

<b><u>MEETING</u></b> <b>EAST AREA PLANNING SUB-COMMITTEE</b>
<b><u>DATE AND TIME</u></b> <b>MONDAY 5 DECEMBER 2011</b> <b>AT 7.00PM</b>
<b><u>VENUE</u></b> <b>HENDON TOWN HALL, THE BURROUGHS, HENDON NW4 4BG</b>

**TO: MEMBERS OF THE COMMITTEE (Quorum 3)**

Chairman: Councillor Andreas Tambourides  
Vice Chairman: Councillor Bridget Perry

**Councillors:**

Alison Cornelius	Andrew McNeil	Barry Rawlings	Alan Schneiderman
Stephen Sowerby	Andrew Strongolou	Joanna Tambourides	Jim Tierney

**Substitute Members:**

Pauline Coakley Webb	Brian Coleman	Anne Hutton	David Longstaff
Kath McGuirk	Alison Moore	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 - 54
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	-

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# **EAST AREA PLANNING SUB - COMMITTEE**

5 December 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: 5 December 2011

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

**B/02368/11**

Coppetts Ward

**Page 1 -22**

Sarah Cohen House, Asher Loftus Way, London, N11 3ND

Erection of a part two, part three storey plus basement building to provide a 48 bedroom care home. Construction of a single storey link building between Lady Sarah Cohen House and Rosetrees. Addition of a conservatory to Rosetrees.

**Approve Subject to Conditions**

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**B/02471/11**

Totteridge Ward

**Page 23 - 41**

1230-1232 High Road, London, N20 0LH

Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.

**Approve Subject to S106**

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**B/03681/11**

Totteridge Ward

**Page 42 - 48**

Lavendale Montessori Nursery, Southover, London, N12 7JG

Erection of canopy over play area adjacent to existing nursery building, including enclosed by 900mm high fence.

**Approve Subject to Conditions**

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**F/04240/11**

West Finchley Ward

**Page 49 - 54**

18 Brent Way, London, N3 1AL

Demolition of existing steps and reduction in level of the front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.

**Approve Subject to Conditions**

**LOCATION:** Sarah Cohen House, Asher Loftus Way, London, N11 3ND  
**REFERENCE:** B/02368/11 **Received:** 06 June 2011  
**Accepted:** 09 June 2011  
**WARD(S):** Coppetts **Expiry:** 08 September 2011

**Final Revisions:**

**APPLICANT:** Jewish Care

**PROPOSAL:** Erection of a part two, part three storey plus basement building to provide a 48 bedroom care home. Construction of a single storey link building between Lady Sarah Cohen House and Rosetrees. Addition of a conservatory to Rosetrees.

**RECOMMENDATION: Approve Subject to Conditions**

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

108, 2385 050 Rev B, 2385 051 Rev A, 2385 052 Rev A, 2385 053 Rev B, 2385 054 Rev A, 2385 116 Rev D, 2385 117 Rev C, 2385 118 Rev B, 2385 120 Rev E, 2385 121 Rev E, 2385 122 Rev E, 2385 124 Rev B, 2385 125 Rev A, 2385 131 Rev D, 2385 132 Rev D, SKE.112 Issue C, 231/001 rev A, Planning Statement by Savills dated June 2011, Design and Access Statement by M R Partnership and Land Use Consultants dated 1 June 2011, Ecological Appraisal by Land Use Consultants dated December 2010, Bat Survey Brief by Land Use Consultants dated May 2011, Sustainability Report by Blyth+Blyth, Environmental Noise Survey and PPG24 Assessment Report 16788/PPG241.1 dated 23 November 2010, Statement of Community Involvement by Savills, Framework Travel Plan by ADL Traffic Engineering Ltd, Transport Statement by ADL Traffic Engineering Ltd, Flood Risk Assessment by Blyth+Blyth dated 23rd May 2011, Lc20373:90:002 Revision A, Lc20373:90:003 Revision B (date received 6-Jun-2011);

Bat Survey Report by The Ecology Consultancy (date received 27-Jun-2011);

Archaeological Desk Based Assessment dated June 2011 (date received 30-Jun-2011);

Proposed maintenance and access strategy for green and brown roofs (date received 8-Aug-2011);

2385 100 Rev K, 2385 111 Rev G, 2385 112 Rev H, 2385 113 Rev H, 2385 114 Rev F, 2385 115 Rev D, SK 111 Rev J, 5027 SKE.115 Issue G, SKE.129 Issue B, SKE.130 Issue D, SK.134 Issue A, SK.135 Issue A, SKE 136, 131 Issue C, Arboricultural Report Report Date: 26th September 2011, 231/002 Rev E, Landscape Response to Planning Office Comments (date received 4-Oct-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 the development hereby permitted is occupied the parking spaces shown on Plan no 2385 100 Rev K 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.

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. The premises shall be used as a residential care home and no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

7. 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.

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. 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 building.

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 or as otherwise set out in the Landscape Management Plan 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. No works in connection with the development hereby permitted, including any site preparation works, shall commence until a Landscape Management Plan for the site for a period of 20 years including long term design objectives, management responsibilities and maintenance schedules and provisions to safeguard ecological interests in line with the recommendations outlined with the Bat Survey Report by The Ecology Consultancy dated 16/06/2011 have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented, managed and maintained in accordance with the provisions of the Landscape Management Plan.

Reason:

To safeguard local biodiversity, ensure a satisfactory appearance and setting for the

proposed development and to ensure that it enhances the visual amenity of the area.

14. 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.

15. 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.

16. No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees including areas of hardsurfacing and car parking, any works within 2m of the root protection area's of retained trees as identified on drawing 231/002 Revision E and details of any piling to be undertaken in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* and in line with the details to be submitted as part of the required Construction Method Statement 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.

17. No development or other operations shall commence on site in connection with the 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.

18. 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.



19. The level of noise emitted from the electricity sub station and energy centre 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.

20. 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 electricity sub station and energy centre. 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.

21. The non-residential development is required to meet the following generic environmental standard (BREEAM) and at a level specified at Section 6.11 of the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

22. No work on the development shall commence until a Construction Method Statement has been submitted to and formally approved in writing by the Local Planning Authority. The details required must include likely timescales for the development, contractor parking and material storage and should be in line with the details to be submitted as part of the required method statement detailing precautions to minimise damage to trees.

Reason:

To safeguard the free flow of traffic, pedestrian and public safety and the health of existing trees which represent an important amenity feature.

23. Before the development is commenced details of the access and estate road(s) shall be submitted to and approved in writing by the Local Highways Authority. Highways

Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied.

Reason:

To ensure the safe form of the development and to protect the amenity of the area.

24. Before the development is occupied a full Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan co-ordinator. No development shall take place until details of the arrangements to meet the obligation for monitoring the development to ensure the objectives of the Travel Plan are met.

Reason:

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

25. Development shall not begin until drainage works including provision of Sustainable Drainage Systems (SUDS) to provide attenuation of surface water on-site, including living roofs, permeable paving and swales have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system and the amenities of the area and surface water run off is dealt with in a sustainable manner.

26. No development whatsoever shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason:

To enable archaeological investigation of the site.

27. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 7am or after 7pm 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.

28. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local

underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

## **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: July 2011 and the Adopted Barnet Unitary Development Plan (2006).  
In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006):  
  
GSD, GParking, GBEnv1, GBEnv2, GBEnv3, GBEnv4, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, O13, O17, M2, M3, M11, M12, M13, H12, H16.  
  
3.17, 5.3, 5.11, 5.12, 5.13, 7.4 7.19, 7.20, 7.21 of The Mayor's London Plan July 2011  
  
Core Strategy (Publication Stage) 2010:  
  
CS1 - Barnet's Place Shaping Strategy - The Three Strands Approach  
CS5 - Protecting and Enhancing Barnet's character to create high quality places  
CS13 - Ensuring the efficient use of natural resources  
CS15 - Delivering the Core Strategy
  - ii) The proposal is acceptable for the following reason(s): -  
  
The proposed development is considered to be an acceptable form of development for this site in this location, resulting in a sustainable building which would provide care to meet an identified need. It is not considered to have a significant adverse impact on the residential and visual amenities of the neighbouring occupiers or on the highway conditions in the locality. It is considered to have a minimal impact on the nature corridor and the Coppetts Wood Local Reserve, protecting local biodiversity. This proposal is considered to accord with the aforementioned policies.
2. Any details submitted in respect of the Construction Management Plan shall indicate how the hours of operation will be controlled, routes taken, means of access and security procedures for construction traffic to and from the site and the methods 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.
3. The applicant is advised that Colney Hatch Lane (the whole length) is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations Directorate should be consulted in this respect

4. 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 access.
5. 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.

6. 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.
7. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
8. The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines
9. This grant of consent confirms no rights for any work to be undertaken to trees adjacent to and on the site included in the Tree Preservation Order. If any treatment

is proposed, an application would be required in accordance with the Tree Preservation Legislation, and should be accompanied by a BS5837 tree survey.

You are reminded that damaging, or causing or permitting damage to, a protected tree is a criminal offence that may result in liability for a heavy penalty and appropriate precautions should be taken to ensure that no damage is caused during development works.

10. The applicant is advised that if bats are found to be present on the site, a European Protected Species (EPS) mitigation licence issued by Natural England may be required prior to any works taking place.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development  
PPS9 - Biodiversity and Geological Conservation  
PPG13 - Transport  
PPG24 - Planning and Noise

The Wildlife and Countryside Act 1981  
The Countryside and Rights of Way Act 2000  
UK Biodiversity Action Plan (BAP)

### The Mayor's London Plan: July 2011

3.17 - Health and Social Care Facilities  
5.3 - Sustainable Design and Construction  
5.11 - Green Roofs and Development Site Environs  
5.12 - Flood Risk Management  
5.13 - Sustainable Drainage  
7.4 - Local Character  
7.19 - Biodiversity and Access to Nature  
7.20 - Geological Conservation  
7.21 - Trees and Woodlands

### Relevant Unitary Development Plan Policies:

GSD, GParking, GBEnv1, GBEnv2, GBEnv3, GBEnv4, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, O13, O17, M2, M3, M11, M12, M13, H12, H16.

SPD - Sustainable Design and Construction

### 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:

CS1 - Barnet's Place Shaping Strategy - The Three Strands Approach  
CS5 - Protecting and Enhancing Barnet's character to create high quality places  
CS13 - Ensuring the efficient use of natural resources  
CS15 - Delivering the Core Strategy

Relevant Development Management Policies (DPD):

DM01 - Protecting Barnet's character and amenity  
DM02 - Development Standards  
DM03 - Accessibility and inclusive design  
DM04 - Environmental considerations for development  
DM16 - Biodiversity  
DM17 - Travel impact and parking standards

Relevant Planning History:

**B/01890/11** Environmental impact assessment screening opinion. ES not required.  
17/05/2011

**C03069MZ/00** Single storey side extension to nursing home currently under construction.  
Conditional Approval 08/02/2001

**C03069KT** Part single, part three storey building to provide 59 bed nursing home (amendment to Planning Permission Ref. C03069JV dated 29.6. 99 comprising elevational changes, alterations to landscaping, revised car parking layout for 17 cars. Single storey link to 'Lady Sarah Cohen House' and extension of access to rear of 'Lady Sarah Cohen House'. Conditional Approval 22/11/1999.

**C03069JV** Part single, part three storey building to provide 60 bed nursing home. Car parking provision for 18 cars. Conditional Approval 29/06/1999

**C03069CT** Provision of nursing home/hospital for 159 residents with ancillary accommodation. Conditional Approval 09/06/1992.

Consultations and Views Expressed:

Neighbours Consulted: 342

Replies: 11 (any other replies will be reported at the meeting)

Neighbours Wishing To 0  
Speak

The objections raised may be summarised as follows:

- New building is far too large in scale
- Directly adjacent to a very important wildlife corridor
- Possible damage to the foundations of neighbouring properties
- Deep digging will also encourage rodents/vermin to be uprooted from beneath the ground
- Wildlife corridor will be very badly affected by any building works
- According to the Wildlife & Countryside Act 1981 there is a protection for nests and eggs and that disturbing bat roosts or nesting birds is a criminal offence
- Proposed removal of 69 trees is wholly unacceptable
- Number of staff to be allocated to this site seems very drastic
- More traffic
- Any building which would be approved for this proposal will neglect neighbours right to have pleasure and enjoy their properties
- Loss of privacy
- Overlooking
- There will be increased pollutants as a result of the works and congested traffic during the proposed building stages
- Destruction of wildlife
- The building should be put on the other side of the site so that the nature corridor can be preserved
- Noise from the use
- Repositioning the development would also allow more space for the replanting of suitable screening trees

#### Internal /Other Consultations:

- London Wildlife Trust Barnet Group - No response received
- Natural England - 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
- Traffic & Development -

The existing development consists of approximately 6900 sqm care home providing 174 bedrooms and 40 off street car parking spaces. The proposal is for erection of a new building of approximately 4,404 sqm to provide a 48 bedroom care home. An additional 33 off street car parking spaces are proposed to provide a total of 73 parking spaces, including 10 disabled spaces and 3 electric car charging bays. A total of 10 cycle parking spaces will be provided. The proposal includes alterations to existing access road (Asher Loftus Way), which is a private road, off Colney Hatch Lane. The existing gate will be moved further from the public highway.

The parking provision is considered acceptable for a site at this location.

The existing Care Home employs a total of 176 staff including 40 catering staff. The proposal will employ 45 additional members of staff (34 full time and 11 part time)

The submitted Transport Statement states that the proposal will generate between 5 and 7 additional vehicle movements at weekday peak hour and 9 at weekend peak hour. The

expected number of staff on site overnight is 22 at weekday and 36 at weekend. A total of 5 – 11 deliveries a day are expected.

It is considered that potential vehicular movements generated by the proposal will have no significant impact on the traffic generation in Colney Hatch Lane.

The applicant has submitted a Framework Travel Plan which includes staff travel pattern surveys, indicating that 66 % of existing staff travel to the site by public transport.

A condition should be included that before the development is occupied a full Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan co-ordinator together with details in respect of arrangements for monitoring the objectives of the Travel Plan.

Submitted details indicate that refuse collection will be carried out by private contractor. For refuse collections carried out by the council, the access road should be constructed to adoptable standards and turning facilities for refuse vehicles should be provided within the site, and an Indemnity Agreement must be sign by the applicant, otherwise a refuse collection point must be provided within 10 metres of the public highways and refuse should be brought to the collection point on collection days.

The applicant is advised that changes to the access road will require permission from the land owner and any persons who have a right of way over the access road.

The proposal is acceptable on highways grounds, subject to conditions.

- Environmental Health - No objections, recommend conditions

- Adult Social Services - No response received

- English Heritage-Archaeology -

The site lies in an area where archaeological remains may be present. It is within a designated Area of Special Archaeological Significance as defined by the borough due to the medieval Halliwick Manor, first mentioned in the 13<sup>th</sup> century. The proposed site is adjacent to the later manor house and hermitage, and within the estate of the original manor. I note that the proposed development includes a basement, which will have a negative affect on any archaeological remains present.

I do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition to any consent granted under this application. This is in accordance with Policy HE 12.3 of PPS5 and local policies.

In the first instance, I would recommend that the applicants commission an archaeological desk based assessment, which will use documentary and cartographic material, as well as records held in the Greater London Historic Environment Record, to assess the historic significance of the site and the impact of the new proposals. I am particularly interested to see a thorough map regression of the site, which will enable an informed decision to be made on the need for further investigation.

Should the assessment indicate that significant archaeological remains are likely to be present on the site, a field evaluation is likely to be required. If significant remains are encountered in the course of an initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.



- Environment Agency - No response received. Any response received will be reported at the meeting
- 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 subject to the imposition of a conditions and informatives.

Date of Site Notice: 16 June 2011

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site relates to Lady Sarah Cohen House, a residential care home located on the northern side of Colney Hatch Lane. There is a road leading from Colney Hatch Lane into the site which is Asher Loftus Way. The application site was formerly part of the Friern Hospital site. The site is approximately 2.3 hectares in area. There are two existing buildings on the site, both residential care homes, Lady Sarah Cohen House and Rosetrees which are 3 and 4 storeys in height respectively.

The site is bounded by Colney Hatch Lane to the south, residential dwellings in Shapwick Close and Cheddar Close to the north, residential dwellings in Halton Close to the east and residential dwellings on Hillside Avenue to the west. The site is some 400m from Friern Barnet Local Town Centre to the north.

A nature corridor lies between the eastern boundary of the site and Halton Close. Coppetts Wood Local Reserve is to the south of the site on the opposite side of Colney Hatch Lane. Coppetts Wood is a Site of Borough Grade 1 Importance for Nature Conservation.

There are level changes across the site from north to south which means that Lady Sarah Cohen House and Rosetrees are both at an elevated position, effectively sitting on a "plateau", in relation to Colney Hatch Lane. The northern boundary of the site sits at the top of a steep bank, some 2-4 metres above the "plateau" on which the existing buildings are located. The southern boundary is heavily screened with trees. There is also a large number of trees along the eastern and western boundaries of the site.

A number of the trees on and adjacent to the site are protected under a Tree Preservation Order (TPO).

The access road, Asher Loftus Way runs from the entrance gate off Colney Hatch Lane parallel to the eastern boundary up to an intersection between Lady Sarah Cohen House and Rosetrees.

Parking is currently provided to the immediate south and west of Lady Sarah Cohen House. There is also a small amount of parking between the two existing buildings.

In terms of the history of the site in relation to the two existing buildings; Lady Sarah Cohen House was built in 1996 and Rosetrees was built in 2000.

## Proposal:

This application seeks planning permission for the erection of a part two, part three storey plus basement building to provide a 48 bedroom care home, construction of a single storey link building between Lady Sarah Cohen House and Rosetrees and the addition of a conservatory to Rosetrees.

During the course of the application, amendments were sought in respect of the footprint of the building and its impact on trees of special amenity value and the nature corridor.

The part two storey, part three storey plus basement building would be sited on the south eastern part of the site. It would be a flat roof building with a shallow 'V' shaped footprint with its north east and south western ends being 8m and 9.2m respectively from the sites eastern boundary with Richmond Court and the Nature Corridor. The building would angle away from this boundary into the main boundary of the site to be 8m from the eastern boundary. It would have a maximum length of 72m, would be 23m wide at its widest point and would have a maximum height of 14.9m as viewed from Colney Hatch Lane (to the top of the building, not including the access walkway on the roof). The proposed building would be minimum of 33m back from the site boundary with Colney Hatch Lane.

Given the change in levels from north to south, the northern part of the building would be two storey (though there will be a basement level so essentially three storey) and as it extends towards the southern part of the site would be three storey. The heights therefore, when viewed from Halton Close (taken from ground level) would be 7.2m (not including the access walkway and plant on the roof) increasing to a maximum of 11.3m as the building increases to three storeys. The flat roof over the southern tip of the building) will be a green sedum roof and the main roof over the first floor will be a brown roof.

This new building will provide a residential care home designed specifically for dementia care. Whilst details of the materials are the subject of a suggested condition it is proposed that the facing materials will be selected to integrate the proposed building with the existing building: red facing brick, self coloured render and timber cladding. Composite windows will have a grey powder coated finish to match the colour of windows on the two existing building. Timber cladding has been proposed to the ends of the wings to provide contrast to the brickwork, and is also proposed as cladding to the roof plant enclosures. Powder coated acoustic louvres will be included in the roof plant enclosures where required.

The entrance to the site remains in the same location as existing however given that the new building would be sited over the existing access road, a new access road is proposed along the southern edge of the meadow which will provide access to additional parking to be provided on the western part of the site. Currently the access road leads to a roundabout which is located between the two existing buildings. The new access road will cut across the meadow in a southeast to northwest direction leading to parking both to the west and directly in front of Lady Sarah Cohen House. The roundabout is to be retained. An existing footpath which leads from the pedestrian gate located on the southern boundary, from Colney Hatch Lane will be retained and will join the new access road with the formation of new footpaths leading from the access road up to the two existing buildings.

This proposal will see the creation of 33 additional car parking spaces resulting in a total of 73 parking spaces, including 10 disabled spaces and 3 electric car charging bays. A total of 10 cycle parking spaces will be provided. The creation of a new parking area to the west will see the loss of the memorial garden and fruit trees on this part of the site however it is proposed to provide a new memorial garden and orchard in front of Lady Sarah Cohen House.

A roof terrace (at first floor) is proposed above the entrance to the new building from the roundabout as well as a ground floor terrace located between the new building and Rosetrees.

A loading bay is to be provided at the front of the building, close to the entrance into the site.

The proposed link building between Lady Sarah Cohen House and Rosetrees would infill the space between the two buildings and would be 'L' shaped. It would have a minimum width of 8.8m and a maximum width of 24m. This building would have a length of 28.4m and would be single storey with a height of 3.9m with a sedum roof.

The proposed single storey conservatory would extend from the southern part of Rosetrees close to the northern part of the new building. It would measure 6.9m deep, 5.5m wide and 4.3m high.

A new refuse store will be constructed in the north west corner of the site to replace the existing smaller existing enclosure along with a new garden store shed. The new refuse store will serve as a collection point for the whole site. A new electrical substation is required to meet the load requirements of the proposed development. This is to be located next to the existing substation to the rear of Rosetrees. Once the proposed substation is complete and commissioned, the existing substation will be demolished.

The existing chiller plant located in an enclosure to the rear of Rosetrees will be removed and new plant will be located on the roof of Lady Sarah Cohen House in an acoustic enclosure.

#### Planning Considerations:

##### ***Use as a Care Home***

Adopted UDP policy H12 states:

*The council recognises the requirement in the borough for supported housing for people with special needs, and will encourage proposals for residential care homes, hostels, shared houses and flats and other accommodation where an element of care is provided. Planning permission for special needs accommodation will be granted where the proposal:*

- *Helps meet an identified need;*
- *Does not have a demonstrably harmful impact on the character or amenities of the surrounding area; and*
- *Is easily accessible by public transport and where appropriate, walking and cycling.*

The site has been in use as a care facility for nearly 15 years, therefore the facility meets an identified need and the principle of the use is established.

The existing facility has successfully blended with the surrounding residential area for this period of time without adversely affecting neighbouring amenity. The site is in close proximity to bus stops along Colney Hatch Lane and is therefore considered to be accessible by public transport. The proposed new building is considered to ensure the current relationship between this site and its neighbours is largely maintained in terms of character and amenity and as mentioned previously, the site is considered to be accessible by public transport. In terms of need, Jewish Care who are the applicants currently operate a number of other facilities within the London Borough of Barnet; in Golders Green and Edgware. It is intended that some of the services and operations carried out in other

locations will be relocated to the new building on this site. The new building will be specifically design for patients with dementia and it is recognised that there is an identified need for such accommodation.

The principle of the redevelopment of the site to provide a new, high quality, sustainable building is considered to be acceptable and complies with London Plan and UDP policy.

### ***Scale and Siting of the development and impact on character and appearance of the site and locality***

The proposals need to be considered against UDP Policy D4 which states that new development should respect the constraints of the site to accommodate development and should not result in over-development, and policy D2 which encourages development proposals that are based on an understanding of local characteristics in terms of scale, bulk and height of surrounding buildings.

The existing buildings on the site are 4 and 3 storeys in height respectively. Properties in Halton Close to the east are 3storey townhouses and properties in Shapwick Close and Cheddar Close to the north are generally 2 storey. There are a number of purpose built blocks of flats to the northeast; Richmond Court and Whitby Court which comprise 5 to 6 storeys. It is therefore considered that the scale and height of the building proposed would be in keeping with the built form in the surrounding locality and would be of an appropriate size and scale which would reflect surrounding buildings. Given that the new building would step down as it projects forward towards the front of the site, therefore taking advantage of the level change it would have an acceptable impact on the character and appearance of the site itself as well as the street scene. It is not considered to be overly dominant or unduly bulky and would harmonise well with the existing neighbouring development.

The proposed link building and conservatory are considered to be modest infill extensions to the existing buildings which would have little impact on the overall character and appearance of the site and locality. Given their siting and the new building to the front, they will not be highly visible from the street and their impact is therefore minimal.

The site overall is considered to be large enough to accommodate such development without resulting in a cramped or overly dominant form of development.

The proposed access road is considered to be acceptable. Given that the new building to the front will be sited over the existing access road, the new access road is therefore essential to provide access to and from the site. Whilst it would be extending across what is currently open land, the proposals do include a landscaping strategy to include additional landscaping to mitigate the hardsurfacing to be provided. A suitably worded condition has been imposed in respect of landscaping. A new memorial garden will also be provided to the north of the access road and given the screening to the front of the site, it would not be visible from the streetscene. Therefore the new access road is not considered to have a harmful impact on the character and appearance of the site and the general locality.

### ***Design and Materials***

Planning Policy Statement 1 (PPS1) advocates that Planning Authorities should not accept poor quality design. This is re-enforced by Policy D1 of the Adopted UDP (2006) which states that all new development should represent high quality design and should be in keeping with the Council's objectives for achieving sustainable development and ensuring community safety.

The area surrounding the site exhibits a wide variety of architectural styles. The height, scale, period, style and materials of buildings along the western end of Colney Hatch Lane and Hillside Avenue differ greatly with a mixture of blocks of flats and houses in varying colours of brick and some painted render.

The design of the proposed buildings seeks to reflect the more modern appearance of both Lady Sarah Cohen House and the more recent Rosetrees building. The massing of the proposed new buildings has been broken up to provide increased visual interest and avoid the appearance of an institution. The proposed link building has been designed to improve visual interest to this part of the site by incorporating a green sedum roof and the conservatory at Rosetrees has been designed to harmonise well with the building on which it would be attached.

The proposed new buildings are considered to represent a high quality design which respects the characteristics of the immediate area and complies with Policy D1 of the Adopted UDP and the guidance set out in PPS1.

### ***Impact on Amenities***

UDP policy D5 states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The new building to the front of the site has been designed to ensure that there is a minimal impact on the amenities of the adjoining occupiers. The nature corridor which is 9.5m wide and 60m long sits between the site and properties in Halton Close and given the amount of trees and vegetation within the corridor, it currently provides a screen preventing any direct overlooking. The proposed development is not considered to significantly impact upon the nature corridor (discussed in more detail later on) and therefore this screen will remain in place. In addition to this there are also a large number of trees along the eastern boundary of the site which are to remain which also provide another level of screening.

There will be windows in the eastern elevation of the building which will serve bedrooms. The nearest properties in Halton Close are No's 2 and 3, which are slightly set off this boundary appear to have no habitable room windows in the flank elevations facing the site. The flank wall of No. 3 is a minimum of 21m from the proposed building and 23m away from the nearest corner of No. 2. It is therefore considered that as a result of the positioning of the new building, the retention of the majority of large trees along the eastern boundary and the presence of the heavily vegetated nature corridor, the new building will not result in any direct overlooking, or subsequent loss of privacy. It is not considered to be overbearing to those living in Halton Close nor is it considered to impede the amount of natural light reaching these properties given the orientation of the building and the separation distance between the building itself and properties in Halton Close.

The proposed single storey conservatory to Rosetrees is not considered to have a harmful impact on the amenities of those living in Richmond Court which is the closest residential building as a result of it being single storey, no higher than the existing brick wall which bounds the nature corridor and the separation distance of 40m between the conservatory and Richmond Court.

The proposed link building is also not considered to have a harmful impact on residential amenity given its size, design and siting.

The proposed development is not considered to give rise to unacceptable levels of noise and disturbance. Environmental Health have not raised any objections to the development

providing a number of conditions are imposed in respect of noise. Whilst the number of comings and goings to and from the site will inevitably increase as a result in the increase of residential accommodation however given the nature of the use, these comings and goings will be restricted in the sense that visiting hours to the care homes will be restricted to certain hours of the day, the employees will work certain hours or shift patterns and therefore there will not be unrestricted comings and goings including vehicular movements at all times of the day. Given that the current use of the site as a care facility means a certain level of activity is generated. It is also acknowledged that there may be instances where ambulances are called to the site. The additional accommodation is not considered to increase the current level of activity to such a level as to warrant refusal of this application. Colney Hatch Lane is a busy well trafficked road, close to the North Circular A406 Road and there is a Tesco Superstore to the east of the site. Accordingly the additional comings and goings which may be generated as a result of the proposed development is not considered to result in additional noise and disturbance which would be particularly noticeable or detrimental to the neighbours amenities given the existing backdrop of daily activity in this part of the road.

The proposed access road and additional parking to the west of the site is not considered to cause noise and disturbance to those living in Hillside Avenue. Whilst the parking area to the west is to be enlarged, coming closer to the western boundary it is not considered to have a harmful impact on the amenities of those living nearby. The perimeter screening is to be retained as well as the provision of new landscaping which will provide visual screening. The parking area will be set off the boundary by a sufficient distance to ensure that there should be no significant disturbance caused by vehicle movements.

### ***Trees and Landscaping***

There are a number of trees on and adjacent to the site which are protected under Tree Preservation Orders. The applicant has submitted an arboricultural implications study and tree protection strategy in relation to this, and other trees on the site. These trees include T15 Oak which is located on the other side of the boundary wall with Richmond Court to the south east and outside of the site, T37 Oak which is located close to Rosetrees, T38 Oak which is referred to as the 'Tree of Life' within the applicants statements, sited on the roundabout and T67 Oak which is located in open ground to the south of T38 in the centre of the site.

A number of trees are marked for removal because they are sited where the proposed development will be. Of the trees marked for removal, only four are protected including T37 Oak. This is to be removed to facilitate the new building. The other three trees are T62 Field Maple which is poorly structured, T137 Willow which is recommended for removal on safety grounds and T158 Whitebeam which is being relocated.

During the course of the application, further information was sought in respect of the potential impact of the development on trees. The new building has been repositioned so that it has been pulled off the eastern boundary to reduce the potential impact for the trees along this boundary as well allowing for construction working space and the planting of new landscaping. The positioning of the new building has now been carefully considered to ensure protection of the Root Protection Areas of T15 Oak, T38 Oak and T67 Oak as well as T8 and T9 both of which are Ash trees on the eastern boundary.

All screening trees around the perimeter of the site, are being retained. Where there will be losses, these will be offset with new planting which will be agreed as part of a landscaping scheme to be submitted to and approved in writing prior to the commencement of any works on this site.

The design and scale of the buildings is considered acceptable, however the retention of existing trees as well as the provision of new landscaping will also help to soften the appearance of the development and retain the green appearance of the site which is a key characteristic of the surrounding area. Conditions are recommended to require the submission of landscaping details as well as method statement for works around the retained trees to ensure they are able to survive.

As mentioned previously, the scheme includes green and brown roofs which are considered to contribute to and maintain the 'green' character of this site.

### ***Ecology***

An Ecological Appraisal, Bat Survey Brief and Bat Survey were submitted with the application. Given the proximity of the site to the nature corridor and the presence of Coppetts Wood Reserve on the opposite side of Colney Hatch Lane to the south as well as the number of trees on the site it was considered appropriate for this information to be submitted so that the LPA could fully assess whether the proposed development would have any impacts on local biodiversity.

Statutory nature conservation sites and protected species are a material planning consideration. The Wildlife and Countryside Act 1981 (as amended) forms the main part of UK legislation relating to the protection of habitats and species.

A Phase 1 Habitat Survey was completed in November 2010. An inspection of the trees and buildings on the site was also undertaken to assess their potential to support roosting bats. The tree inspection was carried out on 19th May 2011. Some potential bat roosting features were identified during the inspection in T9 Oak and T15 Oak. Both of these trees are to be retained as part of this proposal. No evidence of bats was identified during the ground level inspection of the two trees and no activity to suggest the presence of a bat roost was detected during the evening bat emergence and dawn re-entry surveys. Higher levels of bat activity were recorded in the vicinity of T9 and this was likely to be due to the location of the tree and the quality of the surrounding habitat. T9 is situated close to the eastern boundary and the nature corridor. The Bat Survey has recommended if a significant amount of time elapses between the current surveys (undertaken in May 2011) and the commencement of construction works (18 months) it is recommended that update surveys are carried out on both trees.

The bat survey also discusses lighting as a possible issue recommending that night time construction works are avoided thereby removing the need to use artificial light. Night time construction works would not be acceptable given the potential for disturbance for adjoining occupiers and a suitably worded condition has been imposed to ensure that the construction of this development is carried out during certain hours. In addition to this, the bat survey also makes other recommendations such as artificial bat roost sites and this has been included in the condition relating to the landscape management plan.

Given that the bat survey and habitat survey highlighted that T9 and T15 had bat roost potential it is considered that additional surveys are not required in this instance. T9 is located on the eastern boundary close to the nature corridor, near the properties in Halton Close and T15 is an off site tree further north along the nature corridor. Given the siting of these trees and the amount of activity which was recorded, it is considered that subject to conditions, the proposed development would have a minimal impact on the local biodiversity on and adjacent to the site.

Green and brown roofs have been proposed which are considered to offer opportunities for enhancement of biodiversity.

### ***Sustainable Design and Construction***

Policy GBEnv2 of the Adopted UDP (2006) states that the council will require high quality design in all new development in order to enhance the quality of the built and open environment, which utilises environmentally friendly methods of both design (including layout and orientation of buildings) and of construction, in order to meet the Council's objectives of sustainable development. In addition, the Council's adopted Supplementary Planning Document (SPD) for Sustainable Design and Construction sets out sustainability standards that developments must achieve.

Jewish Care are committed to achieving a BREEAM (Building Research Establishment Environmental Assessment Methodology) 'Excellent' sustainability rating for the proposed development. The applicants have submitted a Sustainability Report which considered a range of technologies including wind turbines, PV and biomass. Within the report, each option was assessed in terms of whether it would be appropriate for this development on this site. From the review of all of the feasible technologies, Combined Heat and Power (CHP) would provide maximum carbon saving whilst complying with building regulations part L2A. The two existing buildings on this site are currently served by standalone building services plant. Lady Sarah Cohen is currently provided with heating and hot water via a CHP and gas fired boiler plant. Rosetrees currently has a gas fired boiler plant. As part of the plant replacement strategy, it is intended to serve these buildings from a centralised energy centre within the new building. The CHP and gas fired boiler will be appropriately sized to cater for the entire development which will provide further carbon savings.

Green and brown roofs are proposed and significant areas of soft landscaping including the retention of existing trees and hedges around the perimeter of the site, will reduce surface water runoff. A condition has been recommended requiring the submission of details relating to drainage works including provision of Sustainable Drainage Systems (SUDS). Whilst the sustainability report indicates that appropriate sustainable drainage systems will be incorporated within the building and water saving devices however details will be required prior to the commencement of works to ensure that the development is sustainable.

The proposed development is considered to meet the Council's objectives of sustainable development and comply with Policies GSD, GBEnv2 and D1 of the Adopted UDP and the adopted SPD for Sustainable Design and Construction. The requirement to meet the BREEAM 'Excellent' EcoHomes (or equivalent) rating will be enforced by a suitably worded condition.

### ***Parking and Access***

The existing development currently has 40 off street parking spaces. An additional 33 off street car parking spaces are proposed to provide a total of 73 parking spaces, including 10 disabled spaces and 3 electric car charging bays. A total of 10 cycle parking spaces will be provided.

The parking provision is considered acceptable for a site at this location.

The existing Care Home employs a total of 176 staff including 40 catering staff. The proposal will employ 45 additional members of staff (34 full time and 11 part time)

The submitted Transport Statement states that the proposal will generate between 5 and 7



additional vehicle movements at weekday peak hour and 9 at weekend peak hour. The expected number of staff on site overnight is 22 at weekday and 36 at weekend. A total of 5 – 11 deliveries a day are expected.

It is considered that potential vehicular movements generated by the proposal will have no significant impact on the traffic generation in Colney Hatch Lane..

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Mainly dealt with in the planning appraisal

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposal will provide a modern, contemporary facility for people with dementia. Jewish Care have operated on this site for nearly 15 years. The development will meet an identified need.

The proposed development has been designed to achieve high standards of accessibility, to encourage as much independence as possible for the users, within a safe environment. The existing parking bays along the south side of Lady Sarah Cohen House are to be converted into disabled parking bays. Safe circulation between the buildings will be provided by the proposed Link building and the elevated walkway which joins the new building. Ramps and stairs are provided where changes in floor level occur internally and externally, in compliance with Approved Document M. Passenger lifts will be provided in the new building in compliance with Approved Document M.

Throughout the proposed development, level thresholds will be provided. Door openings for people in wheelchairs will also be designed for ease of use. Entrance doors and doors on main circulation routes will be fitted with electronic controls to assist circulation.

Visual and where relevant tactile contrasts between surface finishes will be applied throughout the proposed development. The designs both internally and externally have been created to stimulate the senses through a variety of colours, shapes and other points of reference as the occupants will be people with dementia.

The development therefore complies with council policies and requirements for accessibility and equality.

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 result in an acceptable and sustainable form of development for this site providing a building which will harmonise well with the existing and neighbouring development. It is not considered to result in significant harm to the residential or visual amenities of the adjoining occupiers nor is it considered to negatively impact upon the local biodiversity.

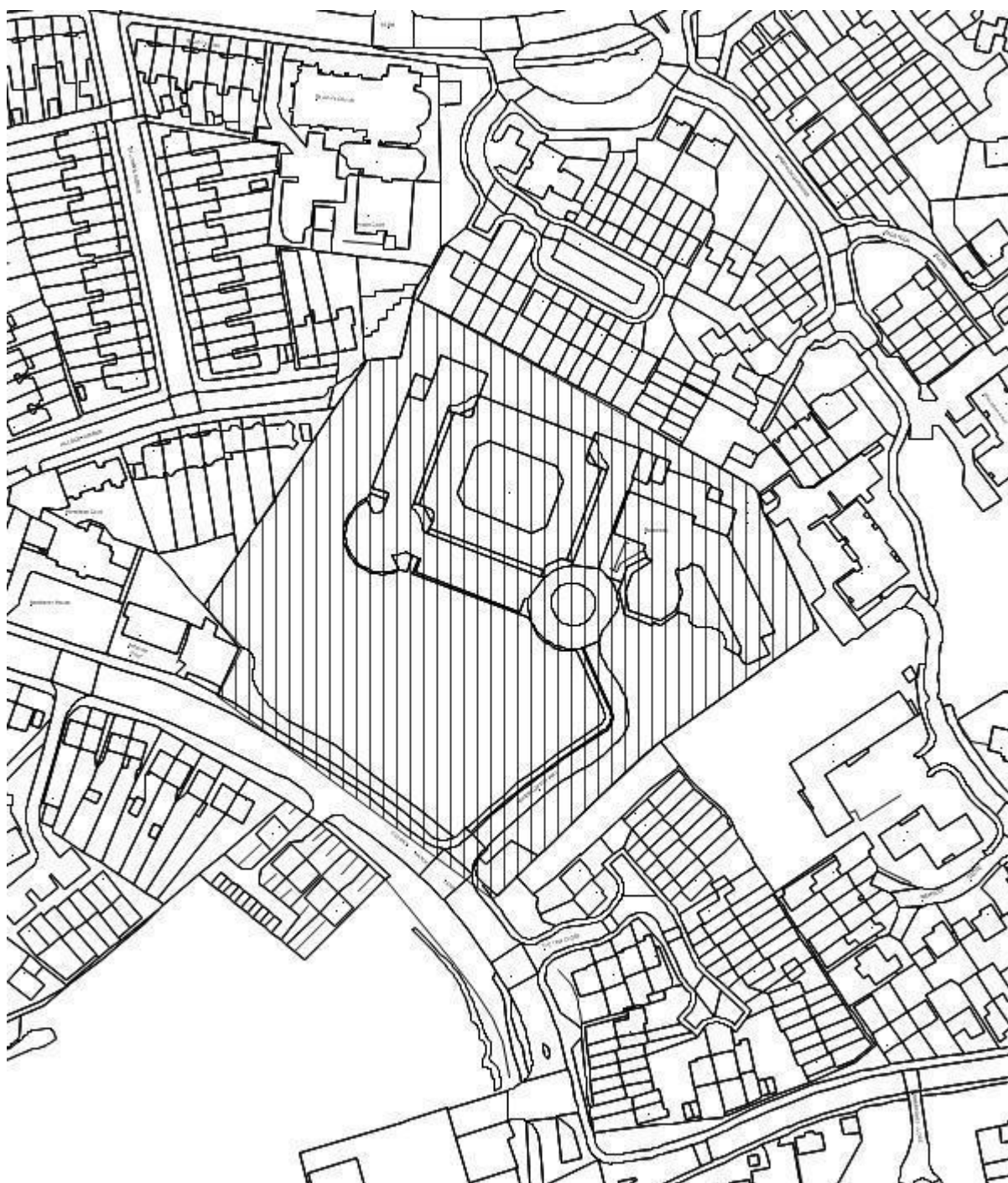
All relevant policies contained within the Adopted UDP, the Mayor's London Plan, Planning Policy Statements and Supplementary Planning Documents, have been fully considered and taken into account by the Local Planning Authority. Accordingly, subject to the conditions detailed in the recommendation, **APPROVAL** is recommended.

**SITE LOCATION PLAN:  
3ND**

**Sarah Cohen House, Asher Loftus Way, London, N11**

**REFERENCE:**

**B/02368/11**



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**LOCATION:** 1230-1232 High Road, London, N20 0LH

**REFERENCE:** B/02471/11

**Received:** 09 June 2011

**Accepted:** 29 June 2011

**WARD(S):** Totteridge

**Expiry:** 28 September 2011

**Final Revisions:**

**APPLICANT:** MIL (UK) Ltd

**PROPOSAL:** Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.

**RECOMMENDATION: Approve Subject to S106**

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. **Affordable Housing (units) £0.00**  
Provision of 12 affordable housing units on the site, split up into the following types:
  - i) Social Rented Accommodation:
    - 2 x 1 bedroom (2 person)
    - 3 x 2 bedroom (3 person)
    - 1 x 3 bedroom (5 person)
  - ii) Shared Ownership Accommodation:
    - 3 x 1 bedroom (2 person)
    - 3 x 2 bedroom (2 person)
4. **Education Facilities (excl. libraries) £114,685.00**  
A contribution towards the provision of Education Facilities in the Borough.
5. **Libraries (financial) £5,421.00**  
A contribution towards Library Facilities and Resources in the borough
6. **Health £300,001.00**  
A contribution towards Health Facilities and Resources in the borough
7. **Monitoring of the Agreement £4,503.21**  
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/02471/11 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, 101, 102, 103, 200 B, 201 B, 202 C, 203 B, 204 B, 205 B, 206 A, 207 A, 208 A, 209 A, 210 A, 211 A, 212 A, 213 B, 214 A, 215, 216, 217, 218, 219, 222 A, 223 A, 300, 301, Renewable Energy Report MLM (ref: BEB/715627/001R\_Appendix B Rev. 02), Code for Sustainable Homes - Design Stage Assessment MLM (ref: BEB/7131613/LI rev. 02), Acoustic Report BL Acoustics (ref: BDL19306 January 2010), Construction Management Plan, Waste Management Plan, Transport Statement June 2011 LW/C64, Planning Statement, Archaeological desk-based assessment October 2008.

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 the development hereby permitted is occupied car parking should be provided in accordance submitted plans and parking spaces shall not be used for any purpose other than parking of vehicles in connection with the approved development. The parking layout should include provision of disable parking spaces and electric charging points for all elements of the development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policies M11, M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

4. Prior to occupation the approved development shall make provision for cycle parking and storage facilities in accordance with submitted details and spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with Policies M4 and M5 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

5. Before the development hereby permitted commences a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority. The Car Park should include provision of disable parking spaces and electric charging points for all elements of the development.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with Policies M11, M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

6. Prior to the commencement of the development, details of the access to basement car park including ramp layout and gradient shall be submitted to and approved in writing by the Local Planning Authority. Highways. The access as approved shall be constructed in accordance with the approved details before the site is occupied.

Reason:

To ensure the safe form of access to the development and to conform with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

7. The access to the basement car parking shall be controlled by traffic signals and sensors details of which shall be submitted to and agreed in writing by the local Planning Authority before the development commences. The development shall be implemented in accordance with such details as approved.

Reason:

In the interest of highways safety

8. No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

9. 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.

10. Before the development hereby permitted commences, sample details of the materials to be used for the external surfaces of the building 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.

11. 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.

12. 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.

13. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow that person to observe the excavation and record items of interest and finds.

Reason:

To enable archaeological investigation of the site.

14. 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.

15. 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.

16. 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.

17. 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.

18. Before the development commences a lighting scheme in keeping with BS 5489 shall be submitted to and approved by the Local Planning Authority. It should have particular focus on the footpath to the north of the site; all commercial, residential

and vehicular entry and exit points and amenity spaces (private and communal). The development shall be implemented in accordance with such details as approved and maintained thereafter.

Reasons:

To ensure a safe and accessible environment.

19. Before the development hereby permitted commences details of methods to protect privacy of neighbouring sites shall be submitted to and agreed in writing with the Local Planning Authority. Details should include use of privacy screens, obscure glazing and high level windows where appropriate. The development shall be carried out in accordance with the approved detailed and permanently maintained thereafter.

Reason:

To safeguard the amenities of neighbouring residents.

20. Before the development hereby permitted commences details of the design and appearance of all external windows (including fixed glass panels) and doors shall be submitted to and agreed in writing with the LPA. The development shall be carried out in accordance with these details as approved.

Reason:

To safeguard the character and appearance of the development.

21. No development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

To enable archaeological investigation of the site.

22. The ground floor shall be used for offices falling within B1 use and no other purpose (including any other purpose in Class B1 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.

23. 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.

24. 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.

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.

25. 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 external roof plant on neighbouring residents and future occupiers of the site. 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.

Reason:

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

26. 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.-
  - 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:-
    - a. a risk assessment to be undertaken,
    - b. 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.

Reason:

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

27. 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 protect future occupants from any potential site contamination.

28. The level of noise emitted from the roof plant and any extract/ ventilation equipment 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.

29. 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 ground floor B1 use as measured within habitable rooms of the development 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.

Reason:

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

30. Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

A scheme for air pollution mitigation measures based on the findings of the report 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 amenities of occupiers are protected from the poor air quality in the vicinity.

31. Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

A scheme for air pollution mitigation measures based on the findings of the report 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 the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development.

32. Development shall not begin until a scheme for protecting the proposed development from vibration, has been submitted to and approved by the Local Planning Authority. The vibration protection scheme include such combination of land separation, vibration control techniques and other measures, as maybe be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The said scheme shall include such secure provision as will ensure that it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require. 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 amenities of occupiers are not prejudiced by rail and / or road traffic vibration in the immediate surroundings.

#### **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: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, H5, H16, H17, H18, H21, CS2, CS8, CS13, IMP2, GEMP4, EMP2, EMP3, EMP6, EMP8, M8, M11, M12, M13, M14, EN13, ENV14.

Core Strategy (Publication Stage) 2010:

CS1, CS3, CS4, CS5, CS8, DM01, DM02, DM03, DM08, DM10, DM14, DM17.

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS4 - Planning for Sustainable Economic Growth

PPS5 - Planning for the Historic Environment

PPG13 - Transport

PPG24 - Planning and Noise

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

2.7, 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 4.2, 4.3, 5.2, 5.3, 5.21, 7.1, 7.2, 7.3, 7.4, 7.7.

ii) The proposal is acceptable for the following reason(s): - The proposed development is considered make efficient use of this previously developed land providing a suitable mix of high quality residential accommodation in a sustainable town centre location which would respond to local need as well as retaining an employment presence on the site. The development would be in keeping with the character and quality of the area and would preserve the amenities of adjoining occupiers. The development is not considered to result in adverse impacts to highway or pedestrian safety or result in significantly higher levels of local congestion. The proposals are in accordance with local, regional and national policies as detailed above.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2. Any details submitted in respect of the Demolition and 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 methods 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 and precautions to minimize damage to trees on or adjacent to the site.
3. If the development is carried out, it will be necessary for the existing vehicular crossover to be modified by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
4. The applicant is advised that High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations should be consulted in this respect.

5. The applicant is also advised that the development is located on a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
6. 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 access.
7. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access road. The proposed access design details, construction and location will be reviewed part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.
8. 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.

9. The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage Guidelines.
10. 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.

- 11 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

### **RECOMMENDATION III**

That if an agreement has not been completed by **21/02/2011**, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application B/02471/11 under delegated powers for the following reason/s:

1. The development would require an element of affordable housing provision and no formal undertaking is given to secure this, contrary to Policy H5 of the London Borough of Barnet Adopted Unitary Development Plan (2006) and Supplementary Planning Document - Affordable Housing (2007).
2. The proposed 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, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations (2006), Supplementary Planning Document - Contributions to Education (2010), Supplementary Planning Document - Contributions to Libraries (2008) and Supplementary Planning Document - Contributions towards Health Facilities arising from development (2009).

### **1. MATERIAL CONSIDERATIONS**

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS4 - Planning for Sustainable Economic Growth

PPG13 - Transport

PPG24 - Planning and Noise

## The Community Infrastructure Levy Regulations 2010

### The Mayor's London Plan: July 2011

2.7, 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 4.2, 4.3, 5.2, 5.3, 5.21, 7.1, 7.2, 7.3, 7.4, 7.7.

### Relevant Unitary Development Plan Policies:

GS, GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, H5, H16, H17, H18, H21, CS2, CS8, CS13, IMP2, GEMP4, EMP2, EMP3, EMP6, EMP8, M8, M11, M12, M13, M14, EN13, ENV14.

### Supplementary Planning Documents:

Supplementary Planning Document - Affordable Housing (2007)

Supplementary Planning Document - Planning Obligations (2006),

Supplementary Planning Document - Contributions to Education (2010),

Supplementary Planning Document - Contributions to Libraries (2008)

Supplementary Planning Document - Contributions towards Health Facilities arising from development (2009).

Supplementary Planning Document - Sustainable Design and Construction

### 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:

CS1, CS3, CS4, CS5, CS8, DM01, DM02, DM03, DM08, DM10, DM14, DM17.

### Relevant Planning History:

B/00027/10 - Approved 05/07/2010

Submission of details of conditions 3 (levels) 4 (materials) 7 (hard and soft landscaping) 12 (sustainability) 14 (vehicular access to basement car-park) 15 (construction management plan) 16 (lighting) 17 (extract and ventilation) 19 (acoustic report) pursuant to planning permission N01078X/06.

N01078X/06 - Approved 14/02/2007

Demolition of all existing buildings and erection of a six storey building comprising basement car park ground and first floor offices and 28 self-contained flats in upper floor 4



It is recommended that the archaeological position be reserved by attaching a condition to any consent granted under this application in accordance with policy HE 12.3 of PPS5 and local policies.

- Traffic & Development -

The proposal is for erection of building to provide 1,015 sqm of office space and 39 self contained residential units. Parking for 44 vehicles is proposed in the basement parking area. Cycle parking is also proposed.

A previous application has been approved for this site (N01078X06) for the erection of 1,700 sqm of office space and 28 no. (9 no. 1 bed, 17 no. 2 bed and 2 no. 3 bed) self contained flats. The proposal included parking for 43 vehicles in the basement parking area.

The development in the Whetstone Town Centre and within close proximity of the public transport network and town centre amenities. 5 spaces including are proposed for the office development. A total of 39 spaces are proposed for the residential element of the scheme

The parking provision is in accordance with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006. A total of 6 disable parking spaces are proposed. A condition should be included to provide a parking management plan for approval by the planning authority, the parking allocation should include provision of disable parking spaces and electric car charging points for both elements of the proposal.

The proposal includes the implementation of traffic control on the ramp in the form of traffic signals and sensors. These should be sited and configured so that there is no opportunity for waiting vehicles to tail back onto the public highway. Priority should be given to vehicles entering the site. This will ensure that vehicles will not conflict with one another when entering and exiting the car park. The applicant has submitted revised details showing a 1:10 ramp gradient and access to refuse collection point at ground floor level. The proposed refuse collection details and ramp gradient are acceptable on highways grounds.

A total of 35 parking spaces were provided for the previous site use. The proposal increases the parking provision to 44 spaces. It is considered that the development will only create a marginal increase in trips which will not have an adverse impact on the public highway network in the vicinity of the site.

- Environmental Health -

No objections subject to several conditions regarding contaminated land, noise mitigation measures and air quality details.

Date of Site Notice: 07 July 2011



## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site relates to a currently vacant plot of land on the east side of Whetstone High Road close to the junction with Oakleigh Road North. To the north of the site lies a 4-storey commercial building Edelman House, and to the south is Lawson's timber yard. The timber yard is a historical employment site and has unfettered hours of use and deliveries. To the east lies MOD land Sweets Way, which consists of two-storey residential dwellings set within landscaped grounds. To the north east is Regent Court, a residential development to the rear of Edelman House

The site was previously occupied by a four-storey office block with surface parking to the rear accessed through an undercroft.

### Proposal:

The application seeks planning consent for the erection of a six storey building to provide 1,015sqm of offices on the ground floor and 39 self contained flats on the upper floors. The proposal involves the provision of on-site car parking in the basement and amenity space provision for each of the flats in the form of balconies and a communal amenity area at first floor level.

44 parking spaces would be incorporated within the basement (accessed via a ramp from ground level) which would serve the offices and flats. Cycle spaces would also be proposed in this area.

The ground floor would accommodate 1,015sqm of B1 office space as well as bin stores for the commercial and residential units on the upper floors.

Floors 1-5 will contain 39 self-contained units; 4no. 3 bed units, 22no. 2 bed units, 12no. 1 bed units and 1no. 5 bed unit (penthouse). 12 of these units (a mix of 1, 2 and 3 bed units) are proposed to be affordable.

The building (from first floor and above) will have a U shape with an open back towards Sweets Way to the east. This will allow the formation of an external communal amenity space at first floor level in addition to the private balconies proposed for each of the units. The rear wings of the building are proposed to be stepped progressively away from the rear boundary adjoining Sweets Way from the 2nd floor upwards.

### Planning Considerations:

#### Planning History:

The application follows the approval of a previous application for an office and residential development on the site. Permission was granted in February 2007 (planning reference N01078X/06) for a 6 storey building accommodating 1,700sqm of office space at ground and first floor levels and 28 self-contained flats (10 of which were allocated as affordable units). Parking and amenity space were to be provided on-site.

Although the application expired in February 2010, preliminary construction works were started within the 3 year time limit of the permission and as such the 2007 consent is considered extant and is a material consideration in the determination of the current application.

The approved development is similar in height, scale and massing to the proposed scheme providing a similar mix of units and level of affordable housing. As such the principle of redevelopment for a mixed use development at the scale and form currently proposed has largely been established by the extant consent on the site.

### Design and Appearance:

The building would be similar in terms of its footprint, massing and height to the previously approved scheme. It would have a maximum width of approximately 40m (compared to the approved 42m) and depth of around 33m (compared to the approved 32.5m). The frontage has a width of around 32m with the northern wing being set back approximately 11m from the front elevation. The building would have 6 storeys with the fifth floor being set back from the front, rear and sides of the main building allowing the provision of a roof terrace for the flats within this storey. Overall the building would have a maximum height of 21.6m which is no higher than the extant permission. Balconies are proposed at all levels, to all elevations and as such each individual unit will have access to private amenity space as well as access to the communal amenity space at first floor level.

The building proposed is substantial, but is broken up by the use of glass panels and balconies on the front elevation which add interest to the elevation. In addition, the width of the High Road elevation is further articulated by the recess of the northern wing. Whilst the building would have an additional storey over and above the adjoining offices to the north, the fifth floor is set back 3m from the main frontage and is set in from the main flank walls thus reducing its prominence and minimising its impact on the street scene.

The proposed reduction in width of the building, giving more space between it and its neighbouring properties on the High Road results in an improved relationship with these properties and the general street scene when compared to the extant scheme.

In addition whilst the overall total height remains the same as previously approved the fifth floor has been reconfigured, and reduced in height and has been set back from the front and side elevations thus significantly reducing its visual impact on the street scene.

There have been no significant changes in the character and appearance of the surrounding area since the last application and the current scheme offers the opportunity for improvements in design, mass and scale compared to the previously approved scheme.

### Housing Supply and Mix:

Whilst the building remains largely as approved under the last application there has been a change in the number and mix of units and level of B1 office provision. 39 residential units are now proposed compared to the 28 previously consented. Consequently there is a reduction in the amount of B1 floorspace proposed which under the current proposal is restricted to ground floor only.

Policy 3.8 of the London Plan requires that new development offer a range of housing choices in terms of the mix of housing sizes, types and tenures in accordance with local requirements. Policy CS4 of the Barnet Core Strategy (Submission Draft) echoes regional policy and sets out the demand for Barnet as predominantly 3 and 4 bed family homes. In addition, Policy CS4 outlines the Council's objective to achieve a level of 30% affordable housing in new developments.

The proposed development would provide a mix of 1, 2 and 3 bed units. Whilst it is acknowledged that the majority are 2 bed units, within this there is a mix of provision of 2 bed 3 person units and 2 bed 4 person units thereby providing a wide range of choice and family accommodation. The mix of units is considered to be appropriate for this site in this town centre location providing a suitable range of accommodation in accordance with local, regional and national requirements.

The scheme has been amended during the course of the application in order to provide on-site affordable units. A total of 12 units are proposed to be for affordable accommodation (a mix of social rented and shared ownership). This level of provision has been scrutinised by the Council and at just over 30% is considered viable, acceptable and appropriate in accordance with local and national policy.

#### Future Level of Amenity:

The proposed development is considered to provide a good standard of accommodation for future occupiers. All units comply with the London Plan's minimum space standard for new residential development (policy 3.5) and all units provide adequate levels of light, outlook, privacy and private amenity space.

The amenity space provision is greater than on the extant scheme where a communal space on the roof of the building provided the main form of amenity provision for future residents with only flats 1-5 having private balconies. The current proposals would provide private amenity space for each residential flat as well as a communal space at first floor level. The level of amenity space provision in the form of private and communal space would be in accordance with policy H18 of the Adopted UDP which requires a provision of 5sqm of amenity space per habitable room.

To the south of the site lies Lawson's timber yard which could give rise to potential for noise and disturbance detrimental to future occupiers of the flats and prejudice the future running of this historic employment site. However, subject to suitable mitigation measures within the design and construction of the building such as sound proofing of the building it is considered that future amenity issues would be avoided and any potential conflicts between Lawson's and neighbouring residential would be limited.

#### Impact on Amenities of adjoining residents:

The size and massing of the building remains largely as approved when the impact on the amenities of neighbouring residents was considered acceptable. Whilst it is now proposed to be 0.6m closer to the eastern boundary, it is nevertheless still considered to have an acceptable impact on neighbouring residents and would not appear overly obtrusive or overbearing or result in a significant loss of light.

The provision of private balconies to all units and the communal area on the first floor has the potential of overlooking landscaped gardens serving the properties on Sweets Way and the gardens of properties at Regent Court. As such a condition has been imposed to ensure details of screening and protecting privacy are submitted to and agreed with the LPA prior to the commencement of development of the site which would address this.

#### Parking and Traffic:

Parking provision in accordance with the LPA's parking standards and is considered to provide a suitable level of provision on-site given its town centre location and proximity to

bus and tube lines. The number of additional cars is not considered to result in any adverse impacts on highway or pedestrian safety as the number of additional trips are not considered significant. In addition, traffic management measures are proposed for the car park access ramp to avoid any conflicts.

#### S.106 Matters:

As well as the provision of on-site affordable housing the applicant is also obligated to make contributions towards essential services within the Borough that would come under increased pressure as a result of the proposals. As such, any grant of consent would be subject to an agreement between the applicant and the Council for contributions towards education, health and library services as well as costs for monitoring of the agreement.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Generally addressed above, additional comments are as follows:

- Noise and disturbance during construction is not a material planning consideration however a condition has been imposed to ensure construction traffic is managed to reduce conflicts on the highway network.
- Conditions have been imposed to ensure that external plant equipment and any ventilation or extraction equipment do not emit unacceptable levels of noise.
- Obligations entered into with the developer must be reasonable and justified in scale and kind to the development. Changes to the A1000/Totteridge Lane junction are not considered to be reasonably related to the development and as such it is not appropriate for the developer to pay for these works as the impact on the public highway as a result of the development is considered to be limited.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The dwellings would be lifetime homes compliant and would have disabled access and parking.

### **5. SECTION 106 ISSUES**

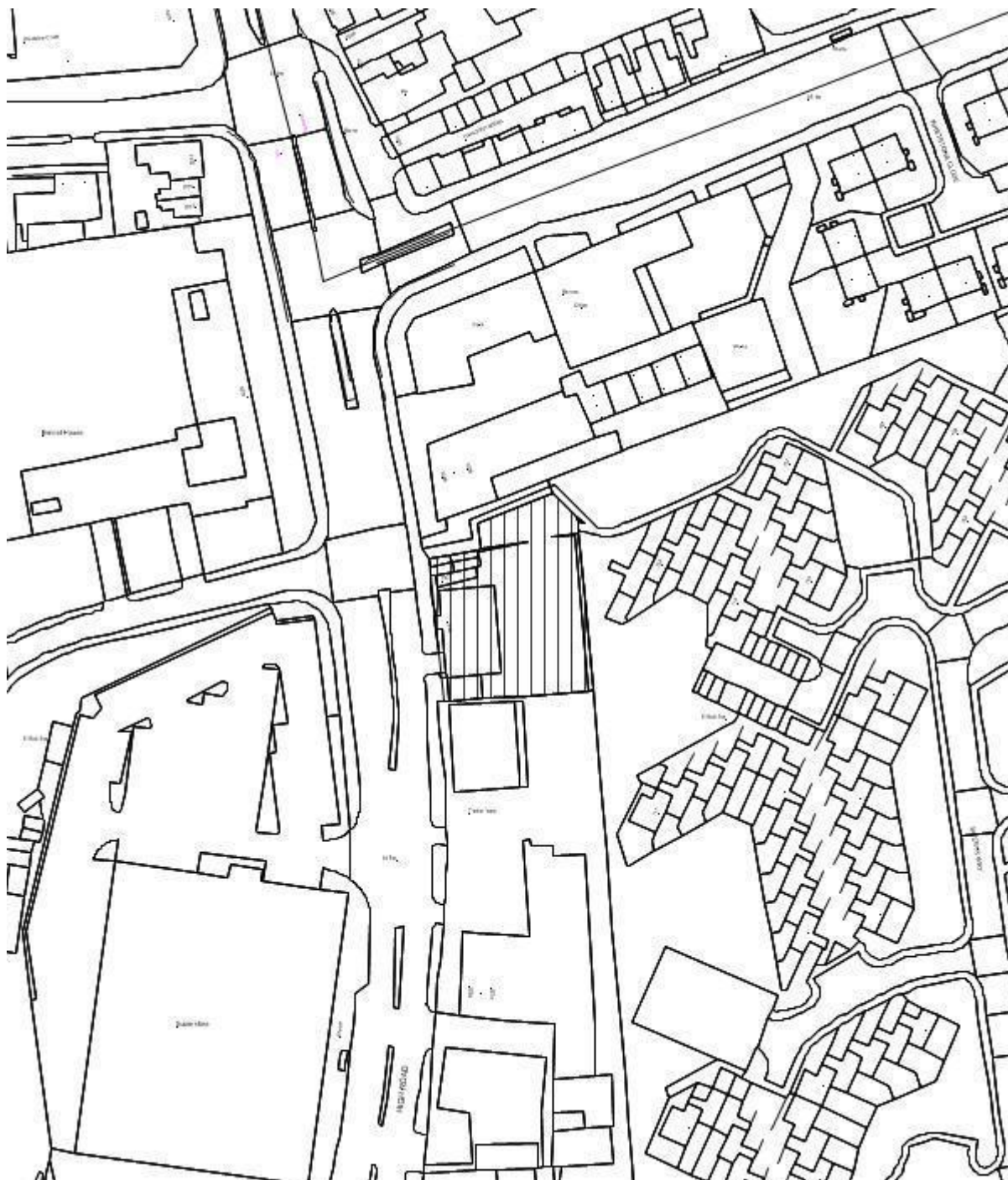
The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

### **6. CONCLUSION**

The proposed development is considered to have an acceptable impact on the character and appearance of the street scene and general locality. It would provide a good form of accommodation for future occupiers and would not be significantly harmful to neighbouring residents or businesses. The proposals are in accordance with local, regional and national planning policies. Subject to a s.106 agreement approval is recommended.

**SITE LOCATION PLAN:** 1230-1232 High Road, London, N20 0LH

**REFERENCE:** B/02471/11



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**LOCATION:** Lavendale Montessori Nursery, Southover, London, N12 7JG  
**REFERENCE:** B/03681/11 **Received:** 30 August 2011  
**WARD(S):** Totteridge **Accepted:** 23 September 2011  
**Expiry:** 18 November 2011

**Final Revisions:**

**APPLICANT:** Mr Neil Todd

**PROPOSAL:** Erection of canopy over play area adjacent to existing nursery building, including enclosed by 900mm high fence.

**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, illustration of proposed fence, existing site plan, proposed site plan (received 30th August 2011) existing and proposed elevations, site and block plan, basic illustration to highlight the new fence and canopy installation (received 23rd September 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 canopy and play area the subject of this application shall only be used ancillary to the day nursery/playgroup and for no other purposes and shall not be used other than between the hours of 08.00 to 18.00 Monday to Friday (excluding public holidays).

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

4. The canopy and fencing hereby permitted shall be finished in green and permanently maintained as such.

Reason:

To safeguard the visual 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 Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (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, CS4, CS5, CS9, 01, 02, 03

Core Strategy (Publication Stage) 2010: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. The proposal would not detract from the character and appearance of the Metropolitan Open Land. It is also in accordance with the aforementioned policies.

2. The applicant is reminded to ensure compliance with conditions 4, 6 and 7 of planning permission reference N03211Q/03 dated 19/11/2003.

## 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, CS4, CS5, CS9, 01, 02, 03

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.





- canopy may be used for drinking by neighbouring clubhouse, and associated litter issues
- whether proposal is within permitted boundaries for the site
- part of a larger programme to develop the site
- proposal will detract from the character and appearance of the Metropolitan Open Land
- proposed size is unnecessary
- inappropriate for nursery to have such an extensive perimeter around the canopy

Internal /Other Consultations:

- Traffic & Development - No objections received

Date of Site Notice: 29 September 2011

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

Detached single storey building with a depth of 22m, a width of 9m, and a height of 2.5m to the eaves of the pitched roof and a total height of 4.2m. The application site is located in the grounds of Woodside Park Club which is a sports and social club set in playing fields with associated tennis court, bowling green and football pitches situated at the rear of Southover. There is a significant number of parking spaces located in front of the application site, and the site features an access path inbetween the application site and Woodside Park Club and between the application site and the rear gardens of 11, 15 and 17 Southover. The rear of the application site leads on to a small paved area, with the Woodside Park Club football pitches located beyond. The existing nursery building is located to the east side of the site, inbetween the Club House and the rear of 11, 15 and 17 Southover. These residential properties are marked by a boundary fence which has a height of 2.1m with a 0.6m high trellis situated on top with tree screening and outbuildings. The site is located in Metropolitan Open Land.

Proposal:

This application seeks permission for the formation of a free-standing sun and rain proof canopy located to the north side of the nursery building, with a depth of 4m, a width of 6m, and height of 3.25m to the apex of the 'domed roof'. The proposed canopy is located at 1.95m off the boundary with the rear of 11, 15 and 17 Southover and is set in from the western flank wall of the application site by 2.25m. The proposed fence has a height of 0.9m, projects a distance of 7.6m from the rear wall of the nursery building, and has a width of 10.2m [which extends from the western flank elevation of the existing nursery upto the rear boundary with 11,15 and 17 Southover]. The proposed canopy is free standing, but will be located as close as possible to the rear of the nursery building. It will be constructed of anodised aluminium frames and a green fabric roof. The structure is fabricated and extruded at the factory, requiring basic installation on site. The proposed fence will be plastic coated, fencing mesh, and the overall finish will be green. An access gate to the external play area will be located at the end of the existing path that runs along the side of the existing nursery / rear of 11, 15 and 17 Southover.

This current application is an amendment to a previous application for the formation of an external play area at rear (north side) of existing nursery building enclosed by a 900mm high fence and the erection of a sun and rain-proof canopy [B/01221/11, Approved with Conditions, 16.06.11]. This current application seeks to increase the size of the previously

approved external play area, which projected a distance of 4.2m from the rear wall of the nursery building and extended the full width of the existing nursery [8.2m]. The height of the proposed fence will remain at 0.9m, and the height of the proposed canopy has been increased from 3m to 3.25m.

### Planning Considerations:

The application site is located within a larger complex of Woodside Park Club which has unrestricted use rights of the sports club. The authorised hours of use of the nursery are between 8am to 6pm Mondays to Saturdays (excluding public holidays).

The boundary between the application site and neighbouring properties in Southover is well screened by fences and landscaping. This, combined with rear gardens of some 20m means that the proposed canopy, although slightly increased in height from that previously approved, would have little visual impact on the amenities of neighbouring residents. Furthermore, a proposed fence height of 0.9m is not considered to form a visually obtrusive feature and would not be clearly visible from neighbouring properties. It is thus considered to form an acceptable feature. Whilst it is acknowledged that the site is within MOL it is not considered that the scale of the proposal could affect the open character and appearance of this of MOL.

The concerns raised in respect of noise and disturbance are acknowledged but given the scale of the proposal and the fact that the use of the existing club and sports field have unrestricted use it is not considered that the proposal would result in levels of noise and disturbance such as to warrant refusal.

Whilst, as stated above, the premises can operate on Saturdays, in practise the nursery is only open Monday to Friday. As with the previous application it is considered appropriate that the use of the play area and canopy should only operate ancillary to the day nursery. The application form states that the premises operates Monday - Fridays only and, as previously, it is considered that the use of the canopy and play area should be conditioned to be consistent with these stated days.

Subject to conditions the proposal is considered to be acceptable.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Mainly dealt with in the appraisal.

A previous permission [N03211Q/03, Approved with Conditions, 19.11.03] was subject to conditions which required that the rooflights and windows facing Southover should be obscure glazed and permanently fixed shut as well as requiring that fire doors should only be used as such with the only means of access being from the main entrance on the front (southern) elevation. Whilst not affecting the consideration of this application it is nevertheless suggested that an informative be added to the recommendation reminding the applicant of these particular conditions. The applicants have served notice on the land owner in respect to this application.

### **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:**  
**N12 7JG**

**Lavendale Montessori Nursery, Southover, London,**

**REFERENCE:**

**B/03681/11**



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**LOCATION:** 18 Brent Way, London, N3 1AL

**REFERENCE:** F/04240/11

**Received:** 14 October 2011

**Accepted:** 18 October 2011

**WARD(S):** West Finchley

**Expiry:** 13 December 2011

**Final Revisions:**

**APPLICANT:** Ms Wixon

**PROPOSAL:** Demolition of existing steps and reduction in level of the front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.

**RECOMMENDATION: Approve Subject to Conditions**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; 800/11/01; 800/11/02 RevA; existing photographs.

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 scheme soft landscaping 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.

4. 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.

5. 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.

6. The grass cretes hereby approved shall be provided and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the character of this part of the road.

#### **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: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D11, D2.

Supplementary Design Guidance Note 9 - Walls, fences and gates.

Core Strategy (Publication Stage) 2010: Relevant policies: DM01, DM02, CS5.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area and has addressed the previous reason for refusal. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is in keeping with Council Policies and Guidelines.

2. Any grant of approval does not confer any rights to remove the tree outside the site. The removal of the tree will be assessed if and when a crossover application is made to the Highways Authority.
3. If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

#### **1. MATERIAL CONSIDERATIONS**

National Planning Policy Guidance/ Statements:

PPS1

Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, H27.

Supplementary Design Guidance Note 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:

DM01, DM02, CS5.

Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	F/01908/11
<b>Validated:</b>	04/05/2011	<b>Type:</b>	HSE
<b>Status:</b>	DEC	<b>Date:</b>	25/07/2011
<b>Summary:</b>	REF	<b>Case Officer:</b>	Elizabeth Thomas
<b>Description:</b>	Demolition of existing steps and reduction of levels of front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.		

Consultations and Views Expressed:

Neighbours Consulted:	44	Replies:	32 (23 objections, 9 support)
Neighbours Wishing To Speak	3 (2 against 1 in favour)		

The objections raised may be summarised as follows:

- Scale and appearance and impact on the surrounding area and adjoining neighbours.
- Harmful to character of this part of Brent Way.
- Break the terrace of from no.22 to no.2 Brent Way.
- Removal of the garden and proposed extensive excavation are disproportionate to the size of the plot and out of keeping to the streetscape.
- Only eleven houses where the front gardens have been paved over and dropped curbs have been provided. Only 10% of the 105 houses and thus not sufficient argument to pave over further properties.
- Minimum planting shown on plans.
- Application for dropped curb and removal of silver birch has previously been refused. The tree should remain or another be replanted in same position.
- Effect on parking.
- Reached saturation point, there is not enough general parking.
- Knocking out of gardens does not provide more parking.
- No practical necessity for this storage and it would be inappropriate for the area.
- No precedent for providing any form of storage facility in front gardens.
- If application is approved it will be followed by a request for a crossover- deprive the

community of a further loss of two parking spaces for general use.

- Excavation and digging below street level will endanger the party walls.

## 2. PLANNING APPRAISAL

### Site Description and Surroundings:

The application property is a mid terrace single family dwellinghouse located in the West Finchley ward. The property is in a predominately residential location and does not fall within a conservation area.

### Proposal:

Demolition of existing steps and reduction in level of the front garden. Formation of new steps with binstore and bike store located under, new planting and alterations to the front boundary wall.

(It should be noted that the plans for this application have been amended since the initial submission to increase planting including an additional 0.5m in width of planting closest to the boundary with no.20).

### Planning Considerations:

Planning permission has previously been sought at the property for similar alterations to the front, the application was subsequently refused at planning committee in an overturn of officers' recommendation.

The application was refused for the following reason:

*The proposed development by reason of its **design** and **amount of hardstanding** would harm the character of this part of Brent Way contrary to policies GBEEnv1, D1 and D2 of the Adopted Barnet Unitary Development Plan (2006).*

Since this previous refusal the proposal has been changed to overcome the concerns and there are three main alterations.

1- There is increased planting along the boundary with no.20 Brent Way in the form of stepped planters and an additional planter at ground level. This change has been requested to address design and amount of hardstanding issues raised in the previous reason for refusal.

2- The proposed stairs are now accessed from the drive as opposed to the pavement therefore creating an additional planter along the pavement and softening the appearance of the stairs. This change has been requested to address design issues raised in the previous reason for refusal.

3- The amount of hardstanding has been reduced by the introduction of grass cretes into the central part of the drive.

The combination of more soft landscaping and grass crete would give a softer appearance to the front of the property which is considered to have addressed the previous reason for refusal.



As previously, the proposal will allow for bin and bike storage under the newly formed steps (which was not a reason to refuse the previous application). There are a number of other properties within the surrounding area that have implemented alterations to the front by virtue of front hardstanding to the property whilst these may not have required level changes of the same extent the principle of removal of the front garden and creating a hardstanding is considered to be acceptable. The proposed development will not result in harm to the character of the host property or the surrounding area.

As with the previous application, the proposal at this stage does not consist of off-street parking and therefore the proposal would not impact on the current parking arrangements within Brent Way. The street trees team have confirmed that a judgement on the tree will be made if a crossover application is made in the future.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

All planning related matters are considered to be covered in the above appraisal.

### **4. EQUALITIES AND DIVERSITY ISSUES**

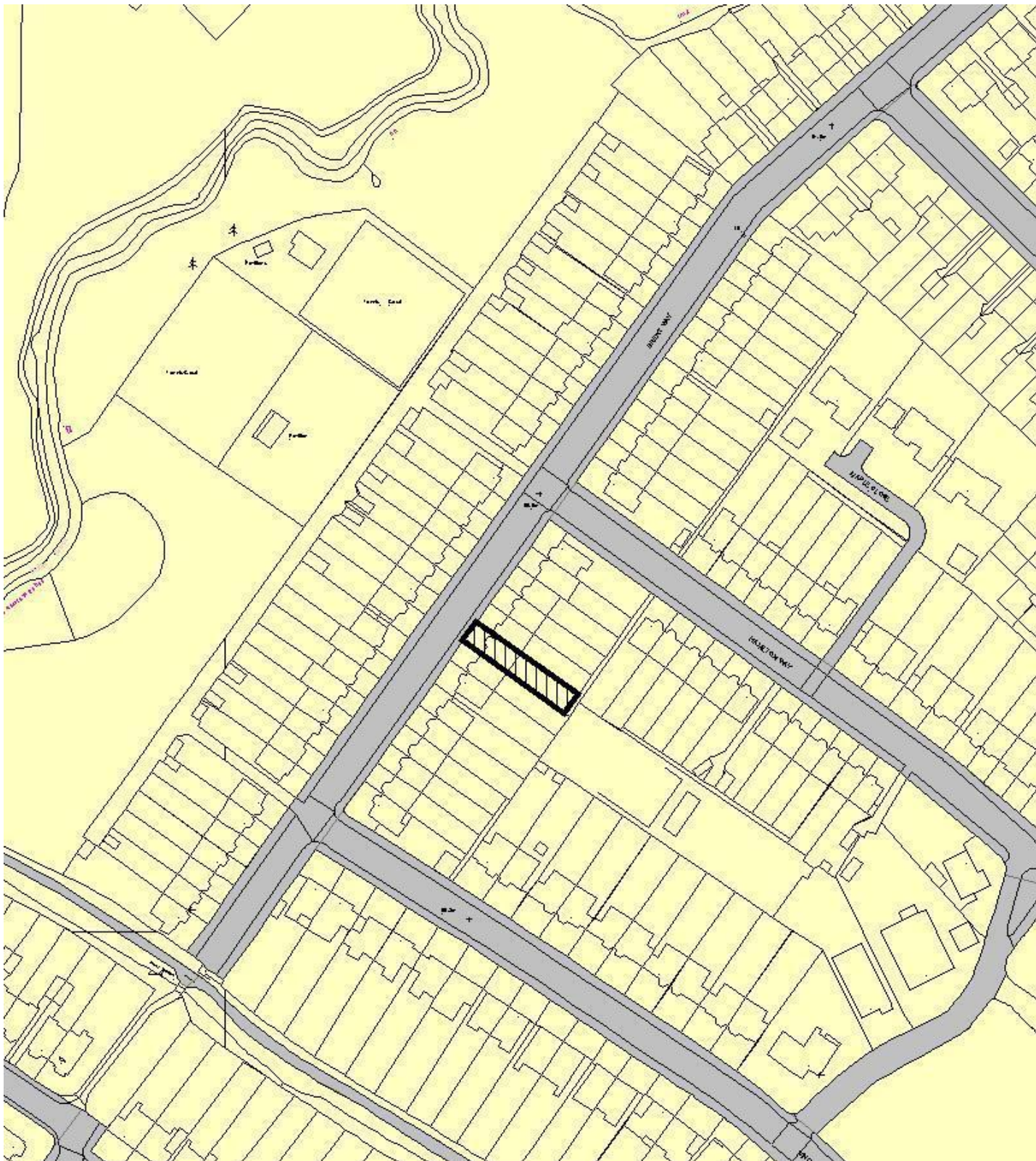
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area and has addressed the previous reason for refusal. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is in keeping with Council Policies and Guidelines and is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN: 18 Brent Way, London, N3 1AL**

**REFERENCE: F/04240/11**



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