the proposals are consistent with the Council's direction of travel.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed above, additional comments below:

- Noise and disturbance during construction is not a material planning consideration.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. SECTION 106 ISSUES

As the development involves the creation of additional residential units within the borough there will be additional pressure on essential services such as health, education and libraries facilities. As such the recommendation is subject to a s.106 planning obligation to ensure contributions are made towards these services to off-set this pressure in accordance with council policy and guidance.

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

6. CONCLUSION

The proposed redevelopment of the site is considered to accord with planning policy and guidance and approval subject to a s.106 obligation is therefore recommended.

SITE LOCATION PLAN: 33 Lyonsdown Road, Barnet, Herts, EN5 1JG

REFERENCE: B/01059/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 9 Netherlands Road, Barnet, Herts, EN5 1BN

REFERENCE: B/02663/11

Received: 23 June 2011

Accepted: 04 July 2011

WARD(S): Oakleigh

Expiry: 29 August 2011

Final Revisions:

APPLICANT: Mr F Johansson

PROPOSAL: Conversion of property into 2no self-contained units including associated amenity space and provision of bin enclosure. Extension to existing basement including 2no front lightwells. New front porch. Creation of internal walkway from front to access garden using existing kitchen door/ entrance. First floor side extension. Extension to existing loft space including 1no front and 1no rear rooflight. Alterations to access to rear garden.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan (date received 23-Jun-2011), 9NETH/01 REVISED 22/8/2011, 9NETH02 REVISED 22/8/2011, 9NETH/03 REVISED 22/8/2011, 9NETH/04 REVISED 22/8/2011, 9NETH/05 REVISED 22/8/2011, 9NETH/06 REVISED 22/8/2011, 9NETH/07 REVISED 22/8/2011, 9NETH/08 REVISED 22/8/2011, 9NETH/09 REVISED 22/8/2011, 9NETH/10 REVISED 22/8/2011, 9NETH/11 REVISED 22/8/2011, 9NETH/12, 9NETH/13 REVISED 22/8/2011, 9NETH/14 REVISED 22/8/2011, Design and access statement Revised 22/08/2011 (date received 22-Aug-2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

4. The proposed floor plans as indicated on Drawing No's 9NETH/02 REVISED 22/8/2011, 9NETH/03 REVISED 22/8/2011, 9NETH/04 REVISED 22/8/2011, 9NETH/05 REVISED 22/8/2011, 9NETH/06 REVISED 22/8/2011, 9NETH/07 REVISED 22/8/2011, 9NETH/08 REVISED 22/8/2011 shall be fully implemented,

maintained and not altered in any manner whatsoever unless otherwise approved in writing by the Local Planning Authority.

Reason:

To safeguard residential amenity.

5. Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

6. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority. The insertion of windows within the flank elevation of the first floor side extension facing No.7 Netherlands Road.

Reason:

To safeguard residential amenity

7. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

8. Before the development hereby permitted commences, details of boundary treatments on the site in relation to the proposed amenity space to the rear shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard residential amenity

9. Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

10. No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

- i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, GParking, GBEnv1, D2, D5, M11, M12, M13, M14, H16, H18, H23, H26, H27, CS2, CS8, IMP1, IMP2.

Supplementary Design Guidance Note 5: Extensions to Houses

Supplementary Design Guidance Note 7: Residential Conversions

Core Strategy (Publication Stage) 2010: CS4, CS5

- ii) The proposal is acceptable for the following reason(s): -

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general locality and would provide housing without adversely impacting upon the amenities of neighbouring occupiers. The proposal would provide sufficient parking and would not cause local parking stress or harm the free flow of traffic. The proposal would be in accordance with the aforementioned policies.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2. Any new crossovers or amendments to existing crossovers will be subject to detailed survey by the Crossover Team as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense.. Any street furniture relocation or works on the public highways associated with the crossover will be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Environment and Operations, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
3. The applicant advised that if the proposal is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS3 - Housing

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GSD, GParking, GBEnv1, D2, D5, M11, M12, M13, M14, H16, H18, H23, H26, H27, CS2, CS8, IMP1, IMP2.

Supplementary Planning Guidance - Design Guidance Note 5: Extensions to Houses;
Supplementary Planning Guidance - Design Guidance Note 7: Residential Conversions;
Supplementary Planning Guidance - Design Guidance Note 11: Porches;
Supplementary Planning Document: Planning Obligations;
Supplementary Planning Document: Contributions to Education;
Supplementary Planning Document: Contributions to Libraries; and
Supplementary Planning Document: Contributions to Health Facilities from Development.

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

Application site -

N06061A Two storey side extension. Conditional Approval 15/06/1979.

11 Netherlands Road -

N03296 Two storey side extension and conversion into flats. Refuse 12/06/1972

N03236/A Two storey side extension and conversion into flats. Conditional Approval 16/08/1972

N03296/A Two storey side extension and conversion into flats. Conditional Approval 16/08/1972

B03296/A Two storey side extension and conversion into flats. Conditional Approval 16/08/1972.

24 Netherlands Road

B/01626/11 Part single, part two storey side and rear extension and conversion of existing

2no. one bedroom flats into 2no. two bedroom flats and 1no. one bedroom flat. Refuse
05/07/2011

Consultations and Views Expressed:

Neighbours Consulted: 25
Neighbours Wishing To 1
Speak

Replies: 7

The objections raised may be summarised as follows:

- House should be retained as a single dwelling
- Loss of light
- If the decking area is extended it will overlook neighbouring properties even more than existing
- Not in keeping with the current area
- Will change the character of our single dwelling street
- Loss of privacy
- Gross overdevelopment of the site
- Too many bedrooms than intended for this semi-detached house
- Property currently appears to be in multiple occupation for more than 7 unrelated adults
- Property will look like a flat development with two entrance doors
- Total inadequacy of parking and planned parking arrangement makes for a completely car dominated frontage
- Refuse store to the front is not in keeping with the character of the area
- Large commercial sized bins commonly required for multiple flats could dominate the view from the street
- No provision has been made for a satisfactory point of collection for the bins
- Required potential future extension to a double/triple dropped kerb will not be in keeping with the character and appearance of the area
- Will set a precedent
- Room layout is against recommendations
- Poor internal space standards
- Conversion will generate significant extra movement of people and vehicles resulting in additional noise and disturbance to neighbouring residents
- Additional undue strain on the infrastructure of drains, sewers, roadways
- Existing conversion seems to have allowed a second front door at the front of the house
- Proposed development will look like a carbuncle
- Excessive meters leading to a very unsightly appearance
- Addition of further loft window will result in overlooking and loss of privacy to immediate properties in the near vicinity

Internal /Other Consultations:

- Thames Water Devt Control -

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the

applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- Traffic & Development -

The proposal is for extensions to existing single dwelling and conversion into 4 self contained flats (1 x 3-bedroom, 2 x 2-bedroom and 1 x 1-bedroom) A total of 4 parking spaces will be provided accessed via two vehicle crossovers, a new crossover and the existing crossover following any necessary modifications.

The parking provision is in accordance with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006.

The proposed new crossover and modifications to the existing crossover will be subject to detailed survey by the Crossover Team in Environment and Operations as part of the application for crossover under the Highways Act 1980.

I have no objections on highways grounds as the proposal is not expected to have a detrimental impact on the public highways.

Recommendation

The application is recommended for approval on highways grounds, subject to the above comments.

Date of Site Notice: 14 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a left sided semi-detached single family dwelling located on the eastern side of Netherlands Road. The property is residential in character and similar in appearance to it's immediate neighbours.

The subject property has been extended previously by way of a single storey side extension which replaced a garage.

There is an existing front driveway which can accommodate up to four vehicles.

Levels rise from east to west meaning that the garden is set at a lower level than the property.

Proposal:

This application seeks consent for the conversion of property into 2 self contained flats including associated amenity space and provision of bin enclosure, extension to existing

basement including 2no front lightwells, new front porch. Creation of internal walkway from front to access garden using existing kitchen door/entrance. First floor side extension. Extension to existing loft space including 1no front and 1no rear rooflight and alterations to access to rear garden.

During the course of the application, amendments were made relating to the number of proposed units seeing a reduction from 4 to 2. This has then resulted in other changes related to the layout of the units and amenity space.

Unit 1 would be a duplex flat on both the ground and lower ground floors and would have three bedrooms. Unit 2 would also be a duplex flat split over the first and second floors. This would also have three bedrooms.

The proposed first floor side extension would have a maximum width of 4.9m decreasing to a width of 3.5m as it projects rearwards given the splayed nature of the site. It would have a depth of 7.4m. The side extension would see a continuation of the main ridgeline of the roof and would be in line with the main front wall of the property.

The basement extension would project to a depth of 3.2m from the original rear wall of the property, effectively infilling the area under the existing decking. It would have a maximum width of 11.9m. It would be similar in size and design to that at No.11. A decked area above this extension would be retained.

The front porch would be 3.9m wide, 1.15m deep and 3.25m high and would include a canopy roof which would extend across the front of the property.

2no lightwells are proposed to the front of the property within the existing hardsurfaced area to allow for light to the basement accommodation.

There are two existing doors in the front of the property. The main front door will provide the entrance for both units and the secondary entrance will lead to an internal walkway leading directly to the garden. The garden itself would be split into two sections, marked by fencing.

Planning Considerations:

The principle of converting the single family dwelling into self contained units and the impact on the character and appearance of the area

The conversion of existing dwellings into flats and apartments can make an important contribution to the provision of housing. Also conversions can make more effective use of urban land and promote sustainable development. However conversions can harm the amenity of neighbouring occupiers by reason of increase noise, disturbance and activity because they can normally involve an intensification of use. They can also adversely affect the appearance of street scenes through the provision of hardstanding in front gardens to form off-street parking and dustbin enclosures. The cumulative effect of conversions is that they can damage the quality of the environment and be detrimental to the character of an area. Flat conversions must therefore be situated in appropriate locations.

One predominant characteristic of the area is that it is largely comprised of single family dwellings. There are however a number of examples in the area of property conversions. The principle of converting the subject property into flats is considered to be acceptable for the following reasons.

Firstly, whilst the predominant character of this area is single family homes, as already

mentioned, there are already examples of property conversions. The conversion of No.11 into two self contained units was approved in 1972 and No.24 has been converted into flats (more than 10 years ago as indicated by Council Tax records) and whilst there is no planning history relating to the subdivision of No.24 and No.11 was approved some 39 years ago, this does not mean that they are not material considerations.

Secondly, this property is located on a well trafficked road, close to the junction of Netherlands Road with Longmore Avenue. This site is also located near to Oakleigh Park Overground Station which is approximately 450m to the south. Due to the proximity of the station as well as the road being part of a bus route and being a 'cut through road', it attracts on street parking in parts and general vehicular traffic and related pedestrian activity. Accordingly the comings and goings which may be generated as a result of converting this property into two self contained flats is not considered to alter the character of this road given the existing backdrop of daily activity in this part of the road. Given that this property has four bedrooms (as well as a study, music room and office which could be converted into bedrooms at any time without planning permission) any potential increase in noise and disturbance from people entering and leaving the building or using the rear garden is not considered to be significantly different compared to that generated by a large family dwelling. Given the nature of the site, the proposal is not considered to result in additional noise and disturbance which would be particularly noticeable or detrimental to the neighbours amenities or the character and appearance of the area.

Thirdly, the conversion has been designed in such a way that it would not readily be noticeable from the street. Whilst objections have been raised in respect of the existing two front doors, to install an additional front door does not require planning permission providing that the property is a single family dwelling which it is and was when the additional front door was installed. To retain two entrances would be no different to the existing situation and does not warrant refusal of this application. The bins have been placed both to the side of the existing hardstanding and whilst it would be visible from the street, it is considered that subject to a condition requiring details of the refuse store and the number of units, having a store to the front of the property would not have a marked impact on the character and appearance of the streetscene. Whilst off-street parking is being provided, this is being done so on an existing driveway and therefore this conversion would not require the provision of further hardstanding. The established character of this part of the road is therefore not considered to be materially harmed or jeopardised by the conversion of this property into flats and would in turn provide housing in a sustainable location.

Extensions

The proposed two storey side extension is considered to be in keeping with the style of the building and would be reflective of its character. The proposed two storey side extension has been designed to mirror that of No.11 and in doing so balances the pair of properties, which is currently unbalanced because of the extension to No.11. A sufficient gap has been retained between the flank wall of the proposed extension and the flank wall of non adjoining property No.9 allowing for an acceptable degree of visual spacing between the properties.

The basement extension is also considered to be acceptable. Given that it is infilling the existing space under the decking and extending an existing basement area it is considered to have a limited impact on the overall character and appearance of the property. There are other examples of similar basement extensions along this part of Netherlands Road given the level changes and the inclusion of lightwells/grills to the front is not uncommon. It is therefore considered that this extension would not detract from the character of the locality or from the appearance of the property.

The front porch is considered to be acceptable in terms of its size and design and would not detract from the character of the area or the appearance of the property.

Residential Amenity

The level of amenity afforded to the future occupiers of these units and the occupiers of neighbouring properties is considered to be acceptable.

The room layout of the units is sufficient to ensure minimal noise and disturbance either side by side or above (in terms of stacking). A condition has been recommended in respect of sound insulation to ensure that any insulation which can be provided is at a suitable level. The size of the units is considered to accord with the requirements laid out in the Councils SPD - Sustainable Design and Construction and overall are considered to provide high quality accommodation.

Sufficient outlook and natural light is allowed as a result of the layout of the units in relation to the existing windows.

Policy H18 requires that new development provide adequate levels of amenity or garden space. This will help to protect and improve the quality of residential areas and maintain living standards. For flats, it could be provided communally around the building but must be usable. a minimum of 5 square metres per habitable room is required for flats. The subdivision of the garden into two sections would provide private amenity space for both of the proposed units. The amount of amenity space proposed accords with the requirements of Policy H18 which seeks 5 square metres per habitable room for flatted accommodation. A condition has been recommended requiring full details of the boundary treatments to ensure that the appearance of the site is satisfactory.

It is therefore considered that the proposal would comply with saved UDP policies D5 and H23 as well as the Councils Design Guidance Note 7: Residential Conversions.

The extensions are not considered to have an adverse effect on the amenity of neighbouring occupiers and would accord with saved UDP policies D5 and H27. It is not considered that they will result in a loss of light or outlook to neighbouring properties given the size, design and spacing between the flank walls. The retention of the decking above the basement extension would be similar to what is on site currently and even though the property is to be sub-divided into two units, only Unit 1 would have direct access to this area, resulting in a situation which is not materially different to the existing situation. It is considered that the decking would not be more intensively used than existing and overlooking and loss of privacy are not considered to result from this proposal.

The additional velux windows to the front roofslope are not considered to have a harmful impact on the residential amenities of the neighbouring occupiers in terms of overlooking or loss of privacy. Whilst they would be positioned to the front, the neighbouring properties directly opposite the application site are some 26m away which exceeds the privacy standards set out in Policy H17. Irrespective of this point, the velux windows are not considered to give rise to any more overlooking than what may exist with the first floor windows.

Size of the Units

The property is considered large enough to accommodate two self contained units. Whilst the proposal includes some extensions, these extensions are not considered to be unacceptable in terms of their impact on the character and appearance of the street scene and residential amenity.

Minimum room sizes and dimensions for new residential development are set out in the Supplementary Planning Document; Sustainable Design and Construction. When considering the proposal in accordance with this document, the units are considered to comply as well as complying with the standards set out within the London Plan July 2011. As a result the units are considered to provide an acceptable living space for future occupiers.

Internal Layout and Stacking

The internal layouts of the units have been designed to reflect one another with bedrooms above bedrooms and kitchens above kitchens. No objection is raised to the internal layout and it is considered that the development would result in minimal noise and disturbance.

As the Sustainable Design and Construction SPD also requires additional sound insulation in relation to impact and airborne noise a condition has been suggested to ensure that the attenuation should exceed the Building Regulations by at least 3dB. This standard would be similar to the Eco Homes requirements and overcome any concerns with regard to noise and disturbance from the internal layout. A suitably worded condition in this respect has been imposed to safeguard against any potential noise and disturbance to the occupiers of No.11 however it must be remembered that this property has been converted into two units.

Parking

Although the site is within walking distance to a train station, adequate parking is considered important in this location. Saved UDP policy M14 requires 1 to less than 1 space per unit for a flatted development. Spaces should be able to be accessed independently and the access to the site should be unobstructed.

The parking provision is considered to be acceptable and in accordance with the requirements laid out in Policy M14. Whilst the number of units has been reduced the parking provision has not and given that the existing area to the front is already hard surfaced providing parking for up to at least 4 cars, the retention of this space as parking is considered to be acceptable. The development is not considered to increase any parking stress which may occur in the locality as a result of the nearby train station nor is it considered to cause conflicting movements on the highway or result in more accidents.

S106 Contributions

A condition has been suggested to satisfy the financial contributions required from this development. Contributions towards health, education and library facilities, together with the associated monitoring costs will be required.

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the planning appraisal. However the following comments can be made:

- If there are any concerns that the current use of the property is not as a single family dwelling, an Enforcement Complaint can be made to the Planning Department.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the

commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposed development would not significantly alter the character of the locality or detract from the appearance of the property itself. It would see the provision of high quality residential accommodation with a suitable degree of amenity. The proposal is not considered to have an adverse impact on the amenities of the neighbouring occupiers.

The levels of activity which may arise as a result of the proposed conversion are not considered to be significantly higher than the levels of activity which may arise as a result of occupation of the house by a single family. The development would see the provision of adequate parking.

The development is considered to accord with council policies and guidance and is therefore recommended for approval, subject to conditions.

SITE LOCATION PLAN: 9 Netherlands Road, Barnet, Herts, EN5 1BN

REFERENCE: B/02663/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Land At Rear Of, 10-20 Holden Road, London, N12 8HT

REFERENCE: B/02086/11

Received: 17 May 2011

Accepted: 19 May 2011

WARD(S): Totteridge

Expiry: 14 July 2011

Final Revisions:

APPLICANT: Woodside Park Homes

PROPOSAL: Variation to development in course of completion for (Erection of 7no. three bed houses), Ref (N08421D/02) dated (5th December 2003), in respect of installation of rear dormer windows which will provide rooms in the roofspace of the newly built houses (one dormer per house).

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1318.P.01, 1318.P.02, 1318.P.03, 1318.P.04, 1318.P.05, 1318.P.06 and Design & Access Statement (received 17/05/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the buildings hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.

3. The materials used for the external surfaces of the building(s) and hard surfaced areas shall be in accordance with details that were approved in writing on 27/07/2004 under reference number N08421G/04 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the locality.

4. Details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be in accordance with details that were approved in writing on the 31/03/2004 under reference number N08421E/04 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

5. The temporary tree protection agreed 22/07/2004 under application reference no.N08421F/04 shall remain erected around existing tree(s) in accordance with the approved details. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

6. The permitted points of access shall be in accordance with details that were approved in writing on 31/03/2004 under reference number N08421E/04 unless otherwise agreed in writing by the Local Planning Authority.

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.

7. Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 1318.P.01 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

8. The access and manoeuvring areas shall be in accordance with details that were approved in writing on 31/03/2004 under reference number N08421E/04 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the locality.

9. Details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, shall be in accordance with details approved under reference number N08421E/04 on 31/03/2004 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

10. Before any air conditioning or any other plant is used on the premises, it shall be enclosed with sound-insulating material and mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

11. The hard and soft landscaping on site shall be in accordance with details approved on 22/07/2004 under reference number N08421F/04 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

14. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

15. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEV1, D1, D2, D5 and H27.
Core Strategy (Publication Stage) 2010: CS5

ii) The proposal is acceptable for the following reason(s): -

The proposed dormer windows are considered to have an acceptable impact on the character and appearance of the site and locality. The dormer windows will not harm neighbouring residential amenity and will not lead to an unacceptable level of overlooking. The dormers are not considered to represent a disproportionate addition to the new development and as a result are not considered to represent overdevelopment of the site.

2. The Applicant is advised that Condition 3 (Site Investigation) of the previous permission has not been discharged. This application only considers the construction of dormer windows on this site, not the principle of the development. This condition therefore remains outstanding.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1: Delivering Sustainable Development

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, D5 and H27

Council Design Guidance Note No.5: Extensions to Houses

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

B/03083/11 - Removal of condition 3 (Site Investigative Work) pursuant to planning permission N08421D/02 dated 04/12/03 for 'Erection of 7no. three bed houses. CURRENT APPLICATION.

B/00848/11- Variation to development in cause of completion for (Erection of 7no. three bed houses), Ref (N08421D/02) dated (5th December 2003), in respect of installation to of (Providing rooms within the lofts of the existing newly built houses (7no.) with dormers to the rear (one dormer per each house). Withdrawn 19/05/2011.

N08421G/04 - Submission of details of materials pursuant to Condition 4 of planning permission N08421D/02 for 7no. new houses granted 04.12.03 (variation to Condition 4 of conditions approval N08421E/04 granted 31.03.04). Approved 27/07/2004.

N08421F/04 - Submission of details of protective fencing and landscaping pursuant to conditions 6 and 12 of planning permission N08421D/02 for 7no. new houses granted 04.12.03. Approved 22/07/2004.

N08421E/04- Submission of details of materials, levels, site enclosure, access and refuse storage pursuant to Conditions 4, 5, 7, 9 and 10 of planning permission N08421D/02 for 7no. new houses granted 04.12.03. Approved 31/03/2004.

N08421D/02- Erection of 7no. three bed houses. Approve subject to s106 04/12/2003.

Consultations and Views Expressed:

Neighbours Consulted: 212

Replies: 9 objections
6 letters of support

Neighbours Wishing To 2
Speak

The objections raised may be summarised as follows:

- Application should be refused on the following grounds:
 - (i) The proposed development, by reason of its design, the over-development of the site, the intensity of use, compromising public safety and not harmonising with, relating to and respecting the character of the area would detract from the character and appearance of the surrounding area and impact detrimentally on the residential amenity of existing and future occupiers of neighbouring properties, contrary to Policies GBEnv1, GBEnv2, D2, D4, D6, and H16 of the Adopted Unitary Development Plan (2006) and the London Plan (Consolidated with Alterations since 2004) February 2008, the Draft Replacement London Plan (October 2009) the London Mayor's Interim Housing Supplementary Planning Guidance (April 2010) and Planning Policy Statement 1
 - (ii) The application does not include a formal undertaking to exempt future residents from purchasing residents parking permits for parking in the North Finchley Controlled Parking Zone, and without such an undertaking, the development would result in overspill parking on the public highway, which would be detrimental to highway and pedestrian safety and the free flow of

traffic, contrary to Policies GParking and M14 of the London Borough of Barnet Adopted Barnet Unitary Development Plan (2006)

- (iii) The proposed development does not include a formal undertaking to meet the costs of extra education, libraries, open space, health and social care facilities and associated monitoring costs arising as a result of the proposed development and would therefore not address the impacts of the development, contrary to London Borough of Barnet Supplementary Planning Documents – Contributions to Education (2008), Libraries (2008), Health (2009), Open Space (UDP Policy H20) and Monitoring (2007) and Policies CS2, CS8, CS13, H20, IMP1 and IMP2 of the Adopted Unitary Development Plan (2006)
- The proposal represents overdevelopment of the site. Conditions attached restricted further extensions to the new houses to safeguard the character of the locality and neighbouring amenity
 - Extending the houses which can accommodate five persons will increase the potential occupation of each house to seven persons. This will increase the overall development from 35 persons to 49 persons, a 40% increase
 - The number of habitable rooms in the development will be increased from 35 to 42, a 20% increase
 - This is a landlocked site which is restricted. Access points are dangerous
 - Higher density housing and a more intensive use would prejudice the character of the locality and residential amenity
 - Concerns regarding noise, disturbance and activity
 - Egress from Holden Road is difficult and visibility is poor
 - More intensive use of the site will worsen this and compromise public safety
 - TfL state that this area has a Public Transport Accessibility Level (PTAL) of 2 which is low within its scale. The London Plan gives a Suburban setting density range of 150 habitable rooms per hectare for a PTAL rating of 2, rising to 250 per hectare for a level 3. Based on the site area, the appropriate suburban setting density range would be 27 habitable rooms per hectare, the proposed development of 42 habitable rooms would be excessive, close to a density appropriate to an area with a PTAL rating of 3
 - Insufficient parking is proposed and the development would result in overspill parking
 - Future residents should not be allowed to purchase parking permits
 - More occupants mean that greater financial contributions should be sought
 - Open space contributions should be sought as the area has an open space deficiency
 - Developer does not have complete rights to use the access road from Gainsborough Road through Finchley Lodge
 - Constrained access
 - Shared surface has no pedestrian refuge points and doesn't allow for vehicles to pass each other
 - Traffic movements will affect highway and pedestrian safety
 - Development is contrary to policies GBEnv2, GBEnv3, D1, D2 and D4
 - Certificate B has not been signed appropriately
 - Concerns regarding overlooking
 - Dormers will be intrusive to neighbours
 - Works have already commenced
 - Concerns regarding privacy
 - Loss of trees.

Letters in support state:

- We approve of dormer windows and large family homes in the area
- There are too many flats in the area, we consider large family dwellings to be favourable.

Internal /Other Consultations:

- Traffic & Development -

The proposal is for variation to approved development Ref N08421D/02 for erection of 7 x 3 bedroom houses. The variation is for including rooms in the loft to provide one additional bedroom for each house. A total of 13 off street parking spaces will be maintained.

The parking provision is in accordance with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006.

Date of Site Notice: 02 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to seven newly constructed houses situated to the rear of 10-20 Holden Road. The properties were given planning permission back in December 2003 and comprise of two pairs of semi-detached properties and one row of three terraced properties.

The site is a typical backland development plot, served by two access roads, one to the east, adjacent to Finchley Lodge and one to the south, between No.20 and No.22 Holden Road. The site is bound by residential properties including Finchley Lodge to the east, properties on Holden Road to the south and Greville Lodge to the north. Parking serving Beecholme sits adjacent to the site over to the west.

Proposal:

Planning permission is sought to construct dormer windows in each of the rear roofslopes of the new properties. The dormer windows will provide new accommodation within the lofts of the existing houses, providing an additional bedroom.

The dormer windows will be of the same size, 1.3m in height, 2.1m in width, projecting 1.6m from the roof of each dwelling. The dormer windows will face northwards, set a minimum of 10.5m from the shared boundary to the north.

Planning Considerations:

Planning permission has already been granted for the construction of the seven properties and this permission has been implemented.

This application only considers the construction of the dormer windows and does not consider the development as a whole, access to the development, the layout of the development nor the design, height and style of the new properties.

Overall the design, size and siting of the dormer windows is considered acceptable. Council

Design Guidance Note No.5 states that dormer windows should generally be half the height and half the width of the roof slope to ensure they appear subordinate, and this design guidance has been adhered to. As a result, the dormers are considered to have an acceptable impact on the character and appearance of the host properties.

The dormer windows are not considered to give rise to an unacceptable level of overlooking. The dormers face north, towards Grenville Lodge which is positioned some 40m away from the rear boundary. A further distance of 10.5m is retained from the dormer windows to this rear boundary and this is considered acceptable. Other residential properties adjacent will not be readily visible from the dormers due to the position of the dormers in the roof facing northwards.

Concern has been raised by objectors that the development will result in overdevelopment of the site. Whilst this concern is noted, the dormer windows are considered to represent an acceptable and proportionate increase to the dwellings. It is also noted that a condition was attached to remove permitted development rights of the dwellings when they were approved in 2003, however, this condition was attached to 'ensure that the development did not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties'. This gives the Local Planning Authority control over any development, enabling full consideration any proposed extensions to the scheme and the impact they would have on neighbouring amenity and the character of the area. In this instance, as explained above, the dormer windows are considered to have an acceptable impact on the character of the locality nor the residential amenities of neighbours.

Whilst it is noted that additional bedspaces will be provided in the new houses the increase is not considered disproportionate and not considered to intensify the use of the site to such a degree as to warrant a refusal on these grounds.

The Council's Highways Team has been consulted as part of the application and are satisfied that the provision of 13 off street parking spaces is acceptable, according with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006. Highways raise no objection to the proposed development. Highways do not consider that the addition of another bedroom in the roofspace will generate such an increase in occupation as to compromise highway and pedestrian safety to a degree that would warrant a refusal of the planning permission on highway grounds.

Objectors also refer to the Public Transport Accessibility Level (PTAL) of the area and how this should reflect the habitable rooms per hectare density of the area. Whilst density is crucial to releasing the optimum potential of sites, the pre-amble to the PTAL table in the new draft London Plan states that density is 'only the start of planning housing development, not the end' and that 'it is not appropriate to apply the ratings mechanistically'. Density ranges are broad and the justification of this is to enable account to be taken of other factors relevant to optimising potential including local context, design, transport capacity. When considering this application, Officers consider that the density proposed is acceptable and the dormer windows proposed will not result in an inappropriate density on this suburban site.

With regard to contributions, this application is only for the construction of dormer windows and therefore it is not considered necessary to seek additional contributions over and above what has already been received through the Section 106 agreement. The application is not for new residential development on this site, only for householder extensions, similar to others around the borough.

Similarly, a section 106 agreement to restrict future occupiers from purchasing parking permits is not considered necessary as a result of this development. This has not been recommended by colleagues in Highways.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed in the appraisal.

Rights of way, rights of access and ownership disputes are not material planning considerations.

4. EQUALITIES AND DIVERSITY ISSUES

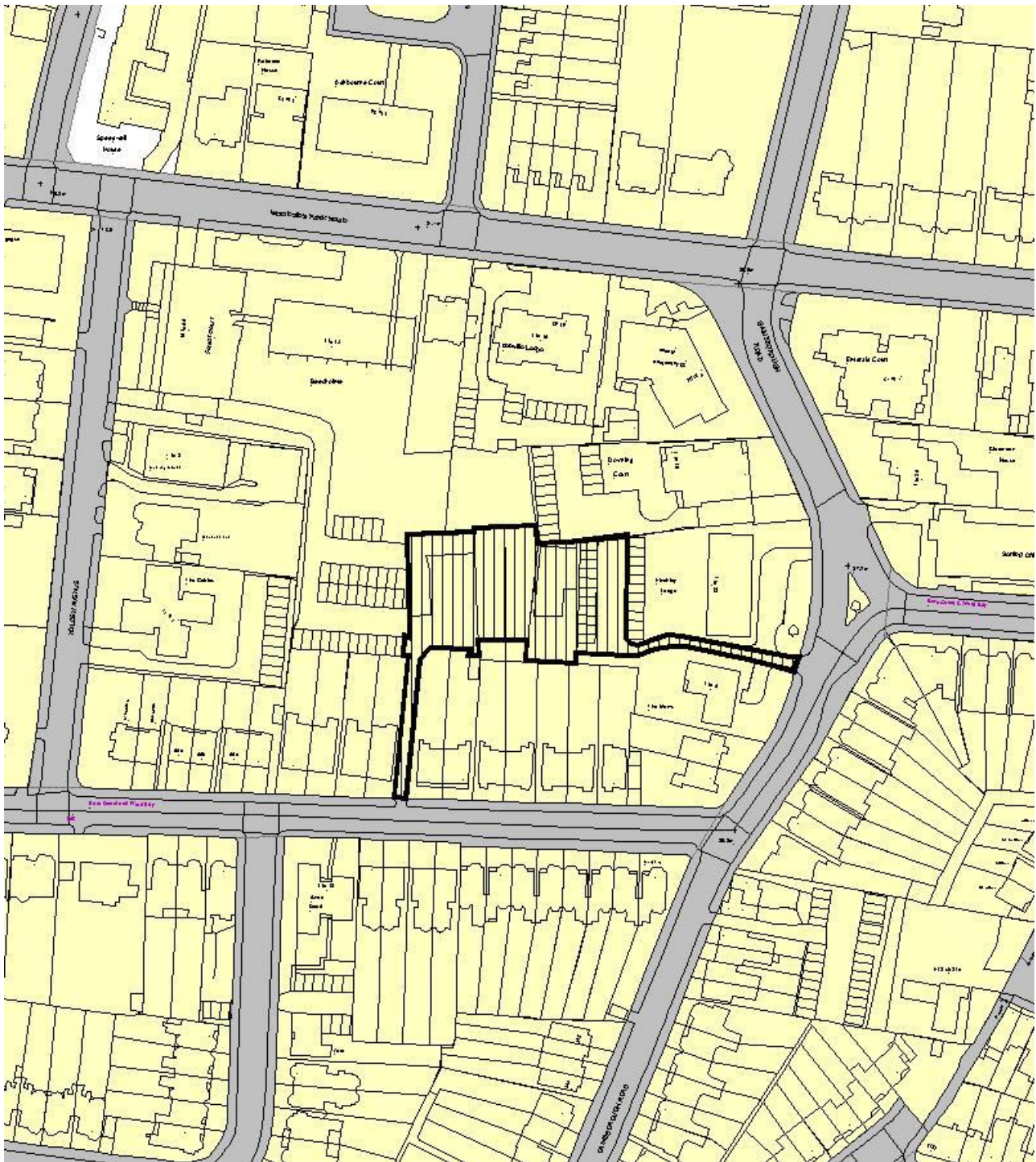
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The dormer windows are considered to have an acceptable impact on the character and appearance of the site and the residential amenities of neighbouring occupiers. The dormers are considered to be of an appropriate size, siting and design and are not considered to compromise highway and pedestrian safety. Overall the development is considered to respect the constraints of the site. Approval is therefore recommended.

SITE LOCATION PLAN: Land At Rear Of, 10-20 Holden Road, London, N12 8HT

REFERENCE: B/02086/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 43 Greenway Close, London, N20 8ES

REFERENCE: B/02419/11

Received: 09 June 2011

Accepted: 09 June 2011

WARD(S): Totteridge

Expiry: 04 August 2011

Final Revisions:

APPLICANT: Mr & Mrs A Raine

PROPOSAL: Single storey rear extension, front porch, front bay window to replace existing front window. First floor side/front extension

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1002 01, 1002 02 Rev B (received 9th June 2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

5. Before the building hereby permitted is occupied the proposed window(s) in the first floor side elevation facing 41 Greenway Close 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

6. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority
The insertion of windows in the proposed single storey rear extension facing 41 and 45 Greenway Close, and the insertion of additional windows in the proposed first floor side extension facing 41 Greenway Close

Reason:

To protect neighbouring amenities

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): National Planning Policy Guidance/ Statements: Planning Policy Statement 1 (PPS1) - Delivering sustainable development. The Mayor's London Plan: July 2011: Policy 7.4 Local character. Relevant Unitary Development Plan Policies: GBEnv1, D1, D2, D5, H27, Supplementary Planning Design Guidance Note No.5: Extensions to Houses.

Core Strategy (Publication Stage) 2010:

Relevant policies: CS5

ii) The proposal is acceptable for the following reason(s): -

The proposal is considered to have an acceptable impact on the character and appearance of the application site, on the residential amenities of neighbouring occupiers, and on the visual amenity of the locality. It is also in accordance with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 (PPS1) - Delivering sustainable development.

The Mayor's London Plan: July 2011

Policy 7.4 Local character

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, D5, H27, Supplementary Planning Design Guidance Note No.5: Extensions to Houses.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework

(LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5
DM01

Relevant Planning History:

Application:	Planning	Number:	B/00400/11
Validated:	21/01/2011	Type:	APF
Status:	DEC	Date:	18/03/2011
Summary:	APC	Case Officer:	Rachel Caplin
Description:	Single storey rear extension, front porch, front bay window to replace existing front window.		

Consultations and Views Expressed:

Neighbours Consulted: 10
Neighbours Wishing To 0
Speak

Replies: 4

The objections raised may be summarised as follows:

- impact on character
- impact on street scene
- contrary to policies D2 and D5
- proposal would increase the mass and bulk to the front of the property
- loss of outlook
- overbearing
- visually obtrusive
- proposed windows in first floor front./side extension is contrary to condition 5 of planning permission B/00400/11 (18.03.11)

2. PLANNING APPRAISAL

Site Description and Surroundings:

Detached dwelling, located to the east of Greenway Close. The property features a recessed front door, and a side access to the rear garden. The rear garden slopes down towards Southway. Greenway Close is primarily comprised of detached dwellings, many of which are of a similar character and appearance.

Proposal:

This application seeks planning permission for a single storey rear extension, front porch, front bay window to replace existing front window, and a first floor side / front extension

Planning Considerations:

The proposed single storey rear extension has a maximum depth of 5.5m and a minimum depth of 4m, a width of 11.75m, and a height of 3.15m with a flat roof. The proposal features a bay section with a further depth of 1m, a width of 3.35m, and a height of 3.15m. This element is located at 3.9m off the proposed flank wall facing 41 Greenway Close and at 4.5m off the proposed flank wall facing 45 Greenway Close. The proposed single storey rear extension is located at 0.85m off the boundary with 41 Greenway Close (and at 2.95m off their flank wall) and a maximum of 2m off the boundary with 45 Greenway Close and a minimum distance of 0.9m. The proposed width stretches across the existing side garage facing 45 Greenway Close. Although the proposed depth exceeds Design Guidance (3.5m), the property located at 41 Greenway Close projects beyond the original rear building line of the application site by 3.2m, which serves to reduce the impact of the proposal on their residential amenities. The site 45 Greenway Close is located on a corner and therefore features a spalyed boundary. Consequently, there is an increasing distance between the application site and the neighbouring property towards the rear of the sites which serves to reduce the impact of the proposal on their residential amenities.

The existing front door is set back by 2.2m from the front building line of the property. The proposed front porch is set back by 0.9m, and features a pitched gable end roof to match the existing main roof of the dwelling house. It features an open side facing 41 Greenway Close, which is considered to reduce the impact on their residential amenities and on the character and appearance of the application site.

Located above the proposed front porch is a first floor front/side extension, which has a width of 1.25m, a depth of 3.3m, and a height increase of 1.7m from the existing eaves height. The proposed roof will be pitched with a gable end to match the original / existing main roof of the dwelling house. There are other properties in close proximity to the application site that feature comparable development at first floor (20, 22, 24, 26, 28, 34, 40 and 47 Greenway Close), and thus the proposal is considered to have an acceptable impact on the character and appearance of the application site and on the visual amenity of the locality.

The proposed ground floor front bay window is to replace an existing flush front ground floor window. The proposal has a depth of 0.75m, a width of 3.8m, and a height of 3m from ground level. Although a flush front ground floor window is a feature of the surrounding properties on Greenway Close, 45 and 47 Greenway Close feature ground floor front bay windows, and thus the application is considered to have an acceptable impact on the character and appearance of the application site, on the residential amenities of

neighbouring occupiers, and on the visual amenity of the locality.

This application is thus recommended for approval, subject to conditions.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The proposed first floor front / side extension has been constructed on other properties located in close proximity to the application site, and is thus deemed to have an acceptable impact on the character and appearance of the application site, on the residential amenities of neighbouring occupiers, and on the visual amenity of the locality. It is considered to be in keeping with policies D2 and D5 which consider the impact of a proposal on character and outlook. A condition will be placed upon the granting of planning permission to ensure that the proposed first floor side windows are obscure glazed, in order to reduce the impact on the amenities of the occupiers at 41 Greenway Close.

4. EQUALITIES AND DIVERSITY ISSUES

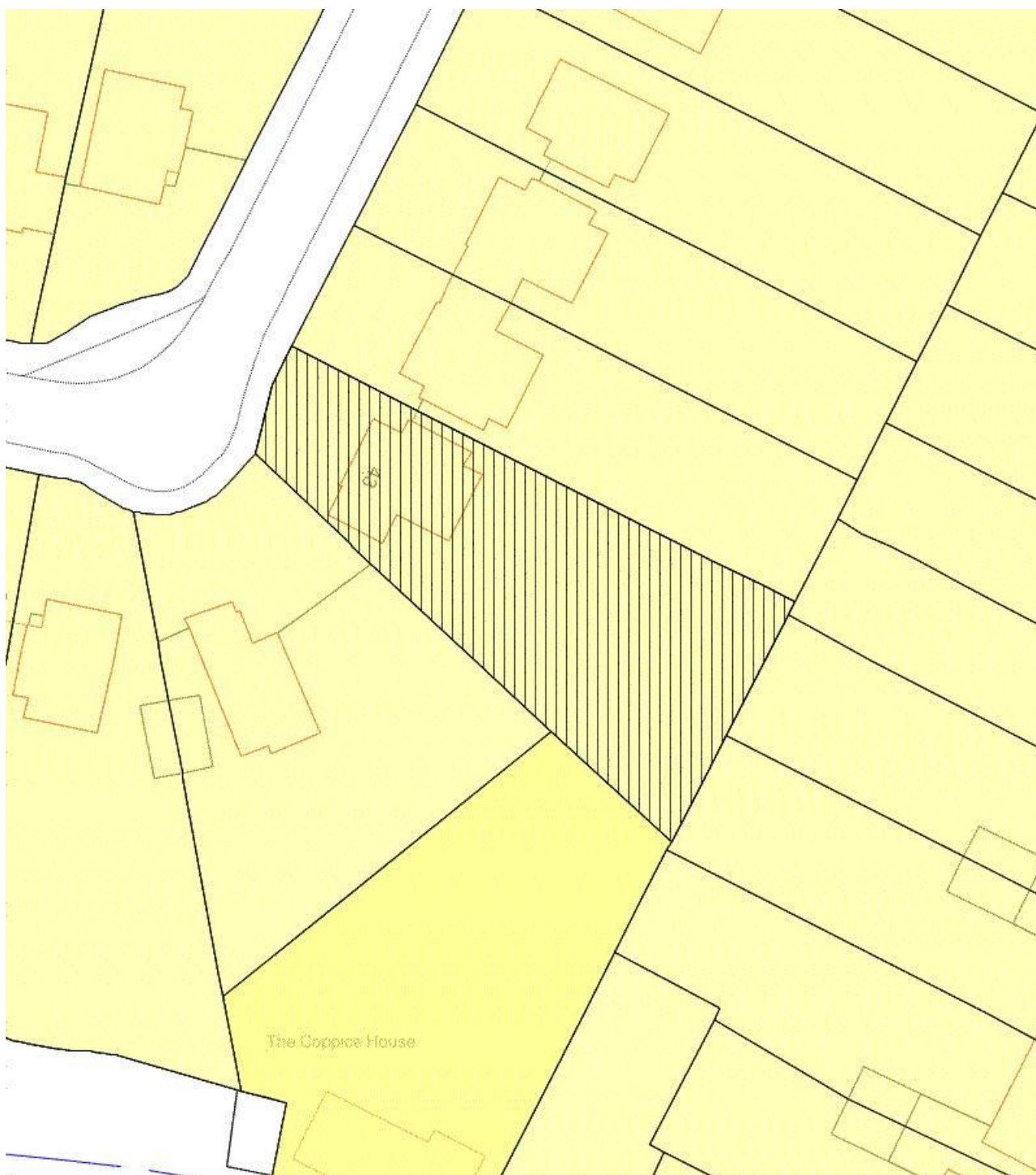
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

This application is recommended for approval, subject to conditions

SITE LOCATION PLAN: 43 Greenway Close, London, N20 8ES

REFERENCE: B/02419/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 30 Great Bushey Drive, London, N20 8QL

REFERENCE: B/02558/11

Received: 21 June 2011

Accepted: 21 June 2011

WARD(S): Totteridge

Expiry: 16 August 2011

Final Revisions:

APPLICANT: Mrs J Cruder

PROPOSAL: Single storey side and rear extension. First floor rear extension. Addition of monopitch roof over the existing first floor side extension and the proposed first floor rear extension. New raised patio.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan (Received 21.06.2011); Drawing No. GT/PL/01 (Received 21.06.2011); Drawing No. GT/PL/02 Rev. F (Received 21.06.2011); Photos (Received 21.06.2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

5. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extensions hereby approved, facing No.s 28 and 32 Great Bushey Drive, without the prior specific permission of the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

6. The use of the extension 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.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Policies GBEnv1, GBEnv2, D1, D2, D4, D5 and H27 of the London Borough of Barnet Adopted Unitary Development Plan 2006; Planning Policy Statement 1 (PPS1) - Delivering sustainable development; and the requirements of Supplementary Design Guidance Note 5: Extensions to Houses.
Core Strategy (Publication Stage) 2010: Relevant policies: CS5.
 - ii) The proposal is acceptable for the following reason(s): -
The proposed development is considered to have an acceptable impact on the character and appearance of the host property and general locality. It is not considered to have a harmful impact on the amenities of neighbouring occupiers and is in accordance with aforementioned policies.
2. Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 (PPS1) - Delivering Sustainable Development.

The Mayor's London Plan: July 2011

Various including Policy 7.4 - Local Character.

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D4, D5 and H27.
Supplementary Design Guidance Note 5: Extensions to Houses.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system

replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5.

Relevant Planning History:

Site Address: 30 Great Bushey Drive, London, N20 8QL
Application Number: B/00019/11
Application Type: Conditions Application
Decision: Approve
Decision Date: 21/03/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of condition 4 (patio screening) pursuant to planning permission B/02819/10 dated 15/09/10.**
Case Officer: Mary Kearns

Site Address: 30 Great Bushey Drive, London, N20 8QL
Application Number: B/02819/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/09/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side and rear extension. First floor rear extension. Addition of monopitch roof over the existing first floor side extension and the proposed first floor rear extension. New raised patio.**
Case Officer: Mary Kearns

Consultations and Views Expressed:

Neighbours Consulted: 5
Neighbours Wishing To 0
Speak

Replies: 3

The objections raised may be summarised as follows:

- Overbearing;
- Visually obtrusive;
- Height and bulk unsuitable for this site;
- Loss of light;
- Impact on character of garage and rear gardens;
- Concern regarding lack of gutters and subsequent water run off from roof;
- Insufficient space to maintain neighbouring garage;
- Impact on property value;
- Impact on access to neighbouring garage;
- Out of keeping;
- Concern regarding inadequacy of the submitted plans;
- Overly dominant;
- Concern regarding finishing treatments for side wall of extension.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application relates to a 2-storey, semi-detached, single-family dwelling located on the eastern side of Great Bushey Drive and adjoining No.32.

There is an existing garage adjoining the side elevation of the application property and the existing garage at No.28. This garage measures 5.5m deep / 2.8m wide and 2.5m in height to the eaves / 2.8m in height to the ridge.

The application property has already been extended by way of a first floor side extension. This extension has a flat roof and measures 2.8m wide; 8.6m deep (sitting flush with the front and rear elevations of the application property; and 5.7m in height.

There is also an existing single-storey projection to the rear of the application property. This projection measures 2m deep (adjoining and sitting flush with the existing rear projection at No.32); 6.4m wide (extending the entire width of the application property); and 3.3m in height to the eaves from ground level / 2.6m in height to the eaves

There are numerous examples of first floor side and rear extensions along this part of Great Bushey Drive.

Proposal:

This application involves the construction of a single storey side and rear extension; a first floor rear extension; the addition of a monopitch roof over the existing first floor side extension and the proposed first floor rear extension; and the construction of a new raised patio.

A SIMILAR PROPOSAL WAS GRANTED APPROVAL IN SEPTEMBER 2010 (APPLICATION REF. B/02819/10). THE ONLY CHANGE RELATES TO THE SINGLE STOREY SIDE EXTENSION AND INVOLVES THE REPLACEMENT OF THE HIPPED SIDE OF THE ROOF FACING NO.28 WITH A GABLED END.

Planning Considerations:

- Proposed single-storey side and rear extension:

This proposal involves the demolition of the existing garage and the construction of a single-

storey side / rear extension. This extension would measure 8.1m deep (sitting 1m forward of the existing garage at No.28, and extending 1.6m beyond the rear elevation of the garage at No.28); 2.35m wide at the front / 3.8m wide at the rear (extending 1.4m across the rear elevation of the application property and sitting 0.15m from the boundary with No.28 and 5m from the boundary with No.32); and 3.35m in height to the eaves / 4.1m in height to the top of the crown roof. The only change to this proposal since the previous application is that this side extension would have a 4.1m tall gabled flank elevation (facing No.28), rather than a hipped end.

This proposal also involves the construction of an additional extension to the rear of the existing rear projection. This extension would measure 5m wide (extending from the side elevation of the proposed side / rear extension, right up to the boundary with No.32); 1.1m deep; and 3.4m in height to the top of the flat roof from ground level / 2.7m in height from patio level.

As no windows are proposed on the side elevation of the single-storey side extension facing No.28 or the side elevation of the rear extension facing No.32, this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overlooking or loss of privacy. A condition has been imposed to ensure no additional windows are inserted within the side elevations of the extensions to ensure no overlooking or loss of privacy arises.

The difference in the design and height of the side extension along the boundary with No.28, is not considered significant enough to warrant refusal of this application. Due to the size and siting of the proposed single-storey side / rear extension, and considering the existing this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overbearing, loss of light or loss of outlook.

This proposal is not considered to have a detrimental impact on the character or appearance of the application property or the general locality.

The loss of the garage is not considered to have a detrimental impact on parking provision, due to the existing driveway / area of hardstanding which can accommodate 2 cars.

- Proposed first floor rear extension and proposed mono-pitched roof:

The proposed first floor rear extension would extend from the rear elevation of the existing first floor side extension and would measure 2m deep; 3.75m wide (sitting 2.7m from the boundary with No.32 and 2.5m from the boundary with No.28). The proposal also involves the installation of a crown roof over the existing first floor side extension and the proposed first floor rear extension. The first floor side / rear extension would therefore measure approximately 5.6m in height to the eaves / 7.2m to the ridge. This proposal has previously been granted approval in September 2010 (Application ref B/02819/10).

Due to the depth of the proposed first floor rear extension, and considering its distance from the neighbouring properties, this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overbearing, loss of light or loss of outlook.

Due to the size and location of the proposed roof and considering its distance from the neighbouring properties, this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overbearing, loss of light or loss of outlook.

As no windows are proposed on the side elevation of the first floor rear extension, this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overlooking or loss of privacy.

Due to its size, design and siting, and considering the existing first floor rear extensions along this part of Great Bushey Drive, the proposed first floor rear extension is not considered to have a detrimental impact on the character or appearance of the application property or the general streetscene.

Due to its size and design, and considering the existing first floor side extensions along this part of Great Bushey Drive, the proposed crown roof is also not considered to have a detrimental impact on the character or appearance of the application property or the general streetscene. It is in fact considered to improve the appearance of the existing (flat roofed) first floor side extension.

Due to its minimal projection beyond the front of the existing garage, the proposed side extension is not considered to have a detrimental impact on the access to the neighbouring garage.

- **New raised patio:**

The proposed raised patio would measure 3.2m deep from the rear elevation of the proposed single-storey rear extension; 4.85m wide (extending right up to the boundary with No.32) and 0.7m in height. This patio would gradually step down towards the rear garden. This proposal has previously been granted Approval in September 2010 (Application Ref. B/02819/10).

The 3.2m deep / 1.8m tall dwarf wall / fencing along part of the boundary with No.32 was approved in March 2011 (Discharge of Conditions application - Ref. B/00019/11) is considered sufficient for obstructing views from the raised patio over the neighbouring property at No.32, without harming the residential or visual amenities of the neighbouring occupiers at No.32.

The proposed raised patio is not considered to have a detrimental impact on the character or appearance of the application property or the general locality.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the above report.

- Water run-off and drainage are not material planning considerations;
- Impact on access to side of neighbouring garage for maintenance, is not a material planning consideration;
- Impact on property value is not a material planning consideration;
- Due to the size and siting of the proposed side extension and associated steps, this proposal is not considered to impede access to the neighbouring garage. In any case, access and land ownership are not material planning considerations.
- The submitted plans are considered sufficient for the purposes of assessing this planning application;
- A condition has been imposed to ensure that the materials used in the construction of these extensions match those on the existing dwelling.

4. EQUALITIES AND DIVERSITY ISSUES

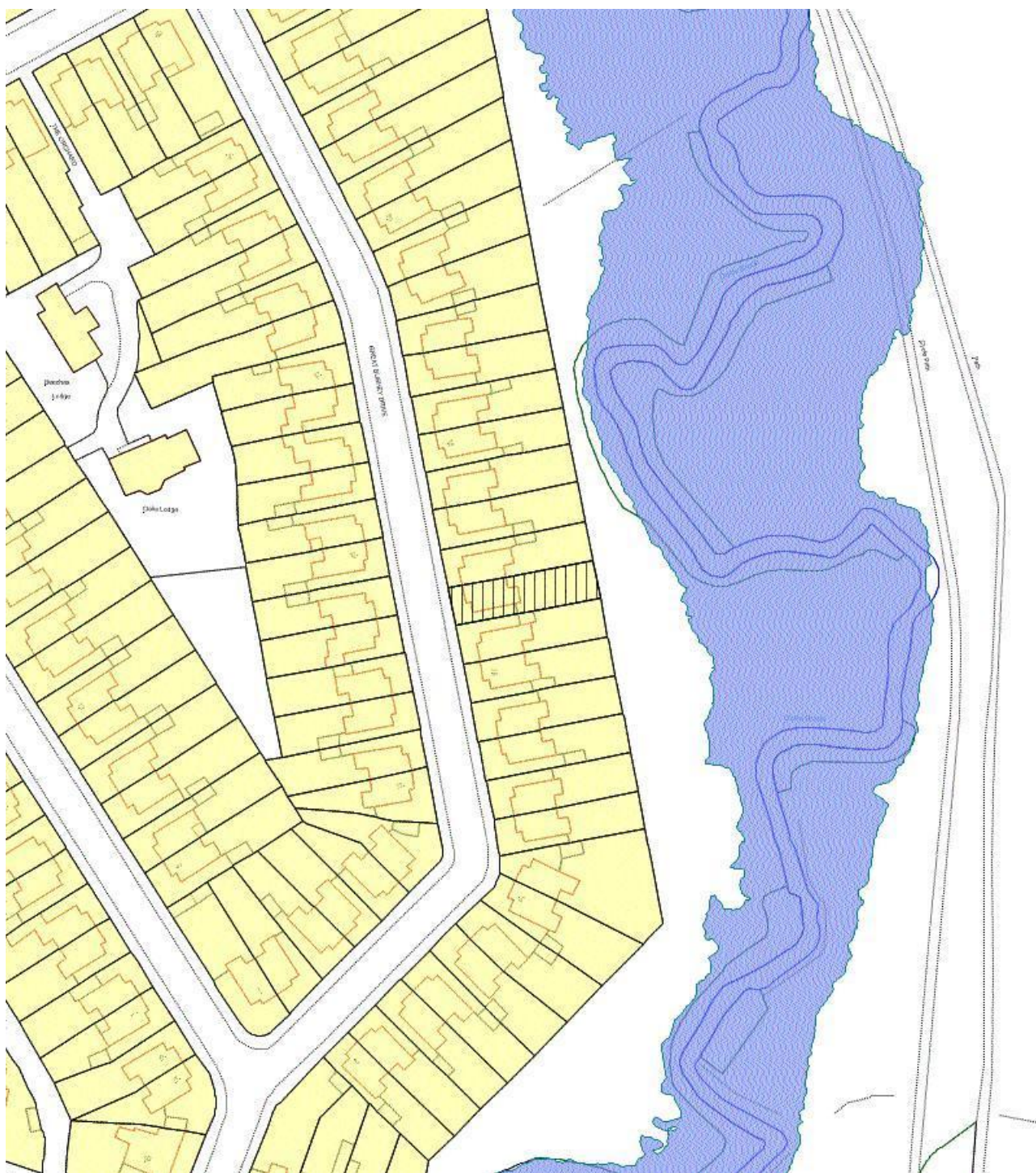
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposed changes to the previously approved application are considered to be acceptable in terms of their impact on the application site, the general streetscene and the amenities of neighbouring residents. The proposal accords with council policy and guidance and the application is subsequently recommended for **approval** subject to conditions.

SITE LOCATION PLAN: 30 Great Bushey Drive, London, N20 8QL

REFERENCE: B/02558/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: Priory Corner, 6 Oaklands Road, London, N20 8BA

REFERENCE: B/02674/11

Received: 24 June 2011

Accepted: 24 June 2011

WARD(S): Totteridge

Expiry: 19 August 2011

Final Revisions:

APPLICANT: Mr T Oseghane

PROPOSAL: Variation to a planning permission Ref: B/02649/10 dated: 16/9/2010 by the addition of a dormer to the west facing roofslope.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 05 rev. G.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 for the external surfaces of the building and hard surfaced areas shall be in accordance with the details approved under planning approval reference B/04933/10 dated 07/03/2011.

Reason:

To safeguard the character and appearance of the locality.

4. Before the development hereby permitted is occupied the parking spaces and garage shown on Plan 05 rev. G shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

5. The development shall be implemented in accordance with the levels details approved under planning approval B/04933/10 dated 07/03/2011.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the character and appearance of the locality.

6. Before the development hereby permitted is brought into use details of the boundary treatments and site enclosures shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development does not prejudice the appearance of the locality 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.

7. The landscaping of the site shall be implemented in accordance with the details approved under planning approval B/04933/10 dated 07/03/11.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

10. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.

11. Before the building hereby permitted is occupied the proposed windows in the first floor west flank elevation facing No. 7 Oaklands Road 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

12. Before the building hereby permitted is occupied the proposed dormer window in the west facing roof slope facing No. 7 Oaklands Road 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

13. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority:

No additional windows shall be inserted into the west flank elevation of the building.

Reason:

To safeguard the privacy of the adjoining residents.

14. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority:

Development falling within classes E or F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended.

Reason:

To safeguard the character and appearance of the Totteridge Conservation Area.

15. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

16. The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, GBEEnv4, D1, D2, D4, D5, HC1, H16, H17, H18, M11, M12, M14, D12, D13.
PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPS5 - Planning for the Historic Environment
Core Strategy (Publication Stage) 2010: CS5
 - ii) The proposal is acceptable for the following reason(s): - The proposed development is considered to have an acceptable impact on the character and appearance of the general locality and this part of the Totteridge Conservation Area. It would have an acceptable impact on the amenities of adjoining residents and is in accordance with the aforementioned policies.
2. Any alteration to the existing or new crossovers will be subject to detailed survey by the Crossover Team in the Environment and Operations Directorate as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense. Any street furniture affected by the proposal will be relocated at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
3. 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.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPS5 - Planning for the Historic Environment

The Mayor's London Plan: Consultation draft replacement plan 2009:
7.4 and 7.8.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEEnv2, GBEEnv4, D1, D2, D3, D4, D5, D12, D13, HC1, H16, H17, H18.

Totteridge Conservation Area Character Appraisal Statement (2008).

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and

Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5.

Relevant Planning History:

Application:	Planning	Number:	B/00670/11
Validated:	16/02/2011	Type:	CON
Status:	DEC	Date:	14/03/2011
Summary:	AP	Case Officer:	Josleen Chug
Description:	Submission of details of condition (3) (Demolition works in Conservation Area Consent), pursuant to conservation area consent (B/02650/10) dated (16th September 2010).		

Application:	Planning	Number:	B/02649/10
Validated:	27/07/2010	Type:	APF
Status:	DEC	Date:	20/09/2010
Summary:	APC	Case Officer:	Josleen Chug
Description:	Erection of a two storey detached house plus rooms in roof with integral garage, following demolition of existing house and garage.		

Application:	Planning	Number:	B/02650/10
Validated:	27/07/2010	Type:	CAC
Status:	DEC	Date:	20/09/2010
Summary:	APC	Case Officer:	Josleen Chug
Description:	Demolition of existing house and garage. (CONSERVATION AREA CONSENT)		

Application:	Planning	Number:	B/04933/10
Validated:	11/01/2011	Type:	CON
Status:	DEC	Date:	07/03/2011
Summary:	AP	Case Officer:	Josleen Chug
Description:	Submission of details of Conditions No.3 (Materials); No.5 (Levels); and No.7 (Landscaping) pursuant to planning permission Ref: B/02649/10 dated: 16/9/2010.		

Consultations and Views Expressed:

Neighbours Consulted: 17
Neighbours Wishing To
Speak 0

Replies: 3

The objections raised may be summarised as follows:

- Overlooking and loss of privacy into neighbouring garden
- The D&A placed considerable emphasis on the space between the application property and the adjoining dwelling and the co-ordination and height of the roofline's. The large protrusion proposed would be at odds with this principal and would spoil the necessary cohesion from the street and neighbouring garden
- The construction differs from the approved drawings, it has been altered to form a split level ground floor which could potentially result in the increase of the roof height
- A reduction of room size on the third floor could serve to satisfy the headroom requirement without prejudicing the external bulk of the building and the privacy of neighbours
- Inappropriate for a conservation area

Internal /Other Consultations:

- Traffic & Development -

No changes are proposed to the parking and vehicle access arrangements in the previously approved application, which included provision of 2 parking spaces (a garage and a further space in front of the garage) accessed via existing vehicle crossover.

The parking provision is in accordance with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006.

- Totteridge Conservation Area Advisory Committee -
No comments.

Date of Site Notice: 07 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a residential plot of land on the south side of Oaklands Road on the corner with the junction with Priory Close to the east. It sits in a natural valley with the road rising up away from the site. The detached dwelling that formerly occupied the site has been demolished and construction has started on a replacement dwelling for which planning permission and conservation area consent was granted in 2010 (planning references B/02649/10 and B/02650/10).

The site lies within the Totteridge Conservation Area and the street is characterised by a mix of dwelling sizes, ages and styles. Many of the properties in the street have been extended and some demolished and re-built. The properties are mostly substantial detached properties which are fairly closely spaced.

Proposal:

The application seeks planning permission for an amendment to the approved dwelling currently under construction to incorporate a side dormer window projection on the west facing roof slope to facilitate the required head room for the staircase into the loft space.

The roof window would be 1.65m wide, 1m high and would project 1.5m from the roof. The window is proposed to be fitted with obscure glazing.

Planning Considerations:

The proposed addition to the approved dwelling is considered to have an acceptable impact on the character and appearance of the property and general locality and would safeguard the character and appearance of this part of the Totteridge Conservation Area.

The roof window is limited in size and would form a subordinate feature on the roof slope. It is not considered to appear bulky or obtrusive given its limited size and its central position on the west side of the roof. Given its limited projection it would not materially reduce the visual gap with the neighbouring property at No. 7 Oaklands Road.

The window is proposed to be fitted with obscure glass with a fanlight opening only to restrict views to the neighbouring property or garden. A condition has been imposed to ensure this is maintained. As such it is not considered to be detrimental to the amenities of neighbouring residents.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed above, additional comments below:

- The agent has confirmed that the height of the building is in accordance with the approved planning drawings but in order to accommodate mandatory disabled wc on the ground floor part of the ground floor has been lowered to comply with Building Regulations.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposals are in accordance with planning policy and guidance and approval is recommended.

LOCATION: 1 Victoria Lane, Barnet, Herts, EN5 5UN

REFERENCE: B/00827/11

Received: 28 February 2011

Accepted: 17 May 2011

WARD(S): Underhill

Expiry: 12 July 2011

Final Revisions:

APPLICANT: Mr A Akgul

PROPOSAL: Continued use of part of site for storage of scaffolding boards.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: OS Sitemap (Received 14.05.2011); OS Sitemap showing 'Area for Scaffold Boards' (Received 14.05.2011); Letter from applicant dated 12/04/2011 (Received 14.05.2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. The use hereby permitted shall be for a limited period only, expiring 6 months from the date of this decision, when the use shall be discontinued.

Reason:

To enable the Local Planning Authority to monitor the impact of the use in order to protect the amenities of the area.

3. The scaffold boards shall be stacked in piles no higher than 3m from ground level.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

4. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8.00 am or after 5.00 pm on any other day.

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Policies GBEnv1, D2, D5 and ENV12 of the London Borough of Barnet Adopted

Unitary Development Plan 2006; Planning Policy Statement 1 (PPS1) - Delivering sustainable development; and Policy 4B.8 of The Mayor's London Plan.

Core Strategy (Publication Stage) 2010:
CS5.

ii) The proposal is acceptable for the following reason(s): -
The use is considered to have an acceptable impact on the character of the application site and general locality. It is not considered to have a harmful impact on the amenities of neighbouring occupiers and is in accordance with aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 (PPS1) - Delivering Sustainable Development.

The Mayor's London Plan: Consultation draft replacement plan 2009:

Various.

Relevant Unitary Development Plan Policies: GBEnv1, D2, D5 and ENV12.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5.

Relevant Planning History:

Land in Victoria Lane:

N00028AB/00 - Refused (23/05/2000) & APP/N5090/A/00/1053986 - Dismissed at Appeal (05/03/2001)

Continued use of land at end of Victoria Lane for the parking of HGV vehicles (no larger than 7.5 tonnes). Use of portacabins for office and storage and separate storage container.

Workshop, Victoria Lane:

N00028Z - Conditional Approval (15/10/1996)

Demolition of existing motor workshop and erection of new motor workshop with continued use of car park (same as application approved in 1990).

Repair garage, Victoria Lane:

N00028N - Conditional Approval (11/07/1990)

Erection of single storey workshop building to replace existing building and continued use of land as car park.

Consultations and Views Expressed:

Neighbours Consulted: 52
Neighbours Wishing To
Speak

Replies: 3

The objections raised may be summarised as follows:

- Storage of scaffold boards is an inappropriate use between residential gardens;
- Unsightly;
- Overbearing impact on neighbouring gardens;
- Noise generated by operation and 'flapping covers';
- Use commenced without planning permission;
- Concern regarding height of stacked scaffold boards and subsequent visual impact;
- Impact on traffic;
- Previous application for change of use from car parking and for garage storage in respect of the same land was previously rejected on appeal;
- Floodlights of a similar height were previously ordered to be taken down;
- Impact on residential character of Normandy Avenue;
- Out of keeping;
- Proposed use is unnecessary.

Date of Site Notice: 26 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

This application relates to a commercial site located on the southern side of the High Street and to the rear of properties along the High Street, Fitzjohn Avenue and Normandy Avenue. The site is accessed via Victoria Lane and is situated outside the Monken Hadley Conservation Area.

The area of the site to which this application relates, is located immediately adjacent to the existing motor workshop at 1 Victoria Lane. This part of the site abuts the eastern (rear) boundaries of No.s 15 - 19 Fitzjohn Avenue; the northern (side) boundary of No.18 Normandy Avenue; and the southern boundary of the car park on Fitzjohn Avenue.

Proposal:

This application involves the continued use of part of the site, as referred to above, for the storage of scaffolding boards.

Planning Considerations:

The scaffold boards are stacked on site, in piles of varying heights. These scaffolding boards protrude above the boundary fences but are only partially visible through the existing planting / trees along the boundaries with Normandy Avenue and Fitzjohn Avenue. A

condition has however been imposed to ensure that the stacks of scaffold boards do not exceed 3m in height to ensure that the use of the site does not have a detrimental impact on the visual amenities of the neighbouring occupiers.

Considering the existing use of the site for car repairs and associated parking, the use of this part of the site for the storage of scaffold boards is not considered to have a detrimental impact on the character of the area.

This use is not considered to have a detrimental impact on the amenities of the neighbouring occupiers, however in order to fully assess the impact of the use in terms of noise and disturbance resulting from the tarpaulin, it is recommended that the use is granted temporary consent for a period of 6 months.

With regards to the comings and goings of delivery vehicles in association with this use, a condition has been imposed, restricting the hours of use of the site.

Considering the current use of the site at 1 Victoria Lane, the use of this area for the delivery and storage of scaffold boards is not considered to have a detrimental impact on traffic.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the above report.

Applicants are permitted to submit applications retrospectively, however this is done at their own risk.

4. EQUALITIES AND DIVERSITY ISSUES

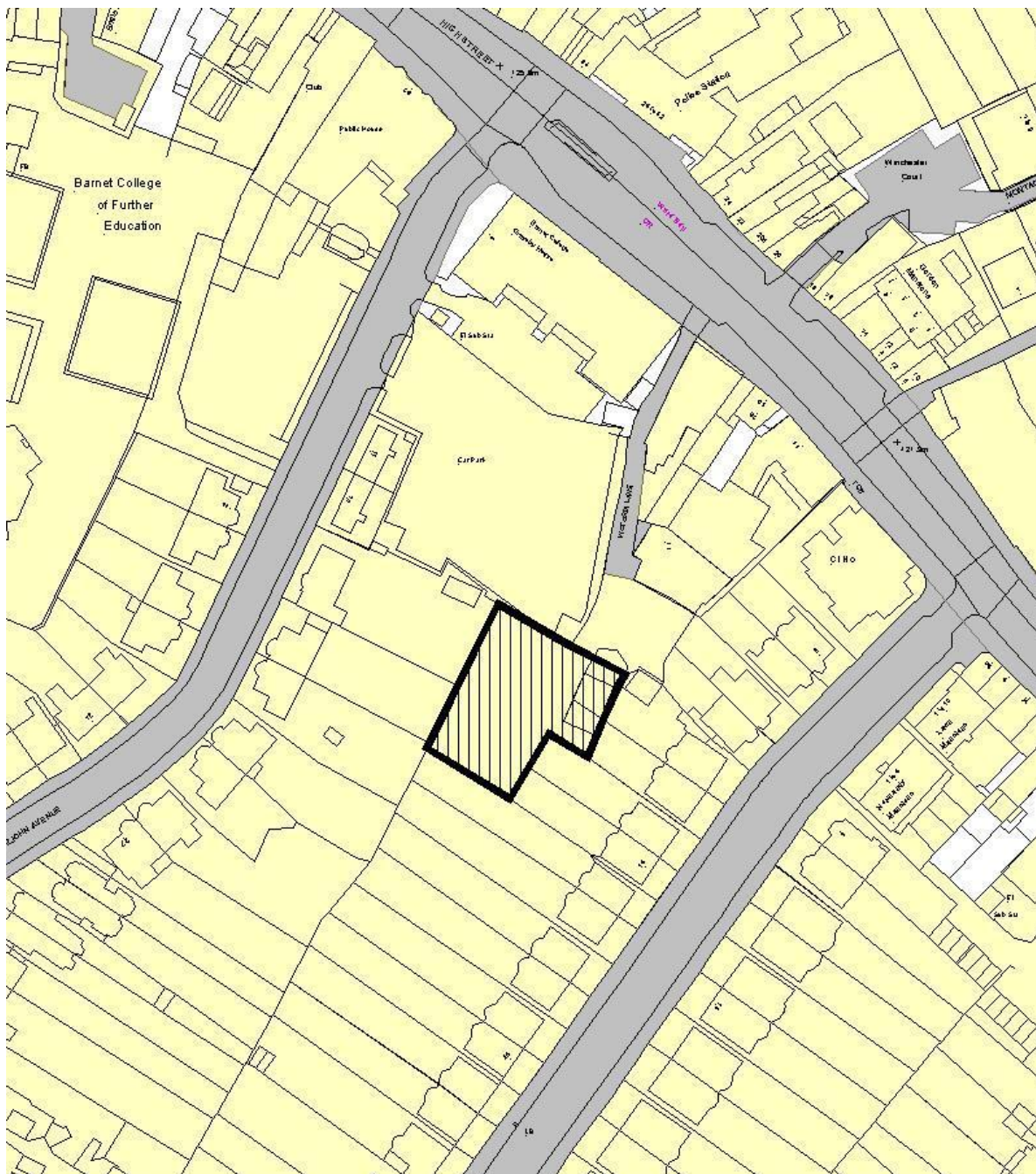
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The application is recommended for **approval subject to conditions**.

SITE LOCATION PLAN: 1 Victoria Lane, Barnet, Herts, EN5 5UN

REFERENCE: B/00827/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 23 Courthouse Gardens, London, N3 1PU

REFERENCE: F/02619/11

Received: 23 June 2011

Accepted: 23 June 2011

WARD(S): West Finchley

Expiry: 18 August 2011

Final Revisions:

APPLICANT: Mr A Wright

PROPOSAL: Extension to roof with rear dormer window, and roof lights to the front and side elevation to facilitate a loft conversion. Part single, part two-storey side extension.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing 23/2; 23/0; 23/5. Proposed 23/3; 23/4; 23/6; 23/8. (Amended 24/08/2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

4. Before the building hereby permitted is occupied the proposed windows and roof lights on the side elevation facing number 21 and 25 Courthouse Gardens 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the Adopted Barnet Unitary Development Plan (UDP) (2006). In particular the following policies are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, D6, H27.

Supplementary Planning Guidance:

Barnet Design Guidance Note 5 - Extensions

Core Strategy (Publication Stage) 2010: Relevant policies: CS5, DM01, DM02.

ii) The proposal is acceptable for the following reason(s): -

The proposal would comply with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers.

1. MATERIAL CONSIDERATIONS

London Plan 2011

7.1, 7.4, 7.4

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, D6, H27.

Supplementary Planning Guidance:

Barnet Design Guidance Note 5 - Extensions

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS5; DM01; DM02.

Consultations and Views Expressed:

Neighbours Consulted:	10	Replies:	3
Neighbours Wishing To Speak	2		

The objections raised may be summarised as follows:

- Loss of light
- Out of character

- Loss of privacy
- Water run off issues
- Set back from boundary
- Access and maintenance

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a detached property located on Courthouse Gardens in Finchley. The property is located on the corner and has a boundary that adjoins the rear gardens of 19 and 21 Courthouse Gardens.

Proposal:

The application relates to a part single, part two storey side extension, and an associated roof extension with a rear dormer window and rooflights to front and rear elevation.

Planning Considerations:

The ground floor element of the side extension infills an area to the rear of an existing addition at the property. This does not project back further than the existing rear elevation of the property and is not considered to have an unacceptable impact on residential amenity.

The first floor side extension has a width of 2.1m and a depth that extends back to the rear elevation of the existing property. The roof of the first floor extension extends from the top of the ridge level of the existing property. The roof extension is also set back from the front plane of the main roof, which provides subordination. The existing roof is considered to be comparatively small in relation to other properties on the road and it is considered that the roof can be incorporated without a set down, whilst still merging with the character of the area.

There is no neighbouring property immediately adjacent to the first floor side extension and therefore there would not be any 'terracing effect'. The extension is however located in close proximity to the rear boundary of the neighbouring garden at number 21 Courthouse Gardens. The first floor side extension has been set in by a distance of 70cm in order to reduce the impact on the amenity area of these neighbouring occupiers. Due to the size and orientation of the neighbouring garden it is considered that there would not be any significant overbearing impact on these neighbouring occupiers.

A roof light has been proposed for the side of the roof slope that faces number 21 and number 25, although a condition has been attached to the decision requesting to obscure glaze these windows in order to protect the privacy of these neighbouring occupiers.

A dormer window is proposed for the rear elevation. The dormer window is set back significantly from the eaves and ridge level, which ensures subordination. The dormer window is considered to be in keeping with Barnet Design Guidance Note 5, being approximately half the width and depth of the roof slope.

There are no changes proposed for the side of the property adjacent to number 25 Courthouse Gardens, and it is not considered that there would be any significant harmful impact on these neighbouring occupiers.

The proposal respects the constraints of the site to accommodate development and is not considered to significantly harm the character of the area or have a significant impact on the amenities of neighbouring occupiers, thus complying with Barnet Design Guidance Note 5 –

Extensions to Houses and policies that are set out within the Barnet UDP such as D1, D2, D4, D5, D6 and H27.

3. COMMENTS ON GROUNDS OF OBJECTIONS

- *Loss of light*
- *Out of character*
- *Loss of privacy*
- *Set back from boundary*

It is considered that these issues have been addressed by the amended plans that were received by the applicant, and have been referred to in the officer report.

- *Access and maintenance*
- *Water run off issues*

These issues are not planning considerations and will be dealt with by building regulations. The water run off has also been mitigated by the set in of the first floor extension.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Councils Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposal would comply with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers. The proposal is therefore recommended for **Approval**.

SITE LOCATION PLAN: 23 Courthouse Gardens, London, N3 1PU

REFERENCE: F/02619/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 713 High Road, London, N12 0BP

REFERENCE: F/02584/11

Received: 17 June 2011

Accepted: 19 July 2011

WARD(S): West Finchley

Expiry: 13 September 2011

Final Revisions:

APPLICANT: Gogoosh Restaurant

PROPOSAL: Erection of first floor rear extension, following demolition of existing first floor terrace.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - 2010/C0304/03; 2010/C011/01; 2010/C011/02; 2010/C011/03; 2010/C011/04; 2010/C011/05; 2010/C011/06; 2010/C011/07; 2010/C011/08; 2010/C011/09.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

3. The development shall be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from the extension shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows:
 - i) The proposed development accords with strategic planning guidance and policies as set out in the London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006). In particular the following polices are relevant:

- ii) The proposal is acceptable for the following reason(s):
Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring buildings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

The determination of planning applications is made mindful of Central Government advice and the Development 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 basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

Planning Policy Statement PPS 1 “Delivering Sustainable Development”, states at paragraph 3 that “At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone now and for future generations”. High quality inclusive design is identified as one of the key principles that should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. Paragraph 13(iv) indicates that “Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted” and at para. 18 that “Planning should seek to maintain and improve the local environment.... through positive policies on issues such as design....” Further comment regarding “Design” is made at para’s 33-39.

Planning Policy Statement 4 (PPS4) sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas. This was published on 29 December 2009, replacing earlier PPG's and PPS's including PPS6 “Planning for Town Centres.” At para. 10 PPS4 indicates that to help achieve sustainable economic growth, the Government's objectives for planning include promoting the vitality and viability of town and other centres as important places for communities.

The Mayor's London Plan July 2011:

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 2031. It forms part of the development plan for Greater London.

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.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet Unitary Development Plan. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991. On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP. The Direction and accompanying schedule and a letter from the Government Office for London.

One overall theme that runs through the plan is ‘sustainable development’. Policy GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

Relevant policies to this case: GBEnv1, D1, D2, D3, ENV12.

General policy GBEnv1 aims to maintain and improve the character and quality of the environment.

Policies D1 & D2 aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale and unrelated to the locality.

Policy D3 says the size, shape, position and detailing of spaces created within or around new buildings should enhance the development of which they are part and should be in keeping with the overall character and quality of the area.

Policy ENV12 says that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the “spatial vision” that will underpin the Local Development Framework.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework

(LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant policies: CS5, DM01, DM02

Relevant Planning History:

713 High Road, London, N12 0BP

Application:	Planning	Number:	F/03095/10
Validated:	30/08/2010	Type:	S63
Status:	APD	Date:	17/05/2011
Summary:	DIS	Case Officer:	Junior C. Moka
Description:	Retention of first floor timber structure to the rear and ground floor timber deck and railing to the front.		

Enforcement Notices

Reference Name

Description Enforcement Notice dated on 20.3.73 served under section 87 of the own and Country Planning Act 1971

Consultations and Views Expressed:

Neighbours Consulted:	235	Replies:	7
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- Effect on traffic, access and parking;
 - scale and appearance of the proposal
 - impact on the surrounding area and adjoining neighbours
1. Noise and disturbance result from a use;
 2. Use is not appropriate for the area;
 3. The premises has a history of anti-social behaviour;
 4. Invalid Design and Access Statement;
 5. Increased Usage resulting in nuisance and disturbance.

Internal /Other Consultations:

Safer Neighbourhood Team
No comments received

Traffic & Development
No objections

Date of Site Notice: 28 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site lies in a mixed residential and commercial area on the corner of High Road and Nether Street. It comprises a former public house now used as a restaurant with a single storey rear extension along the Nether Street frontage. A timber deck has been constructed in the forecourt of the building, raised slightly above footway level. A covered timber structure with side cladding partly in flexible transparent plastic sheets and partly in bamboo screening has also been constructed at first floor level over the rear extension.

The application site is within the West Finchley ward. The property is within walking distance of services and public transport links due to its North Finchley Town Centre location. The application site is identified as a unit within the secondary retail frontage (Table 11:4 of Chapter 11 of the UDP (2006)).

The Council's Planning Enforcement Section is investigating the existing breach for the proposal being assessed under this current application.

Proposal:

The application seeks permission for the erection of first floor rear extension, following demolition of the existing first floor terrace.

This application follows the appeal made by Mr Ramin Ghaderi against the decision of the Local Planning Authority's decision to refuse the application ref: F/03095/10 dated 14 October 2010 for the installation of a timber frame structure cover over existing terrace.

Planning Considerations:

The main issues in this case are whether or not the alterations would: effect firstly, the character and appearance of the street scene; and secondly, the living conditions of neighbouring residents with particular regard to noise and disturbance.

Character and appearance

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 property, 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.

During the appeal process the inspector stated that *"....rear timber structure, this is arranged with a bar and seating for customers that is separate from the main part of the restaurant. The design, form of construction and materials are out of keeping with the area. The*

development is at odds with the main building and fails to respect local characteristics as well as to enhance the quality and character of the area. It is detrimental to the street scene."

Following this conclusion by the inspector, it is considered that the extension proposed is an improvement that addresses the Local Planning Authority's concerns and also that of The Planning Inspectorate. It is considered that the design proposed reflects the local townscape and the host building.

The development overall is considered to be compliant with the relevant aspects of policies GBEnv1, GBEnv2, D1 and D2 which seek to ensure that proposals are of high quality design, respect the scale of surrounding buildings, and harmonise with local townscape and character.

The living conditions of neighbouring residents & the intensity of the use

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours' amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Under the previously refused application it was considered by the LPA that there will be an increase in acceptable levels of noise and disturbance through the prolonged congregation of people resulting from this application, contrary to policy ENV12 of the London Borough of Barnet Unitary Development Plan (2006). This was a view shared by the inspector, who states *"...its high level and sides that can be almost completely opened facilitate the transmission of noise from the site. Having regard to the proximity of nearby residential properties I consider that the level of noise and disturbance emanating from the site is likely to be unacceptable, particularly at night when most people would be at home and background noise levels lower."*

However, this redesigned scheme which ensures that there is no access to the former terrace area to the rear is considered to resolve previous concerns. This as such prevents unacceptable levels of noise and disturbance through the prolonged congregation of people. As a result it is considered that this again addresses the LPA's and inspector's concerns to the previously refused application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal following the comments made by The Planning Inspectorate.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal complies with the requirements of PPS1, which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities available for improving character and quality of an area and the way it functions, should not be accepted'.

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring buildings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring properties. It is recommended that the application be **APPROVED** subject to the discharging of attached conditions.

SITE LOCATION PLAN: 713 High Road, London, N12 0BP

REFERENCE: F/02584/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: 37 Dukes Avenue, London, N3 2DE

REFERENCE: F/03104/11

Received: 21 July 2011

Accepted: 20 July 2011

WARD(S): West Finchley

Expiry: 14 September 2011

Final Revisions:

APPLICANT: Mr Khamisa

PROPOSAL: Single storey rear extension. Extension to length of existing first floor rear balcony with a railing. Alterations to the loft including insertion of 2no. rooflights.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 786/SK/PP-101 (Amended stamped 22/08/2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

Reason:

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

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

4. The proposed balcony shall be implemented in accordance with plan number 786/SK/PP-101, and should be maintained as such thereafter. The remaining 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies

as set out in the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, H27.

Supplementary Planning Guidance:
Barnet Design Guidance Note 5 – Extensions

Core Strategy (Publication Stage) 2010: Relevant policies: CS5, DM01, DM02

ii) The proposal is acceptable for the following reason(s): -
The proposal complies with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers.

1. MATERIAL CONSIDERATIONS

London Plan 2011
7.1, 7.4, 7.4

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D5, H27

Supplementary Planning Guidance:
Barnet Design Guidance Note 5 - Extensions

Core Strategy (Publication Stage) 2010

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:
CS5, DM01, DM02.

Consultations and Views Expressed:

Neighbours Consulted: 5
Neighbours Wishing To 0
Speak

Replies: 0

The objections raised may be summarised as follows:

Although no formal objections have been received at the time of writing this report, some concerns have been acknowledged and any formal objections that are received before the committee will be added to the addendum.

This application has been called into committee by Cllr Jim Tierney for the following reason:

'The application appears to be substantial and plans on the system that we can access do not appear to give any dimensions I believe we need the benefit of a power point presentation at Committee.'

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a linked terrace property located on Dukes Avenue in West Finchley. The application site has an original ground floor rear wing at the property and an existing balcony on top of this rear wing.

Proposal:

The applicant is proposing to extend and infill the rear wing at the property at ground floor level. This will project by a distance of 4m in the area close to number 39 and the extension will also project on the other side by a distance of 1.9m from the original wall in the area close to number 35.

Planning Considerations:

The 4m rear extension on the boundary with number 39 will align with the neighbouring extension and is considered to be in keeping with the building line in the immediate surroundings. The fact that it aligns with the conservatory on this side ensures that no significant harm would be caused to the amenity of the occupiers at this property in relation to loss of light or outlook. The side glazed panels on the conservatory are not considered to be principal windows as there is sufficient rear facing windows allowing light into the property.

The extension on the other side that adjoins number 35 has a projection of 1.9m beyond the existing rear projection. This is within our design guidance and is not considered to have a harmful impact on the amenity of number 35, particularly as the extension would align with an addition at this neighbouring property.

The extension is proposed to have a flat roof, with matching materials and it is considered that it would merge with the property and the area in general. It is considered that the extension would be in proportion with the existing property and would not occupy a large proportion of garden space. It is not envisaged that the extension would appear bulky or would harm the character of the area.

The extensions are considered to comply with council policies within the Barnet UDP that relate to protecting the character of the area and the existing property and would not be harmful to the amenity of surrounding occupiers.

The proposal respects policies that are set out in Barnet's UDP, most notably D2 as the proposal respects the '*appearance, scale, bulk, height and pattern of surrounding buildings*' D4 as it '*respects the constraints of the site to accommodate development*' and D5 as the development allows for '*adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users*'

The balcony is proposed for an area above the proposed extension, this area is relatively thin and is located adjacent to the boundary with number 35 Dukes Avenue. This neighbouring property has a balcony that mirrors the proposed, and has the same projection.

The balcony area is located 5m from the boundary with number 39 and the width is such that it would not cause significant overlooking to the occupiers at number 39. The thin nature of the balcony and its location next to the boundary with number 35 is considered to mitigate any significant impact.

The neighbouring property at number 35 has an identical balcony next door and it cannot therefore be argued that the balcony would be harmful to this property. The character of balconies has also been established and it is not considered that there would be any issue in character grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The points of objection are considered to have been addressed by the amended plans and in the comments above.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal complies with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers. The proposal is recommended for **approval**.

SITE LOCATION PLAN: 37 Dukes Avenue, London, N3 2DE

REFERENCE: F/03104/11



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2010

LOCATION: ST MARY THE VIRGIN, EAST BARNET PARISH CHURCH,
CHURCH HILL ROAD, EAST BARNET, HERTS EN4 8XD

REFERENCE: TPO/CA/404

WARD: Brunswick Park

PROPOSAL: To seek authority for confirmation of Tree Preservation Order, without modification.

RECOMMENDATION:

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on St Mary the Virgin, East Barnet Parish Church, Church Hill Road, East Barnet, Herts EN4 8XD without modification.
2. That the objectors be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 18th May 2011
- B/00059/11/ENQ - Pre-application discussions about the proposed development of a Church Hall extension on to St Mary the Virgin Parish Church

Background Information/Officers Comments

A Tree Preservation Order was made on 23rd May 2011 on the basis that it was expedient to do so in the interests of amenity in the light of pre-application discussions (B/00059/11/ENQ) at St Mary the Virgin, East Barnet Parish Church, Church Hill Road, East Barnet, Herts EN4 8XD in connection with the proposed development of a Church Hall extension. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

St Mary the Virgin Parish Church is a Grade II* Listed Building dating from c1080 which has some individually Listed Grade II monuments / tombstones within the churchyard. The churchyard is a 'Closed Churchyard' and is maintained by the Council (subject to faculties from the Diocese). To the rear / south of the churchyard is a footpath leading to a Council owned recreation ground; there are Council maintained Highways trees beside the western flank boundary of the site. Concern was raised by officers dealing with the pre-application discussions, together with officers in Property Services and Greenspaces, given the proposal's significant implications for trees both within the churchyard and adjacent to the boundaries - which resulted in the making of a Tree Preservation Order.

There are a large number of trees, many of which are mature and of not inconsiderable antiquity. Some, but not all of the trees, have been detailed in a 'Development Site Tree Report' prepared by Bartlett Consulting based on a site visit on 5th January 2011. Within the churchyard are a number of significant trees, including several Yews (those of which have been included in the Bartlett Report are assessed BS5837:2005 category B); Cedar (also assessed as B); as well as various other trees. Immediately adjacent to the churchyard on the Highway land, close to the rear (southwest) corner, is a mature Oak (assessed as A). Immediately adjacent to the churchyard along the footpath to the recreation ground are two Yews and two Sycamore (assessed as B) as well as various other trees. There are a number of significant trees within the grounds of Rectory on the adjacent land (none included in Bartlett Report).

The trees at and around the site are of significant amenity value – as well as their individual arboricultural value and contribution to wildlife (the churchyard is managed for nature conservation), they are of major importance to the setting of the Listed Building. The mature trees are of historic significance and mature Yews in particular are culturally integral to the churchyard. The trees also provide screening between the historic church and the busier more modern land-uses surrounding – adding to the tranquillity of the churchyard, as well as a visual backdrop. The trees are very clearly visible from Church Hill Road; St Mary's Road; Oak Hill Park; the school, swimming pool / leisure centre / youth centre; and recreation ground.

In the absence of a full survey, it was considered appropriate to include some trees within area designations; however, it was possible to individually designate the Oak and use a group designation for the most prominent trees along the footpath to the recreation ground. Whilst questioning some of the assessments (particularly age), the following Bartlett information was taken into account:

The Oak to the southwest corner (T20 of Bartlett Survey) is cited as a mature tree, 21m in height with a stem diameter at 1.5m of 802mm and branch spread averaging 8m to the cardinal points, category A1 – it was considered appropriate to designate this as T1 of TPO.

It was considered appropriate to designate the following 5 trees along the footpath as G1 of TPO

Yew (T16 of Bartlett Survey) is cited as a young / mid-aged tree, 14m in height with a stem diameter at 1.5m of 334mm and branch spread averaging 5m to the cardinal points, category B1

Yew (T17 of Bartlett Survey) is cited as a young / mid-aged tree, 17m in height with a stem diameter at 1.5m of 435mm and branch spread averaging 4m to the cardinal points, category B1

Sycamore (T18 of Bartlett Survey) is cited as a mid-aged tree, 21m in height with a stem diameter at 1.5m of 461mm and branch spread averaging 5m to the cardinal points, category B1

Multi-stemmed Sycamore (T19 of Bartlett Survey) is cited as a mid-aged tree, 22m in height with a stem diameter av.350mm and branch spread averaging 5m to the cardinal points, category B1

Elm (not included in Bartlett survey) – unlike other Elms at site seemingly unaffected by Dutch Elm Disease.

As it is understood that the Church and Rectory are in separate ownerships (one seemingly by the parish, the other by the diocese), it was considered appropriate to designate two separate areas immediately adjacent to each other to include all the trees in the churchyard

(A1) and Rectory grounds (A2) respectively.

Given the current maintenance responsibilities, the agreement of the Council's Property Services and Greenspaces teams has been obtained for the making of this Tree Preservation Order, and it is to be noted that relevant officers are particularly supportive of the Order and the wish to minimise any potential damage to trees.

In the light of the very high public amenity value of the trees, it was considered appropriate to make a Tree Preservation Order at this stage as the development proposals appear to have significant implications for a number of trees at and adjacent to the site (albeit that the scheme is at pre-application stage and full details are not yet available).

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 3 of the Town and Country Planning (Trees) Regulations 1999 (as amended).

An objection has been received from the Rector, signed on his behalf by the Parish Co-ordinator.

The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

The objections of the Rector can be summarised as:

- Development proposals sought to protect most of trees and their arboricultural adviser's report showed removal of only three trees and indicated protection measures for remaining trees.
- As the trees are owned and / or maintained by the Council who already control what happens to them; there is no need for the additional protection of a Tree Preservation Order.
- The trees and shrubs indicated for removal have been categorised as only 'low or adequate quality' and there has been previous [unimplemented] agreement to remove a Holly in connection with drain repairs.
- The trees and shrubbery provide a visual and sound barrier to the rectory, but require regular cutting back to maintain an adequate sized garden.
- Proposals have sought to minimise potential impact on Council owned trees along footpath adjacent to site.
- "If a TPO is considered desirable, it should not be a blanket order on areas A1, A2 and G1 but be more specific to recognise the variety of trees, shrubs and their various qualities and condition. The Church would be prepared to take part in a joint inspection on site to seek agreement on a reasonable way forward."

In response the Council's Tree and Landscaping Officer comments as follows:

- (i) On the basis of the information currently available, it appears that the proposals have significantly greater impact on trees at and adjacent to the site than the arboricultural adviser indicates (as a number of factors do not appear to have been taken into account).
- (ii) As noted above, s.197 of the Act imposes a duty on the Council as local planning authority to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and to make such tree preservation orders as appear necessary. If it is considered that, because of implications for trees, a planning permission should be refused or granted subject to conditions to protect the trees, a Tree Preservation Order should be in place in accordance with the planning legislation - notwithstanding Council maintenance responsibilities for trees.
- (iii) Confirmation of the Order would render the trees a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees - the quality of trees would be taken into account when assessing the planning application.
 - Treatment of trees may become necessary as part of routine maintenance works into the future. Confirmation of the Order would not preclude an application, where necessary, for consent to prune / fell a tree included in a Tree Preservation Order being submitted to the Council, in accordance with the planning legislation. Such application would be considered on its merits on the basis of the information submitted at the time.
 - 'Shrubs' are not included in a Tree Preservation Order.
 - The 5 trees included in group G1 have been specifically identified. Despite requests having been made, the applicant has declined to provide a complete tree survey, hence area designations have been made to include all the trees in the churchyard and the rectory grounds, to ensure that all of the trees can be afforded an immediate level of protection which is considered necessary given the limited information supplied.

2. CONCLUSION

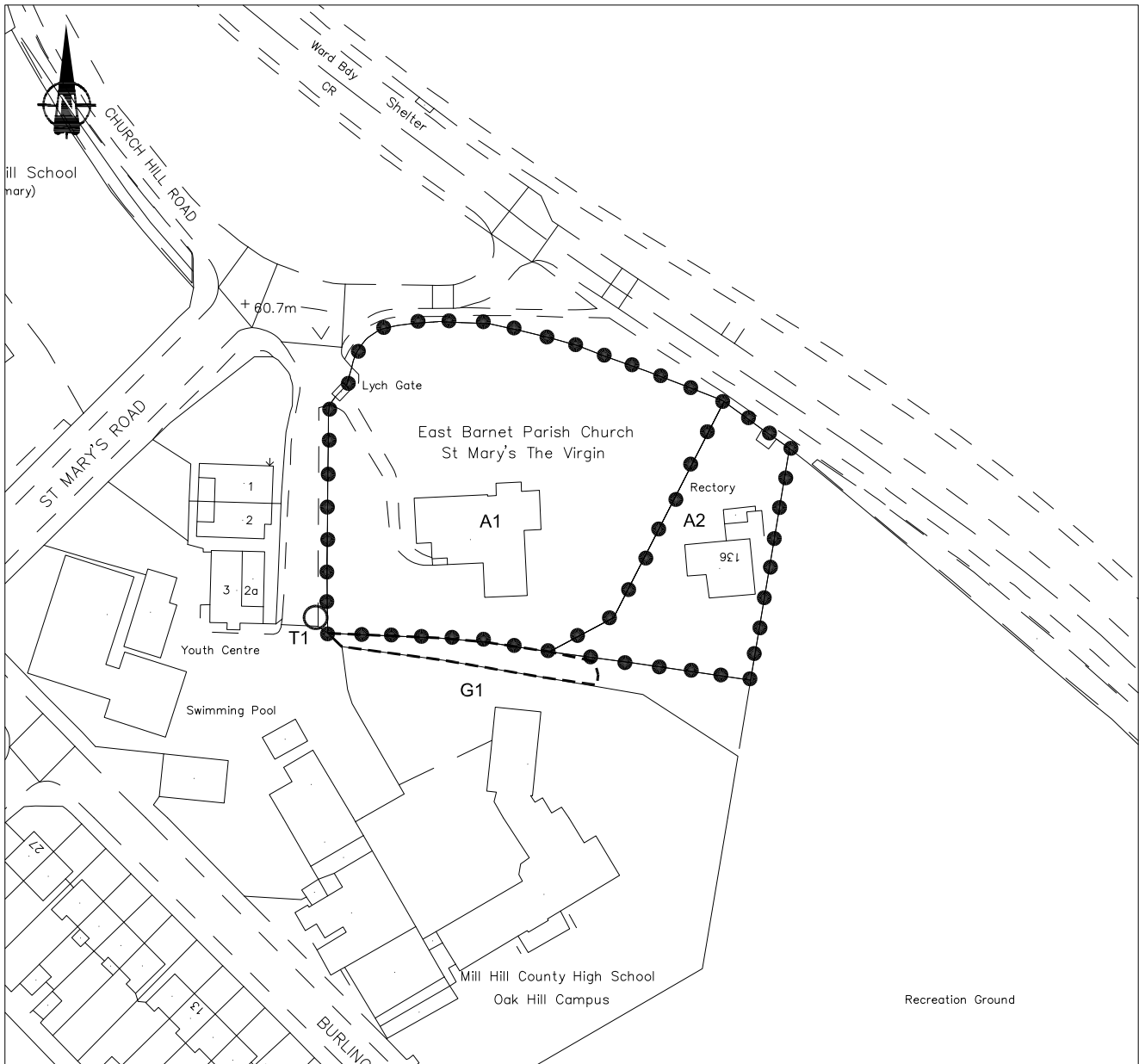
The confirmation of the Tree Preservation Order is considered appropriate in the light of pre-application discussions for proposed extension of the Church. It is considered that the trees at and around the site are of significant amenity value – as well as their individual arboricultural value and contribution to wildlife, they are of major importance to the setting of the Listed Church. The trees also provide screening – adding to the tranquillity of the churchyard, as well as a visual backdrop. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/404

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationary Office. ©Crown copyright and database right 2011. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by AC	SCHEME: ST MARYS THE VIRGIN CHURCH AND RECTORY CHURCH HILL ROAD, BARNET, EN4	Assistant Director of Planning and Development Management	
Drawn by JC			
Checked by AC	TITLE: TREE PRESERVATION ORDER	London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	DRAWING No.
Date 18/05/11	Scales 1:1250		24299

LOCATION: ST MARY'S CHURCH HALL, 54 CHURCH HILL ROAD, EAST BARNET, HERTS EN4 8TA

REFERENCE: TPO/CA/405

WARD: Brunswick Park

PROPOSAL: To seek authority for confirmation of Tree Preservation Order, without modification.

RECOMMENDATION:

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on St Mary's Church Hall, 54 Church Hill Road, East Barnet, Herts EN4 8TA without modification.
2. That the objectors be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 18th May 2011
- B/00059/11/ENQ - Pre-application discussions about the proposed redevelopment at the Church Hall

Background Information/Officers Comments

A Tree Preservation Order was made on 9th June 2011 on the basis that it was expedient to do so in the interests of amenity in the light of pre-application discussions (B/00059/11/ENQ) about proposed redevelopment at St Mary's Church Hall, 54 Church Hill Road, East Barnet, Herts EN4 8TA. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

A request had been received from a local resident to consider trees for possible inclusion in a Tree Preservation Order, and concern was been raised by officers dealing with the pre-application discussions, as the proposal is considered to have significant implications for trees both within the grounds and adjacent to the boundaries.

There are a number of trees in the grounds to the rear of the Church Hall. As part of the pre-application discussions, a 'Development Site Tree Report' prepared by Bartlett Consulting based on a site visit on 5th January 2011 was submitted. The Report details 2 individual Sycamores; 1 individual Hornbeam; 1 group of 3 Hornbeam and 2 groups of 2 Hornbeams (and a Laurel, considered a shrub). One Sycamore is assessed as BS5837: 2005 Category B; all the other trees are assessed as B/R with a recommendation to 'decay test stems, immediately' given observed areas of dead bark and decay on stems. There is no evidence as to whether the decay testing has been undertaken or not (despite enquiry).

The trees range from 22 – 26 metres in height, and are very clearly visible above the Church Hall from the public highway and from Oak Hill Park, the public open space opposite, as well as neighbouring properties. As acknowledged both in the Report and the residents' request, the trees provide substantial screening for adjoining and nearby properties. The height of the trees and the screening is of particular relevance given the size of the neighbouring Goodwin Court, a part-three / part-four storey block of flats providing sheltered / extra-care accommodation. The residents' request also refers to the positive environmental impact and notes the trees provide nesting to many birds during the spring and summer months.

The trees are considered to be of significant amenity value. In the absence of evidence demonstrating that the trees are in such poor condition that their treatment is justifiable on arboricultural grounds, it is considered appropriate to designate the trees as an area Tree Preservation Order. Inclusion of the trees in an Order would render them a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees. Depending on results of decay testing, the condition of the tree(s) would be taken into account when considering application(s) for redevelopment of the site, or for consent to treat to treat tree(s) in accordance with the provisions of the tree preservation legislation.

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 3 of the Town and Country Planning (Trees) Regulations 1999 (as amended).

An objection has been received from a resident of Goodwin Court, and the Rector, signed on his behalf by the Parish Co-ordinator.

The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

The objections of the Rector can be summarised as:

- Development proposals sought to protect the trees at the hall site and their arboricultural adviser's report 'showed that none of the existing trees would be affected either directly, or indirectly through impact on the tree root protection areas'.
- Concern about the condition of some of the trees
- "If a TPO is considered desirable, it should not be a blanket order on areas A1, but be more specific and take into account the tree experts opinion of the poor condition of eight of the eleven trees. The Church would be prepared to take part in a joint inspection on site to seek agreement on a reasonable way forward."

In response the Council's Tree and Landscaping Officer comments as follows:

- (i) On the basis of the information currently available, it appears that the proposals have significantly greater impact on trees at and adjacent to the site than the arboricultural adviser indicates (as a number of factors do not appear to have been taken into account).

- Confirmation of the Order would render the trees a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees – if decay testing evidence is provided to demonstrate that one or more of the trees is in poor condition, this would be taken into account when assessing the planning application.
- Treatment of trees may become necessary as part of routine maintenance works into the future. Confirmation of the Order would not preclude an application, where necessary, for consent to prune / fell a tree included in a Tree Preservation Order being submitted to the Council, in accordance with the planning legislation. Such application would be considered on its merits on the basis of the information submitted at the time.
- Despite requests, no decay testing evidence has been provided - hence an area designation has been made to include all the trees in the grounds to the rear of the Church Hall, to ensure that all of the trees can be afforded an immediate level of protection which is considered necessary given the limited information supplied.

The objections of the resident of Goodwin Court can be summarised as:

- (ii) “It seems we are presented with a ‘fait accompli’ where trees (non-sentient) are more important than human beings (sentient).
- (iii) Trees block light to some flats
- (iv) Leaves block gutters, also concern that trees could fall in hurricane or violent storm ‘in extremis’ resulting in loss of life
 - “The trees are dangerous as they are too high – they need lopping”
 - “Trees are ok in a park but not near humans”

In response the Council's Tree and Landscaping Officer comments as follows:

- The consultation procedure undertaken between the making of a Tree Preservation Order and its confirmation actively seeks representations which are taken into account in deciding whether the Order should have long term effect.
- It may be noted that no representations have been received from any of the other residents and the objector confirms that the trees do not impinge on him. The height of a tree does not render it dangerous *per se*, indeed lopping could exacerbate any potential problems – resulting in wounding that allows entry to decay-causing micro-organisms; stimulating growth, and with a significant future risk of breakages of weakly attached branches. As noted at (iii) above, treework application(s) can be submitted to undertake routine maintenance works and would be assessed on the basis of information supplied.
- Trees provide numerous benefits in an urban environment – aesthetic, social and environmental, health and well-being, economic, and climate mitigation. It is considered that trees should be assessed on their own individual merits, balancing the benefit and risk in the particular context, rather than on generalised fears about what may happen in extreme events.

2. CONCLUSION

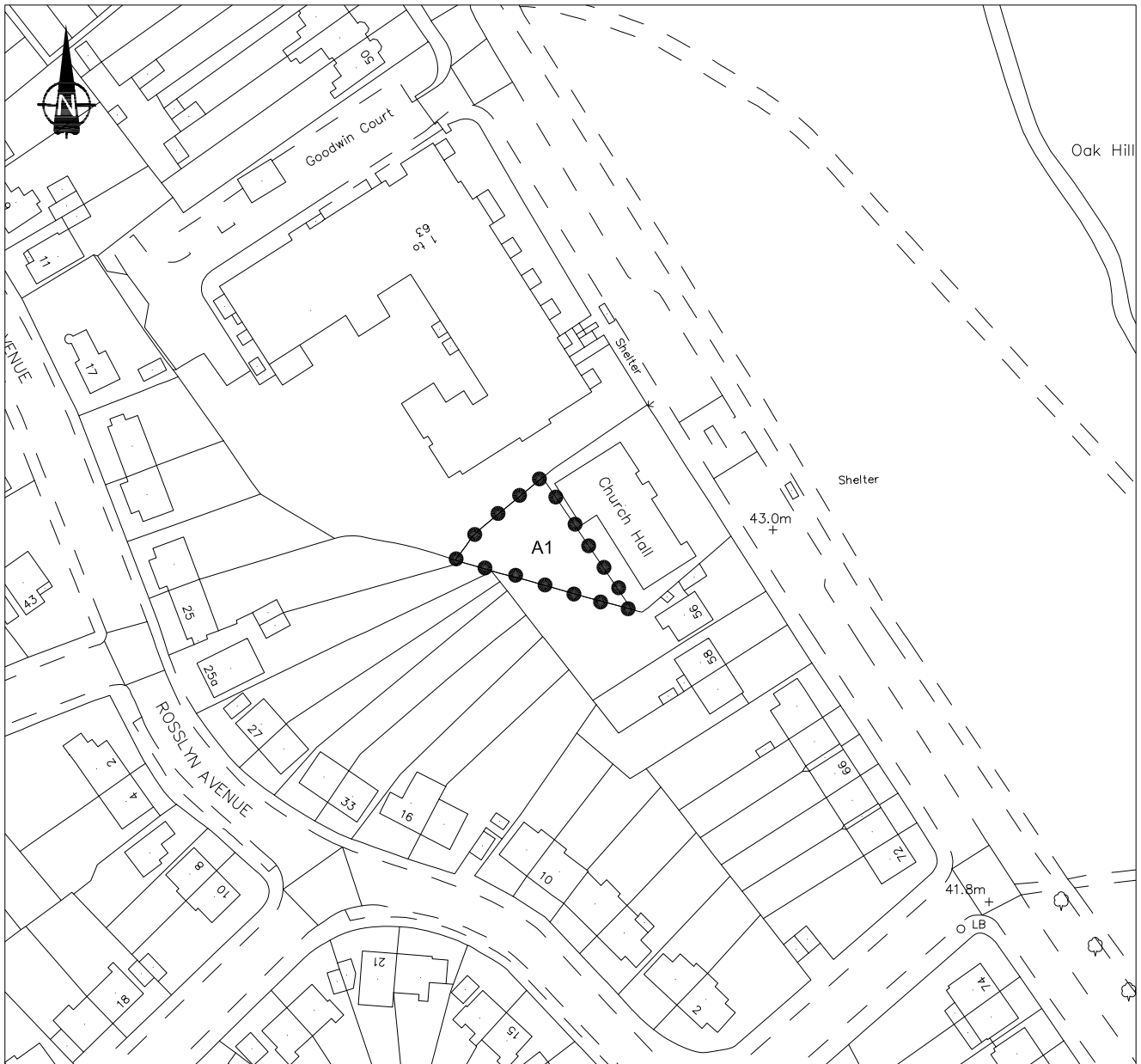
The confirmation of the Tree Preservation Order is considered appropriate in the light of pre-application discussions for proposed redevelopment of the Church Hall. It is considered that the trees at the site are of significant amenity value. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/405

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationary Office. ©Crown copyright and database right 2011. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by AC	SCHEME: ST MARY'S CHURCH HALL 54 CHURCH HILL ROAD BARNET, EN4	Assistant Director of Planning and Development Management	
Drawn by JC			
Checked by AC	TITLE: TREE PRESERVATION ORDER	London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	DRAWING No.
Date 24/05/11	Scales 1:1250		24301

LOCATION: IVONBROOK, 27 TOTTERIDGE VILLAGE, LONDON N20 8PN

REFERENCE: TPO/CA/407

WARD: Totteridge

PROPOSAL: To seek authority for confirmation of Tree Preservation Order, without modification.

RECOMMENDATION:

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on Ivonbrook, 27 Totteridge Village, London N20 8PN without modification.
2. That the objector be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 29th June 2011
- B/01803/11 – Ivonbrook, 27 Totteridge Village, London N20 8PN - Removal of existing front timber fencing and erection of new low level brick wall and new wrought iron entrance gates. Alterations to landscape including widening of driveway

Background Information/Officers Comments

A Tree Preservation Order was made on 30th June 2011 on the basis that it was expedient to do so in the interests of amenity in the light of a planning application (B/01803/11) at Ivonbrook, 27 Totteridge Village, London N20 8PN for “Removal of existing front timber fencing and erection of new low level brick wall and new wrought iron entrance gates. Alterations to landscape including widening of driveway”. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

There is an existing Tree Preservation Order (TRE/BA/50 – made March 1974) which includes some trees at Ivonbrook. However, of the trees in the front garden, the Yew (T40 of the Order) is looking somewhat sparse and contains considerable ivy, and the two Horse Chestnuts (T38 and T41 of the Order) are no longer present.

An arboricultural report prepared by Adam Hollis of Landmark Trees has been submitted as part of the planning application. It is apparent that there are some trees which were either not present or were too young to be considered when TRE/BA/50 was made. Of these, the report identifies a Dawn Redwood (6) and two River Birches (8 and 9) to be of normal

growth vitality, good structural condition, making a medium landscape contribution and of BS category B. The Dawn Redwood is early mature, 12m in height with a stem diameter of 260mm; Birch 8 is semi-mature, 10m in height with a stem diameter of 190mm; and Birch 9 is early mature, 12m in height with a stem diameter of 250mm. The trees are visible from Totteridge Village and Northcliffe Drive above the evergreen screening along the site frontage and through the gateway - it is considered that the landscape contribution would be significantly greater with removal / pruning of the boundary vegetation.

The planning proposal currently under consideration would involve the loss of the majority of the evergreen frontage screening (for the construction of the boundary wall), but amendments are under discussion to reduce the potential impact on the Birches (which were originally shown for removal).

The Dawn Redwood and two River Birches are considered to have high public amenity value, contributing significantly to the sylvan, semi-rural character and appearance of this part of the Totteridge Conservation Area as well as the North Barnet / Totteridge (with North Enfield and Harrow Weald) Area of Special Character. Given appropriate cultural attention, the trees are capable of contributing to public amenity for a considerable period (the report suggests more than 40 years for the Dawn Redwood and 20 – 40 years for the Birches). In the circumstances, it is considered appropriate to include the Dawn Redwood and group of two Birches in an Order, which would render them a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees.

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 3 of the Town and Country Planning (Trees) Regulations 1999 (as amended).

An objection has been received from:-

Owner, Ivonbrook, 27 Totteridge Village, London N20 8PN

The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

The objections of the Owner can be summarised as:

- “One tree I agree should be protected, regarding the two silver birches in the centre, my tree consultant from Landmark trees, said these trees were young, of poor quality and no significance.”
- “No one from Barnet tree dept. has approached me for access onto my property in order to view these trees properly.”

In response the Council's Tree and Landscaping Officer comments as follows:

- (i) As noted above, the Tree Survey Schedule is at odds to the owner's contention. Further, the report also notes "The removal of the two river birch trees is more problematic; they are attractive specimen trees, but for the present at least, their landscape contribution is largely enjoyed by the landowner alone." The Birches are currently visible from public locations and, as the planning application involves removal of much of the frontage vegetation for the construction of the proposed new brick boundary wall, their visibility would be significantly increased.

- (ii) A Tree Preservation Order is made to reflect the public amenity value of trees and for this reason the trees were viewed from publicly accessible locations (i.e. the public highway and Totteridge Manor Association verges). In some circumstances, closer inspection may be appropriate, but in this case the Council had taken account of the experienced and well-respected arboricultural consultant's report submitted as part of the planning application and, noting there was nothing in the report drawing attention to any concerns about the condition of the relevant trees, concluded that on this occasion closer inspection was not merited.

2. CONCLUSION

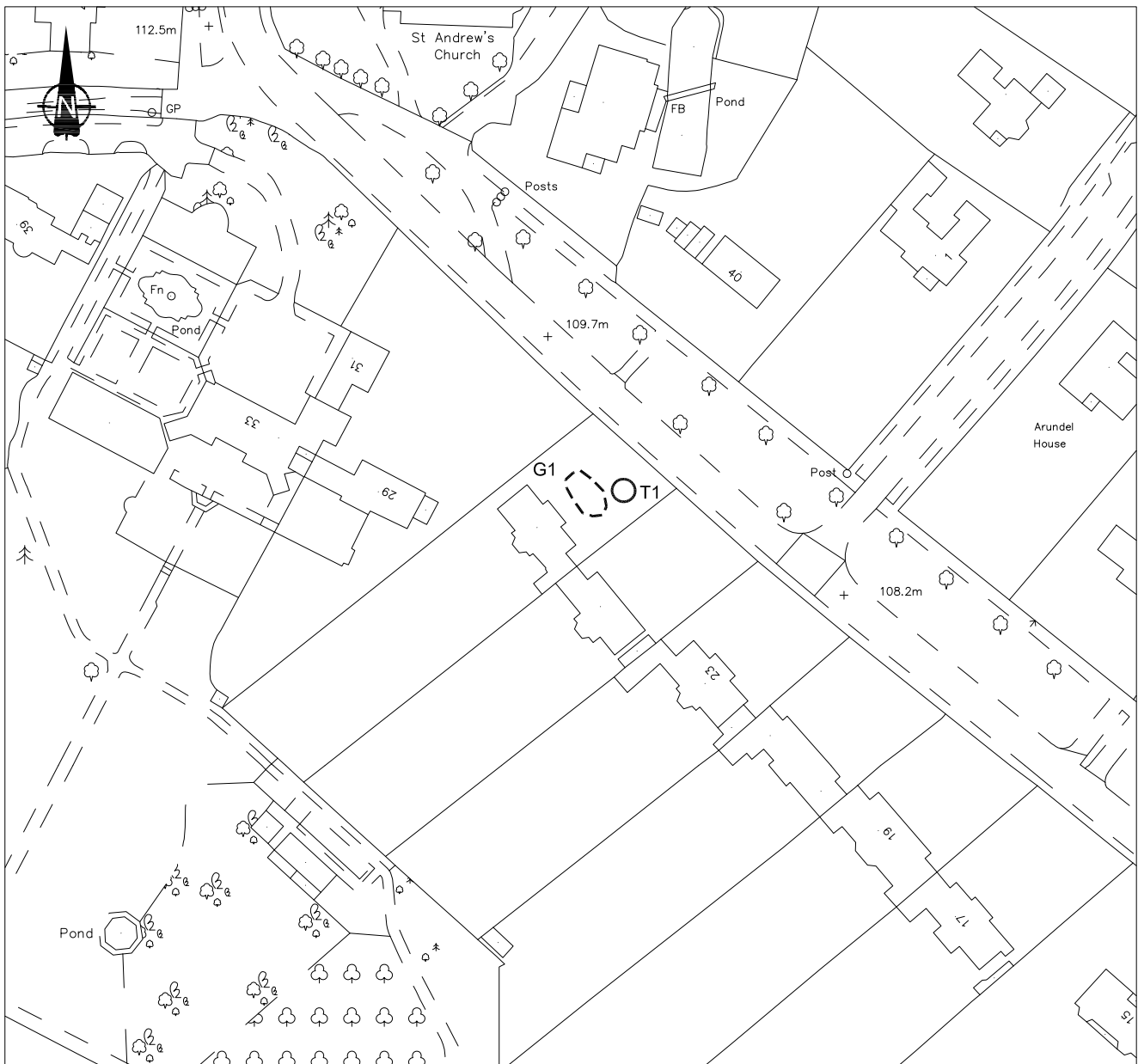
The Dawn Redwood and two Birches are considered to have high public amenity value, contributing significantly to the character and appearance of this part of the Totteridge Conservation Area and the Area of Special Character. The inclusion of trees in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the trees protection if considered appropriate. The confirmation of the Tree Preservation Order is considered appropriate in the light of development proposals for Ivonbrook – revisions to the proposal have already been achieved because of the Order and further measures to minimise the impact of the development could then be secured by condition. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/407

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. ©Crown copyright and database right 2011. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by AC	SCHEME: IVONBROOK, 27 TOTTERIDGE VILLAGE, LONDON, N20	Assistant Director of Planning and Development Management	
Drawn by JC	TITLE: TREE PRESERVATION ORDER		
Checked by AC		London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	24319
Date 22/06/11	Scales 1:1250		

LOCATION: 104 MOUNT PLEASANT, BARNET, HERTS, EN4 9HQ

REFERENCE: TPO/CA/408

WARD: East Barnet

PROPOSAL: To seek authority for confirmation of Tree Preservation Order, without modification.

RECOMMENDATION:

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on 104 Mount Pleasant, Barnet, Herts, EN4 9HQ without modification.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 22nd June 2011
- B/02236/11 - Single storey side/front extension to existing rear outbuilding. Construction of new patio.

Background Information/Officers Comments

A Tree Preservation Order was made on 22nd June 2011 on the basis that it was expedient to do so in the interests of amenity in the light of application B/02236/11 – “Single storey side/front extension to existing rear outbuilding. Construction of new patio.” at 104 Mount Pleasant, Barnet, Herts, EN4 9HQ. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

There are two Silver Birch trees within the rear garden of the site which are clearly visible as a group from Mount Pleasant and Langford Road. These trees appear to be in reasonable condition with no major faults evident. The trees are considered to be of significant public amenity value, contributing to the character and appearance of the surrounding area. With appropriate cultural attention, these Silver Birches might reasonably be expected to make a positive contribution to local amenity for the foreseeable future and were therefore included in a Tree Preservation Order.

The submitted plans originally showed the removal of one of these trees, however, revisions to the proposal were achieved because of the Order and further measures to minimise the impact of the development were then sought by condition. The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect.

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 3 of the Town and Country Planning (Trees) Regulations 1999 (as amended). The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

A representation was received from the owner / occupier of 102 Mount Pleasant noting:

- "I am very pleased that the two Silver Birch trees have been protected but my concern is that [a] Horse Chestnut tree will now be damaged."

In response the Council's Tree and Landscaping Officer comments as follows:

- In addition to the two Silver Birches, a number of trees within and immediately adjacent to the development site were surveyed at the time of making the Tree Preservation Order, including the Horse Chestnut. However, the Horse Chestnut was considered inappropriate for inclusion in the Order because of its significant previous treatment and poor public visibility.

No objections were received.

2. CONCLUSION

The confirmation of the Tree Preservation Order is considered appropriate in the light application of B/02236/11 - Single storey side/front extension to existing rear outbuilding. Construction of new patio. It is considered that the two Silver Birches are of considerable public amenity value - contributing to the character and appearance of the area. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/408

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. ©Crown copyright and database right 2011. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by AC	SCHEME: 104 MOUNT PLEASANT BARNET, EN4	Assistant Director of Planning and Development Management	
Drawn by JC	TITLE: TREE PRESERVATION ORDER		
Checked by AC		London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 9359 2000	24318
Date 22/06/11	Scales 1:1250		

LOCATION: 33 LYONSDOWN ROAD, BARNET EN5 1JG

REFERENCE: TPO/CA/409

WARD: Oakleigh

PROPOSAL: To seek authority for confirmation of Tree Preservation Order, without modification.

RECOMMENDATION:

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on 33 Lyonsdown Road, Barnet EN5 1JG without modification.
2. That the objector be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 23rd June 2011
- B/01059/11 – 33 Lyonsdown Road, Barnet EN5 1JG - Erection of three detached, five bedroom houses (Outline).

Background Information/Officers Comments

A Tree Preservation Order was made on 23rd June 2011 on the basis that it was expedient to do so in the interests of amenity in the light of a planning application (B/01059/11) at 33 Lyonsdown Road, Barnet EN5 1JG for “Erection of three detached, five bedroom houses (Outline)” - all matters are reserved. In the absence of detailed information, it is difficult to assess the potential impact on trees at the site, but given the considerable level changes across the site, it appears inevitable that there will be alterations to levels to accommodate e.g. parking, d.d.a. compliant access, etc – and these seem likely to encroach within rooting zones. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

A number of trees at the rear of the site are already included within a Tree Preservation Order (TPO/CA/225 - made June 1989), but it appears that the proposed redevelopment of the site has significant potential impact on trees on the site frontages onto Lyonsdown and Richmond Roads, in particular two Horse Chestnuts and a Lime tree which are very prominent in the streetscene.

A Tree Report (by Ian Tupling of T&B Landscape Associates Ltd) which assesses the majority of trees at the site forms part of the planning application submissions. Amongst other information, it includes details of a mature Lime and Horse Chestnut (2 and 4), both categorised as B for condition (exhibiting correctable deficiencies, or showing some level of

stress due to environmental influences) and B for retention (very desirable and having a significant impact on the surrounding landscape, retain if possible); and a mature Horse Chestnut (5) of which the Report notes “There is an area on the east side of the trunk where flux is exuding from the tree. The timber beneath this point showed signs of being soft. There were other pointers on the trunk which would suggest that the trunk has some early signs of an attack of Bleeding Canker of Horse Chestnuts which is thought to be caused by the pathogen *Pseudomonas syringae aesculi*..... Experience has shown that this disease can be quite virulent and move quickly through a tree and from tree to tree. It would be better to consider the removal of this tree to protect Tree No 2 and other Horse Chestnuts within the landscape of the general locality.” Whilst agreeing that there is a relatively small area of fluxing, the suggestion that this is Horse Chestnut Bleeding Canker is contested – the exudate appeared to be from one area only, with no evidence of other dark spots, tar or cracking, and the canopy did not seem particularly sparse. A pathologist at Forest Research agreed with the Council’s Tree and Landscaping Officer: ‘You are right it does not look right for bleeding canker’.

Horse Chestnut 2 is located on the Lyonsdown Road frontage of the site, adjacent to the boundary with Apex Lodge (35 Lyonsdown Road), it is some 13m in height with a trunk diameter of 750mm. Lime 4 is some 12m in height with a trunk diameter of 500mm; Horse Chestnut 5 is some 13m in height with a trunk diameter of 700mm - both 4 and 5 are located on the corner of the Lyonsdown Road and Richmond Road frontages of the site. All three of these trees are very prominent in the streetscene – being very clearly visible from both roads and emphasised by the topography. These mature trees contribute significantly to the verdant character and appearance of the area, providing screening and a sense of scale to the large built form – as such, they are considered to be of public amenity value.

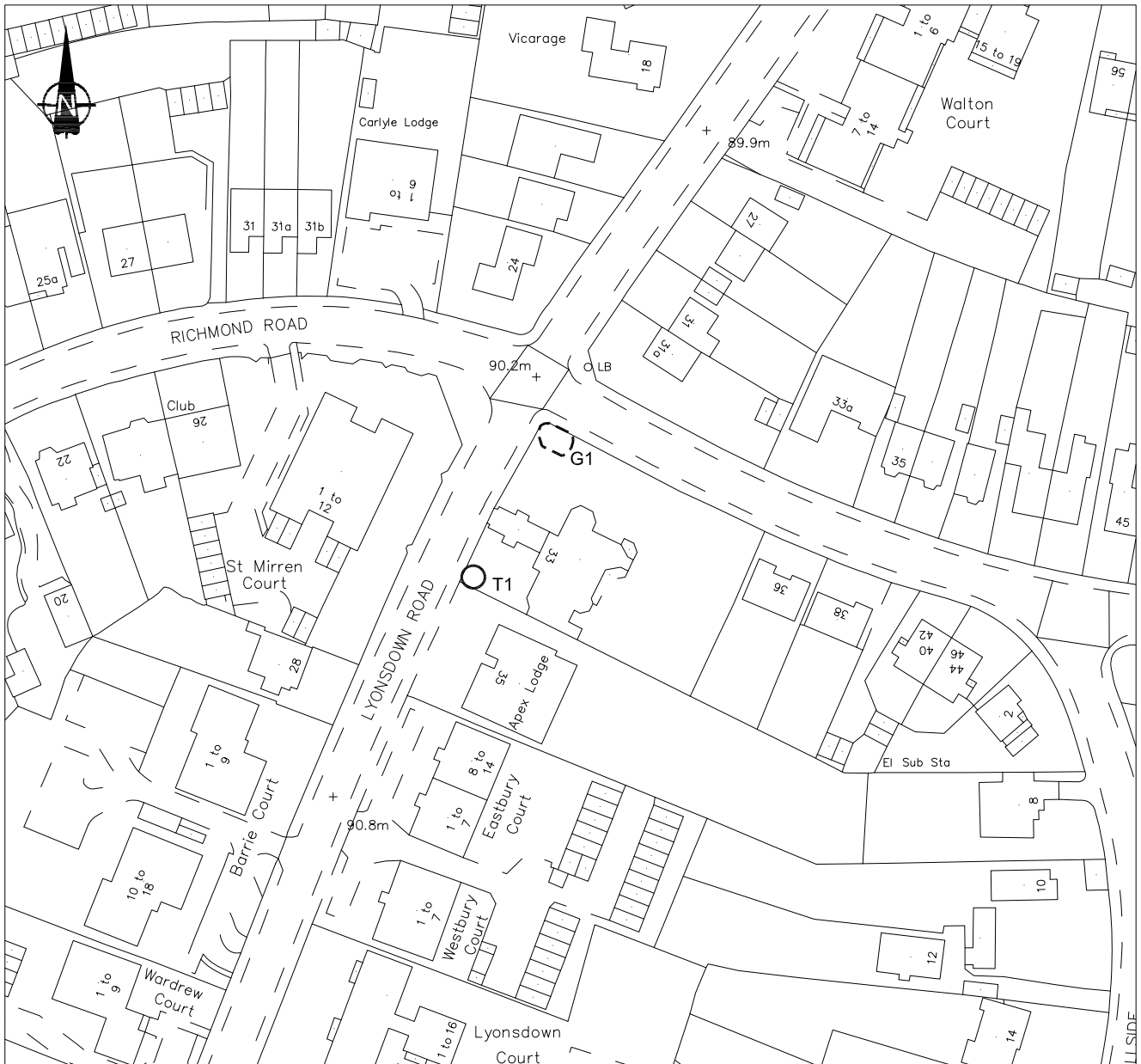
The two Horse Chestnuts (2 and 5) and Lime (4) are considered to have very high public amenity value. Especially given the outline nature of the planning application and the limited information available, it has been considered appropriate to include these three trees in a Tree Preservation Order. Inclusion of the trees in an Order would render them a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/409

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. ©Crown copyright and database right 2011. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by AC	SCHEME: 33 LYONSDOWN ROAD BARNET, EN5	Assistant Director of Planning and Development Management	
Drawn by JC			
Checked by AC	TITLE: TREE PRESERVATION ORDER	London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	DRAWING No.
Date 22/06/11	Scales 1:1250		24317