

EAST AREA PLANNING SUB - COMMITTEE

5 MARCH 2012

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 March 2012

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Coppetts

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Two storey rear extension to existing shop premises and loft conversion to existing flat involving rear dormer

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84 High Road, London, N2 9PN

Change of use of ground floor and basement from class A2 (Financial and Professional Services) to class A3 (Restaurants and Cafes). Installation of ventilation extraction flue to rear elevation.

Approve Subject to Conditions

B/02027/11

High Barnet

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4 Potters Road, Barnet, Herts, EN5 5HW

Change of use from A1 (Retail unit) to A3 (cafe/restaurant) and installation of extraction/ flue system to rear.

Approve Subject to Conditions

B/03679/11

Totteridge

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1 Elmstead Close, London, N20 8ER

Proposed single storey side extension, creation of a basement under existing rear extension and internal alterations. New front porch.

Approve Subject to Conditions

Totteridge

21 Ridgeview Road, London, N20 0HH

Erection of a two storey building including basement and rooms in the roofspace comprised of 4no 3 bedroom flats with associated landscaping works to front to provide 4no parking spaces including 1no disabled parking space, roof lights to the side and rear roof slopes, juliet balconies and bin storage following the demolition of existing bungalow

Approve Subject to S106

Totteridge

18 Harmsworth Way, London, N20 8JU

Erection of a two storey detached dwellinghouse with rooms in roofspace and basement accommodation.

Approve Subject to Conditions

Totteridge

Pavement outside B & Q High Road, Whetsone, London, N20 0PD

Installation of a 12.5m high telecommunications mast with associated equipment cabinet.

(TELECOMMUNICATIONS INSTALLATION)

Grant Conditional Prior Approval

Underhill

57-59 Bells Hill, Barnet, Herts, EN5 2SG

Demolition of existing dwellings at 57-59 Bells Hill and erection of a two storey block with rooms in the roofspace and basement to provide a total of 12no residential units. Associated off-street parking, refuse store, cycle storage and landscaping.

Approve following Unilateral Undertaking

Woodhouse

50 Ashurst Road, London, N12 9AX

Conversion of a single family dwelling house into 2No. Self-contained flats.

Approve following completion of Unilateral Undertaking

LOCATION: 21 Queens Parade, Friern Barnet Road, London, N11 3DA
REFERENCE: B/04878/11 **Received:** 02 December 2011
WARD(S): Coppetts **Accepted:** 21 December 2011
Expiry: 15 February 2012

Final Revisions:

APPLICANT: Mr Michael Lee

PROPOSAL: Two storey rear extension to existing shop premises and loft conversion to existing flat involving rear dormer

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
4241 PL 01, 4241 PL 02, Site location plan, Design and Access Statement (date received 02-Dec-2011).

Reason:

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

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

Reason:

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

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

Reason:

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

4. The use of the two storey rear extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the ground floor retail unit and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

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

i) The proposed development accords with strategic planning guidance and policies as set out in The 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, GBEnv1, D1, D2, D5, M12, M13, M14, H27.
Supplementary Design Guidance Note 5: Extensions to Houses

Core Strategy (Submission version) 2011: CS5

Development Management Policies (Submission version)2011: DM01

- ii) The proposal is acceptable for the following reason(s): - The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general locality. It is considered to be in keeping with the existing neighbouring development and would result in an extension which would harmonise well with the host property. It is not considered to have an adverse impact on the surrounding highway network or for the parking provision in the locality and would not be detrimental to the residential or visual amenities of the neighbouring occupiers. The proposal is considered to accord with the aforementioned policies.
2. This application does not include a change of use for the ground floor shop premises.
 3. The applicant is advised that any doors associated with the proposal should not encroach on the public highway.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GSD, GBEnv1, D1, D2, D5, M11, M12, M13, M14, H27.
SDGN 5: Extensions to Houses

Core Strategy (Submission version) 2011

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS5

Relevant Development Management Policies: DM01

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Planning History:

Application site -

Site Address: 21 Queens Parade Friern Barnet Lane N11
Application Number: C03634
Application Type: Full Application
Decision: Refuse
Decision Date: 12/04/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use to fish and chip shop:**

Site Address: 21 QUEENS PARADE FRIERN BARNET ROAD LONDON N11 3DA
Application Number: N03634B/02
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/11/2002
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing single storey rear extension, erection of new single storey rear extension (storeroom of shop premises).**

Site Address: 21 Queens Parade Friern Barnet Road London N11
Application Number: C03634A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 06/09/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **change of use to a fish and chip shop**

Neighbouring sites -

20 Queens Parade

C05099H Two storey rear extension incorporating offices and 4 car garage and change of use of first floor offices at front to residential. Use in conjunction with second floor flat (amendment to appearance of approved). Conditional Approval 07/07/1999.

22 Queens Parade

N14858/05 Two storey rear extension with garage at ground floor and office space to rear of first floor. Conditional Approval 09/12/2005

23 Queens Parade

N14717A/05 Two storey rear extension with garage at ground floor and office space to rear of first floor. Conditional Approval 09/12/2005

29 Queens Parade

N13998D/07 Demolition of existing garages and erection of new garages and first floor to provide additional office accommodation. (Amendment to planning permission N13998B/06 dated 27.07.06.). Conditional Approval 20/03/2007.

Consultations and Views Expressed:

Neighbours Consulted: 83

Replies: 10 (of which 3 are objections, 5 in support and 2 comments - any further replies will be reported at the meeting)

Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- The proposed roof construction is different from all the existing extensions in the area which would ruin the outlook of the rest of the buildings
- Proposed extension is much higher than neighbouring extensions, reducing sunlight
- Loss of view
- Overlooking and loss of privacy from the dormer window
- Drawings indicate that the rainwater drainage from the whole roof and presumably that of the existing building that discharges to the rear will be channelled to be discharged at the rear which may lead to ponding/puddles at the rear
- Fire exit opens directly onto Queens Parade Close which is becoming a cut through for traffic avoiding the traffic lights at Colney Hatch Lane
- The distance from the residential accommodation to the actual exit is excessive in an emergency
- Isn't parking required?
- The empty shop will be a dentists surgery which will impact on parking and traffic in Hollyfield Avenue

Internal /Other Consultations:

Traffic & Development

The existing property consists of 50 sqm of shop use at ground floor with 1 bedroom flat above the shop and a disused outbuilding at the rear of the site. The proposal is for extensions to provide 174 sqm of shop/ storage use and one additional bedroom to the existing flat.

The site is located in close proximity to bus routes and town centre amenities.

No parking spaces are proposed, however taking into consideration the site's location and that the existing flat has no off street parking provision, it is considered that the proposal is not expected to have a detrimental impact on the public highways and is considered acceptable on highways grounds.

I have no objections on highways grounds as the proposal is not expected to have a detrimental impact on the public highways.

The application is recommended for approval on highways grounds.

Date of Site Notice: 12 January 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a mid terraced two storey building located on the southern side of Friern Barnet Road. It forms part of a row of buildings called Queens Parade Close whereby the ground floor is generally commercial/retail with the upper floors as residential. There is an access road which runs along the rear of the parade allowing for access between Colney Hatch Lane and Hollyfield Avenue.

The site is an A1 unit at ground floor with a self contained residential unit above. It has been previously extended by way of a single storey rear extension approved in 2002 (see relevant planning history).

This area is mixed in character, comprised of both retail uses and residential.

Many of the buildings along the parade have extended to the rear, at both ground and first floor level.

There is a difference in ground level from the front of the building on Friern Barnet Road to the rear, on Queens Parade Close in that there is a drop from the front to the rear of the site.

Proposal:

This application seeks planning permission for a two storey rear extension to existing shop premises and a loft conversion to existing flat involving rear dormer.

Starting with the two storey rear extension. The ground/first floor element would be 16.45m deep, 5.55m wide with a maximum height of 6.4m. The second part of the extension would be 5.6m deep, 5.5m wide and would effectively be 8.5m high (to the

apex of the roof). The extension will be slightly larger than those either side and will be of a different design incorporating a gable end with a central pitched roof. The flank walls of the extension would be higher than that either side. This extension will also include a self contained refuse storage area.

The rear dormer would measure 3m wide, 1.45m high and would extend from the rear roofslope by 2m. This will allow for the enlargement of the existing self contained flat. The entrance into the flat will essentially remain the same but will be contained within the envelope of the extension.

The existing single storey rear extension and outbuilding are to be demolished to make way for this development.

Planning Considerations:

This development is considered to be an acceptable and appropriate form of development for this site in this location. The extensions to the rear are not considered to unduly bulky or out of scale or context with the surrounding area given the number of similar examples of extensions seen along Queens Parade Close. The proposal would be in keeping with the neighbouring development and whilst different in terms of its size and design, the differences are not considered to be overly contentious. The extension is broken up as a result of the two different elements and the set back of the upper extension. The inclusion of a gable is in keeping with the extensions at No.20 and 22 and whilst the flank walls of the extension would be higher than the flank walls either side (marginally higher than No.22) this would not be detrimental to the character and appearance of the street scene.

Furthermore the design of the neighbouring extensions are also different from one another and so there is no set design to follow.

Therefore the extension is considered to be in keeping with the now established character and appearance and is of an appropriate scale, design and size.

In terms of residential amenity the proposal is not considered to cause harm to the amenities of those living in adjacent properties. There are no windows on the side elevations of the building and therefore the proposal will not overlook neighbouring occupiers either side of the proposal. There is a side dormer window within the extension at No.20 however the extension is not considered to cause a significant loss of outlook or natural light to and from this dormer window because of the positioning of it in relation to the extension. A number of velux rooflights are proposed within the roof of the extensions and whilst there could be an opportunity for overlooking from neighbouring windows down into the velux rooflights, these rooflights will be serving a storage area for the retail unit at ground floor.

The proposed rear dormer is considered to be a subordinate addition to the roofslope. It has been designed in such a way that it sits well within the roofslope and would not be overly bulky or prominent. During the site visit, numerous examples of rear dormers were noted, largely on residential dwellings and whilst it is acknowledged that the majority of these were probably constructed using permitted development rights, they still form part of the character and appearance of the locality and as such are a material consideration. The proposed rear dormer would be in keeping with that found locally and as such is considered to be acceptable.

Objections have been raised in respect of overlooking resulting from the rear dormer however the degree of overlooking from the dormer is not considered to be significantly higher than that from the first floor windows which currently serve a bedroom and bathroom and as such does not warrant the refusal of this application.

The inclusion of a self contained refuse store is welcomed. Currently most of the properties along Queens Parade Close leave their bins in the access road and this can be unsightly especially if their location and condition is not properly managed. By including a store within the extension, it is considered to improve the visual amenities of the locality.

No parking spaces are proposed however taking into consideration the sites location and its close proximity to bus routes and town centre amenities as well as the fact that the existing flat has no off street parking provision it is considered that the proposal is not expected to have a detrimental impact on the public highway and is therefore considered acceptable on highways grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the planning appraisal however the following comments can be made:

- Issues relating to drainage are not a material planning consideration
- A change of use of the ground floor premises which is currently A1 use class is not being proposed as part of 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

The proposal is considered to accord with council policies and guidance and is therefore recommended for approval subject to conditions.

SITE LOCATION PLAN: 21 Queens Parade, Friern Barnet Road, London,
N11 3DA

REFERENCE: B/04878/11



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LOCATION: 84 High Road, London, N2 9PN

REFERENCE: F/04468/11

Received: 02 November 2011

Accepted: 05 December 2011

WARD(S): East Finchley

Expiry: 30 January 2012

Final Revisions:

APPLICANT: Capitalwide Properties Ltd

PROPOSAL: Change of use of ground floor and basement from class A2 (Financial and Professional Services) to class A3 (Restaurants and Cafes). Installation of ventilation extraction flue to rear elevation.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Design & Access Statement; 1320-E02-LGF; 1320-E02-00; 1320-E03-01; 1320-P02-00 Rev P2; 1320-P02-RF Rev P1; 1320-P03-01 Rev P3.

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 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.

4. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved in writing 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.

5. The level of noise emitted from the site plant as part of the ventilation extraction flue 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 an existing neighbouring property at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (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 an existing neighbouring property at the time of this decision notice.

Reason:

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

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

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

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

7. The use hereby permitted shall not be open to customers before 12.00 noon or after 11.00 pm on Mondays to Saturdays; or before 12.00 noon or after 10.00 pm on Sundays and Public Holidays.

Reason:

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

INFORMATIVE(S):

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

i) The proposed development accords with strategic planning guidance and policies as set out in The 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, GTCR2, TCR10, TCR11, TCR12, GBEnv1, GBEnv2, D1, D2, ENV7, ENV12.

Core Strategy (Submission version) 2011: CS1, CS5, CS6, CS13.

Development Management Policies (Submission version) 2011: DM01, DM02, DM04, DM09, DM10, DM11.

ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, the proposal is in line with the Council's Town Centre policies and as conditioned would not detrimentally impact on the residential amenity of neighbouring occupiers. The proposed flue design would ensure the protection of the character and appearance of area in keeping with neighbouring dwellings and commercial buildings in line with UDP policies. The proposal is also acceptable on highways grounds.

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

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

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

The determination of planning applications is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

Planning Policy Statement PPS 1 “Delivering Sustainable Development”, states at paragraph 3 that “At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone now and for future generations”. High quality inclusive design is identified as one of the key principles that should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. Paragraph 13(iv) indicates that “Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted” and at para. 18 that “Planning should seek to maintain and improve the local environment.... through positive policies on issues such as design....” Further comment regarding “Design” is made at para’s 33-39.

Planning Policy Statement PPS4 "Planning for Sustainable Economic Growth" sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas. This was published on 29 December 2009, replacing earlier PPG's and PPS's including PPS6 “Planning for Town Centres.” At para. 10 PPS4 indicates that to help achieve sustainable economic growth, the Government’s objectives for planning include promoting the vitality and viability of town and other centres as important places for communities.

Practice Guidance ‘Planning for Town Centres: Practice Guidance on need, impact and the sequential approach’ (published December 2009) supports the implementation of town centre policies set out in PPS4.

The implications of new development on transport are included within PPG13 “Transport” (Jan 2011). This sets out objectives to integrate planning and transport at the national, strategic and local level, and to promote more sustainable transport choices. With regard to the development and implementation of policies on parking paragraph 50 (2) indicates that Local Authorities should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.

The Mayor's London Plan July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London.

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

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

Relevant policies to this case: GSD, GTCR2, TCR10, TCR11, TCR12, GBEnv1, GBEnv2, D1, D2, ENV7, ENV12.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

Core Strategy (Submission version) 2011:

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy policies to this case: CS1, CS5, CS6, CS13.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management policies to this case: DM01, DM02, DM04, DM09, DM10, DM11.

Relevant Planning History:

Site Address: 84 High Road London N2 9PN
Application Number: C02502D/06
Application Type: Full Application
Decision: Refuse
Decision Date: 07/12/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: 11/10/2007
Proposal: **Change of use from bank (A2) to Hot Food Takeaways (A5) and erection of flue on rear elevation.**
Case Officer: Fabien Gaudin

The application was reported to a meeting of the Council's Finchley and Golders Green Area Planning Sub-Committee on 7 December 2006. Having heard oral representations from a local resident the Committee resolved to refuse planning permission, contrary to the officers recommendation, for the following reasons:

1. *The proposed use on this restricted corner site would lead to pedestrian and vehicular conflict contrary to policies M11 and M12 of the Adopted Barnet Unitary Development Plan (2006).*
2. *The proposed use would adversely impact on bus operation and be detrimental to the residential amenities of neighbouring occupiers contrary to policy TCR12 of the Adopted Barnet Unitary Development Plan (2006).*

Site Address: 84 High Road London N2 9PN
Application Number: C02502F/07
Application Type: Full Application
Decision: Refuse
Decision Date: 12/04/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use from bank (A2) to Hot Food Takeaways (A5) and erection of flue on rear elevation.**
Case Officer: Fabien Gaudin

The application was reported to a meeting of the Council's Finchley and Golders Green Area Planning Sub-Committee on 23 March 2007. Having heard oral representations from a local resident the Committee resolved to refuse planning permission, contrary to the officers recommendation, for the following reasons:

- 1 The proposed use on this restricted corner site would lead to pedestrian and vehicular conflict contrary to policies M11 and M12 of the Adopted Barnet Unitary development Plan (2006).
- 2 The proposed use would adversely impact on bus operation and be detrimental to the residential amenities of the neighbouring occupiers contrary to policy TCR12 of the Adopted Barnet Unitary development Plan (2006).
- 3 No information has been provided to show how refuse storage facilities would be provided within and collected from the site contrary to policies GBEnv2, D2 and ENV4 of the Adopted Barnet Unitary Development Plan (2006).
- 4 The proposed use, as a hot food takeaway would have a detrimental impact on the amenities of neighbouring residential occupiers, contrary to policies GBEnv1 and D2 of the Adopted Barnet Unitary Development Plan (2006).

Site Address: 84 High Road London N2 9PN
Application Number: C02502E/06
Application Type: Full Application
Decision: Migrated Code

Decision Date: 21/12/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of upper floors from existing 2 self-contained units to 4 self-contained units and first floor rear extension. Roof extension including 9 rooflights and incorporating 2 rear dormer windows. New front parapet wall to match existing.**
Case Officer: Fabien Gaudin

Site Address: 84 High Road London N2 9PR
Application Number: C02502G/07
Application Type: Conditions Application
Decision: Approve with conditions
Decision Date: 28/06/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details pursuant to condition 3 (Refuse) of planning permission C02502E/06 dated 20/12/06.**
Case Officer: Fabien Gaudin

Site Address: 84 High Road London N2 9PN
Application Number: C02502H/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension to existing ground floor/basement commercial unit.**
Case Officer: Fabien Gaudin

Consultations and Views Expressed:

Neighbours Consulted: 34 Replies: 7
Neighbours Wishing To Speak 3

The objections raised may be summarised as follows:

1. Too many A3 units in the area making it difficult for other existing local businesses;
2. Too many A3 units in general putting pressure on parking in the area;
3. The sewage/water system may come under additional pressure by the increased usage;
4. Impact as a result of unpleasant odours emitted from the flue - this is currently experienced from other flues in the area;
5. Concerns about the lack of a refuse provision;
6. Noise and disturbance resulting from the proposed use;
7. Overdevelopment of the site.

The application was referred to the Planning Sub-Committee at the request of Councillor Andrew McNeil for the following reason:

"I have had representation from residents that the change to A3 use is inappropriate, disproportionate in size for the location and would exceed the quota of premises allowed for A3 in East Finchley. I have recently had an additional representation that the planned extraction flues will impact badly upon residents in Fairlawn Avenue."

Internal /Other Consultations:

Environmental Health - No objection

Traffic & Development - No objection

Date of Site Notice: 15 December 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a vacant ground floor and basement unit (No. 84 High Road), formerly a bank, on the east side of High Road (A1000) at the corner of Fortis Green, within the East Finchley Town Centre. Above the appeal premises, and neighbouring properties, the first and second floors provide residential accommodation. The three-storey building forms part of a terrace extending from No. 54 High Road to No. 84, before turning east to include No's 1-11 Fortis Green.

To the rear of the site is a yard that has access from a narrow service road, that is not part of the public highway, located between the rear of the High Road / Fortis Green properties and the rear of the even numbered houses in Fairlawn Avenue.

East Finchley Town Centre is one of the Borough's larger town centres. East Finchley Station (London Underground, Northern Line) is 250m to the south of the application site. A number of bus routes pass the site along High Road / Fortis Green. The town centre and nearby residential streets are within the East Finchley Town Centre Controlled Parking Zone. In addition to the no waiting restriction to the front of the property and around the traffic-light controlled crossroads, further parking controls operate in the area. Fairlawn Avenue is a one-way street with entry from Fortis Green.

Proposal:

The proposal relates to the change of use both the ground floor and basement from class A2 (Financial and Professional Services) to class A3 (Restaurants and Cafes) with the addition of the installation of a ventilation extraction flue to the rear elevation.

Planning Considerations:

The main issue in this case are considered to be covered under four main areas:

1. Change of use;
2. Whether harm would be caused to the character and appearance of the area and street scene as a result of the flue;
3. The effect on the living conditions of the occupiers of neighbouring properties as a result of the flue;
4. Parking, Access and Vehicle Movements.

Change of Use

Policy GSD seeks to ensure that development and growth within the Borough is sustainable. Policy GTCR2 aims to ensure that all residents of the Borough have

ready access to a wide range of goods, services and facilities in their nearest town centres, and Policy D1 requires all new development to represent high quality design and be in keeping with objectives of sustainable development.

Town Centre policies seek to ensure that all residents in the Borough have ready access to a wide range of goods, services and facilities in their nearest town centre. Additionally Policy TCR12 encourages proposals for restaurants /cafes (use class A3) where they:

- comply with Policies TCR10 and TCR11
- sustain or enhance the range or quality of facilities and the vitality and viability of these centres
- will be in keeping with the scale and character of the surrounding area
- will be highly accessible by public transport, cycling or walking
- should not adversely impact on bus operators; and
- will not adversely affect the living conditions of the nearby residents.

Policies TCR10 relates to changes of use from Retail (A1) to other uses and is therefore not relevant to the current application which seeks permission for a change of use from A2 to A3.

East Finchley Town Centre is identified in the Barnet Unitary Development Plan as a District Town Centre within the hierarchy of town centres across the Borough.

The proposed use would be considered to enhance the range of services available in the town centre within this part of the Primary Retail Frontage. The proposed use is not considered to raise the same concerns as those mentioned within the two previously refused changes of use applications for this vacant ground floor and basement unit.

It is considered to be a suitable location for a proposal of this nature that would respect the scale of other uses in East Finchley which is a very accessible town centre close to East Finchley Underground Station and main bus routes on High Road and Fortis Green.

Character and appearance

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

Since the original submission, the flue location and design has been amended. It is now considered that the proposed flue in the rear elevation would not cause material harm to the character and appearance of either the application premises or the surrounding area. In reaching this finding officers are mindful that extractor flues are necessary additions to a range of commercial uses and, until such time as manufacturers choose to produce aesthetically pleasing systems, it seems like an acceptable scheme that would comply with UDP policies.

As such the proposal would not cause any significant harm to the street scene. In that respect, it would not conflict with relevant saved policies of the Barnet Unitary

Development Plan (UDP). It would comply with policy GBEnv1, which seeks to protect and enhance the quality and character of the built environment, and with the aims of UDP policies GBEnv2 and D1 with respect to high quality design. In the terms of UDP policy D2, local character would be preserved, and the appearance, scale, bulk, height and pattern of surrounding buildings, and the overall character and quality of the area, would be respected.

The Unitary Development Plan recognises at paragraph 4.3.1.3 that sensitively designed, modern, innovative development can fit well into many settings, and such development therefore need not slavishly follow traditional or dominant architectural styles in order to be acceptable. Nevertheless UDP paragraph 4.3.1.4 states that it is important that all designs respect local character. The Local Planning Authority contends that the proposed building is of a particular architectural merit and it would achieve this objective.

Living conditions of existing/future neighbouring residents:

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Policy ENV12 says that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted.

During this application, the Council's Environmental Health department have been in lengthy discussions with the applicant, and like the previous changes of use applications, they have not objected to the proposal. The LPA consider this to be acceptable subject to environmental health conditions.

Parking, Access and Vehicle Movements:

The Highway concerns rose by the Finchley and Golders Green Area Planning Sub-Committee on the previous application in respect to policies M11, M12 & M13 relating to the safety of road users, safety of the road network, and safe access to new development are not considered relevant to the current application as it is for a change of use from A2 to A3, rather than a change of use from A2 to A5.

The Highways' Team have again commented on this application like the previous applications and their view is:

"The existing parking provision for 1 to 2 cars is to be retained and in view of several factors including the site's location within East Finchley town centre and close to local amenities and within a controlled parking zone, the proposal of change of use is acceptable on highways grounds as it is not expected to have any additional detrimental impact on the public highways."

3. COMMENTS ON GROUNDS OF OBJECTIONS

Main of the points of objections have been covered in the above appraisal.

It must be noted that a condition has been attached to this recommendation for details to be provided for the location of the refuse provision together with the approved position of the refuse facilities for the 4 self-contained units above the application site (planning application C02502G/07).

The attached conditions to this recommendation are considered to address the planning related concerns raised on this application which as a result were not sufficient to constitute a reason for refusal and address the previous reasons for refusal from the change of use of the site.

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

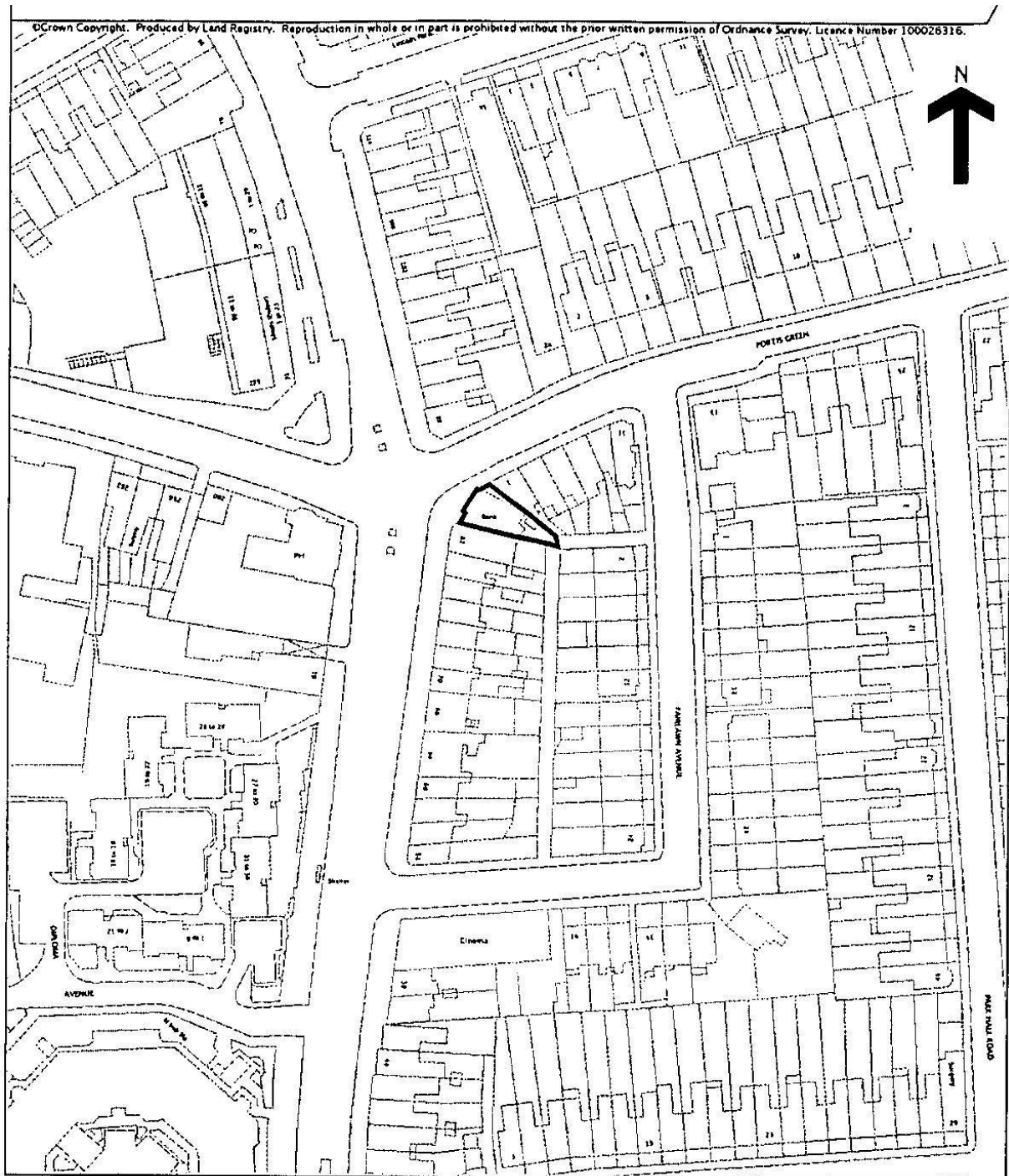
Having taken all material considerations into account, the proposal is in line with the Council's Town Centre policies and as conditioned would not detrimentally impact on the residential amenity of neighbouring occupiers. The proposed flue design would ensure the protection of the character and appearance of area in keeping with neighbouring dwellings and commercial buildings in line with UDP policies. The proposal is also acceptable on highways grounds. **APPROVAL** is recommended.

SITE LOCATION PLAN:

84 High Road, London, N2 9PN

REFERENCE:

F/04468/11



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LOCATION: 4 Potters Road, Barnet, Herts, EN5 5HW

REFERENCE: B/02027/11

Received: 11 May 2011

Accepted: 17 May 2011

WARD(S): High Barnet

Expiry: 12 July 2011

Final Revisions:

APPLICANT: Mr Sazdil

PROPOSAL: Change of use from A1 (Retail unit) to A3 (cafe/restaurant) and installation of extraction/ flue system to rear.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan (Received 17.05.2011); Drg No. 076.11/01 - Existing Ground Floor Plan (Received 17.05.2011); Drg No. 076.11/03 (Received 16.11.2011); Drg No. 076.11/02 (Received 16.11.2011); Noise Impact Assessment dated 14.11.2011 (Received 16.11.2011); Maintenance of Systems document (Received 06.01.2012); E-mail sent from agent on 09.01.2012 including revised Odour Management Plan (Received 09.01.2012).

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 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.

4. The use hereby permitted shall not be open to customers before 09.00am or after 11.00pm on Mondays to Saturdays, or before 10:00am or after 11:00pm on Sundays and Public Holidays.

Reason:

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

5. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 9am or after 6pm 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.

6. The level of noise emitted from the extract fan plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason:

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

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):GBEnv1, ENV12, ENV13 and TCR19.

Core Strategy (Submission version) 2011: CS5.

Development Management Policies (Submission version)2011: DM01.

- ii) The proposal is acceptable for the following reason(s): -
The proposed development is considered to have an acceptable impact on the vitality, viability, character and appearance of the area. It is not considered to have a harmful impact on the amenities of neighbouring occupiers and is in accordance with aforementioned policies.
Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 01923 898 188.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 (PPS1) - Delivering sustainable development.

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

Various.

Relevant Unitary Development Plan Policies: GBEnv1, ENV12, ENV13 and TCR19.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:

CS5.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01.

Relevant Planning History:

N06976B - Conditional Approval (13/11/1981)

Conversion of first and second floors to two self-contained flats and three-storey rear extension.

Consultations and Views Expressed:

Neighbours Consulted: 61
Replies: 21 Objections & 2 Comments
Neighbours Wishing To Speak; 4

The objections raised may be summarised as follows:

- Concern regarding noise, vibration and smell from the proposed extractor fan.
- Concern that there are already enough cafes and fast food outlets in the area.
- Concern regarding impact on parking.
- Concern that the business will be open into the late evening / early morning and subsequent disruption.
- Concern regarding competition and impact on neighbouring businesses.
- Concern regarding pedestrian safety and impact on pedestrian footpath due to vehicles parking on the pavement.
- Concern regarding possible impact on traffic.
- Concern regarding 'smoke pollution' from users of the proposed restaurant.
- Concern that the unit may be licensed for off-licence sales.
- Concern that the unit will be converted to a hot-food take-away.
- Concern regarding the possible incorporation of an outdoor seating area.
- Concern regarding possible crime and anti-social behaviour.
- Concern regarding litter.
- Environmental concerns regarding the current location and overuse of the bins at the existing commercial units and the careless storage of refuse.
- Concern regarding noise, odour and disturbance from the existing restaurant on Potters Road.
- Concern regarding increased noise and disturbance from vehicles and customers.
- Increase in refuse.
- Concern regarding noise from kitchen.

Internal /Other Consultations:

Traffic & Development

The proposal is for the change of use of approximately 60 sqm of A1 retail use into A3 café/restaurant use. No off street parking is provided for the existing premises and no off street parking is proposed.

The proposal is not expected to have a detrimental impact on the public highways and is considered acceptable on highways grounds. I have no objections on highways grounds. The proposal is considered acceptable on highways grounds.

Environmental Health - No objection.

Thames Water Development Control

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains,

sewage flooding and pollution to local watercourses. Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Date of Site Notice: 26 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

This application relates to a 2-storey property (with rooms in the loft), mid-terraced property located on the northern side of Potters Road, close to the junction with Cromer Road. The ground floor of the property currently operates as an A1 use and the upper floors are residential.

Proposal:

This application involves a change of use of the ground floor unit from A1 (Retail unit) to A3 (café/restaurant) and the installation of an extraction / flue system to the rear.

Planning Considerations:

Change of use

The application site is located within the Potters Road Local Neighbourhood Centre as defined within the Adopted London Borough of Barnet Unitary Development Plan (2006). The application must therefore be assessed against the criteria in Policy TCR19, which states that changes from A1 to other uses will not be permitted unless the proposal meets the following criteria:

- It can be demonstrated that there will be no significant diminution of local shopping facilities as a result.

Within the Potters Road Neighbourhood Centre there are a mixture of uses and it serves a wide community. The change of use to A3 is considered acceptable as it would not result in a significant diminution of local shopping facilities. A shopping survey carried out in August 2011 indicated that there is currently only 1 restaurant and 1 take-away outlet within this Neighbourhood Centre, which mainly consists of A1 uses. This is a total of 2 restaurant / take-away units out of the 13 commercial units (i.e. approximately 13%). As such to allow this unit to change to an A3 use would not have a detrimental impact on the vitality and viability of the shopping centre. This proposal therefore meets this criterion.

- It can be demonstrated that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area.

The application site is in close proximity to the East Barnet Town Centre which is similarly accessible by walking and public transport.

- The proposed use is within use class A2, A3, A4, A5 or meets an identified local need.

The use falls within Class A3. The proposal would therefore meet this criterion.

- It can be demonstrated that there is no known demand for continued A1 use, and that the site has been marketed effectively for such use.

No evidence has been provided regarding the demand for this property or the length of time it has been vacant however, considering that the proposal is not considered to have a detrimental impact on the vitality and viability of the area, refusal on this point alone is not considered justifiable.

The level of activity generated by an A3 use is not considered to be greater than that of an A1 use, however a condition has been imposed to ensure that the opening hours are restricted in order to minimise the impact on the neighbouring occupiers.

Considering the previous use of the application property (A1 - retail), the proposed use is not considered to have a detrimental impact on parking provision or pedestrian / highway safety. The Council's Traffic and Development Team have not raised any objection to this proposal.

Extraction / flue system

Amendments were requested during the course of this application involving the use of an alternative extraction / flue system, in order to address the Environmental Health Officers concerns regarding the impact on the neighbouring occupiers and the Local Planning Authority's concerns regarding the size, siting and visual impact of the system. These amendments were made.

The proposed extraction equipment is an Electrostatic Precipitator System (ESP). This is a highly efficient filtration system which removes particles from flowing gas using an induced electrostatic charge. The extraction equipment itself would be located within the restaurant unit and only the flue (painted black) would be visible from the outside. This flue would be located adjacent to the rear projection at No.2 Potters Road and would measure 0.35m wide (sitting 1.05m from the first and second floor rear windows); 6.9m in height (sitting almost level with the flat roof of the application property and extending 1m above the top of the second floor level window).

Due to its size and siting, the proposed flue is not considered to have a detrimental impact on the character or appearance of the application property or the general streetscene.

The Council's Environmental Health Team have conducted various site visits and reviewed the submitted noise report and odour management plan relating to the proposed ESP system. They are satisfied that this proposal would not have a detrimental impact on the amenities of the neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the above report.

- The impact on neighbouring businesses in terms of increased competition, is not a material planning consideration.
- The impact of this proposal in terms of 'smoke pollution' from people outside the unit, neither considered to be significant nor is it a material planning consideration.
- The licensing of this unit for the sale of alcohol is not a material planning consideration. Any proposal to convert this unit to a public house / drinking establishment (Class A4) would require full planning consent.
- Any proposal to convert this unit to a hot-food take-away (Class A5) would require full planning consent.
- An outdoor seating area has not been indicated on the submitted plans and

therefore has not been included as part of this planning application.

- Due to the nature of this proposal, it is not considered to result in an increase in crime or anti-social behaviour.
- Impacts in terms of litter are not material planning considerations.
- The existing problems regarding the storage of refuse at neighbouring properties are not material considerations in the determination of this application. A refuse condition has been imposed requiring the submission of refuse storage and collection details.
- Considering the location of this unit on a shopping parade, the proposed change of use from A1 to A3 is not considered to result in undue levels of noise or disturbance.
- Any issues regarding existing units within this area are not a material planning consideration in the determination of 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

The proposed development is considered to have an acceptable impact on the vitality, viability, character and appearance of the area. It is not considered to have a harmful impact on the amenities of neighbouring occupiers and is in accordance with the above policies.

SITE LOCATION PLAN: 4 Potters Road, Barnet, Herts, EN5 5HW

REFERENCE: B/02027/11



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LOCATION: 1 Elmstead Close, London, N20 8ER

REFERENCE: B/03679/11

Received: 30 August 2011

Accepted: 05 September 2011

WARD(S): Totteridge

Expiry: 31 October 2011

Final Revisions:

APPLICANT: Mr Nandi

PROPOSAL: Proposed single storey side extension, creation of a basement under existing rear extension and internal alterations. New front porch.

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan (Received 30.08.2011); Drawing No. GDP30/PL01 REV. C (Received 23.01.2012); Drawing No. GDP30/PL02 REV. C (Received 23.01.2012); Drawing No. GDP30/PL03 REV. C (Received 23.01.2012); Drawing No. GDP30/PL04 REV. C (Received 23.01.2012).

Reason:

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

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

Reason:

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

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

Reason:

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

4. The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

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

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

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

- 6 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.

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, GBEnv2, D1, D2, D5 and H27. Supplementary Design Guidance Note 5: Extensions to Houses.

Core Strategy (Submission version) 2011:

Relevant policies: CS5.

Development Management Policies (Submission version)2011:

Relevant Policies: DM01.

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

The proposed development is considered to have an acceptable impact on the character and appearance of the host property and general locality. It is not considered to have a harmful impact on the amenities of neighbouring occupiers and is in accordance with aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 (PPS1) - Delivering sustainable development.

The Mayor's London Plan: July 2011

Various.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5 and H27. Supplementary Design Guidance Note 5: Extensions to Houses.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS5.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01.

Relevant Planning History:

- B/03556/10 - Refused (27/10/2010)
Part single, part two storey side / rear extension including dormers in front and rear roofslope of extension. Replacement of door on rear elevation with new window.
- B/03645/09 - Refused (04.01.2010)
Two storey front extension. First floor rear extension. Single storey side extension including demolition of existing porch.
- N02338H - Approved Subject to Conditions (14.12.1999)
Ground floor rear extension. Loft conversion incorporating side dormer window extension in roof. Porch extension to side elevation facing Willow End.
- N02338G - Refused (21.01.1985)
Part 2-storey, part first floor front and side extension.
- N02338F - Refused (05.03.1980)
First floor rear and front extensions and 2-storey side extension.
- N02338E - Approved Subject to Conditions (15.12.1971)
Single-storey brick extension to replace existing timber extension.

- N02338D - Refused (06.10.1971)
Single-storey front extension, conversion of garage into habitable accommodation, single-storey replacement rear extension and gable and side extension.
- N02338C - Refused (01.09.1971)
Two-storey front extension, single-storey side extension and conversion of garage into habitable accommodation.
- N02338B - Refused (02.06.1971)
Two-storey front and rear extensions, single-storey side extension and conversion of garage into habitable room.
- N02338A - Approved Subject to Conditions (22.03.1971)
Dining room and lounge extensions, conversion of garage into habitable room and double garage.
- N02338 - Refused (22.07.1970)
Ground floor rear extension.

Consultations and Views Expressed:

Neighbours Consulted: 11
Neighbours Wishing To Speak

Replies: 7
2

The objections raised may be summarised as follows:

- Extension from a 3-bed to a 6-bed property is out of keeping with the area;
- Impact on access and parking;
- Impact on access for service vehicles;
- Loss of outlook;
- Loss of privacy;
- Overlooking;
- Impact of excavation works in terms of subsidence;
- Side extension is visually obtrusive and out of keeping;
- Concern regarding damage to neighbouring properties as a result of excavation works;
- Request that the glass doors and windows are fitted with obscure glazing;
- Impact of the excavations / construction of a basement extension on the water table;
- Impact on parking;
- Impact in terms of flooding;
- Loss of space around the property.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application relates to a 2-storey, detached, single-family dwelling located on a corner site on the eastern side of Elmstead Close, at the junction with Willow End. The property has an existing 2-storey front facing gable feature (which is common to most properties along this part of Elmstead Avenue) and a rear facing gable feature. It also has a 2-storey side projection which measures 1.25m wide and 2.4m in height to the eaves / 6.5m in height to the ridge.

The application property has an existing single-storey rear extension and an existing single-storey side / front extension.

Applications for 2-storey and first floor front side and rear extensions have previously been refused in the 1970s, 1980s and 1990s. More recently, an application for a 'two storey front extension, first floor rear extension and single storey side extension' was refused in January 2010 (Application Ref. B/03645/09), and an application for a 'part single, part two storey side / rear extension including dormers in front and rear roofslope of extension' was refused in October 2010 (Application Ref. B/03556/10).

The properties along this part of Elmstead Close are of a similar scale and architectural style with similar roof forms and architectural features such as ground floor bay windows to the front and front facing gable features.

The properties at No.12 Greenway, 1 Elmstead Close and 2 Elmstead Close all form part of a stepped building line along Willow End, maintaining adequate distances between these properties and their northern boundaries.

Proposal:

This application involves the construction of a single storey side extension including new front porch, the creation of a basement under the existing rear extension.

Amendments were made during the course of this application involving a reduction in the width of the proposed single-storey side extension, in order to address concerns regarding the size, design and appearance of the side extension and its impact on the application property and the general streetscene. The agent has increased the depth of the basement in order to provide the additional floorspace, which was lost as a result of the reductions to the side extension.

Planning Considerations:

Single-storey side extension:

The proposed single-storey side extension would replace the existing porch but would include an integral porch feature, of a similar style as the existing. It would measure 1.8m wide (extending no further beyond the building line of the existing front porch); 10.1m deep (sitting flush with the rear elevation of the existing single-storey rear extension); and 2.8m in height to the top of the flat roof / 3.4m in height to the top of the integral porch feature.

Amendments were made during the course of the application, involving a reduction in the width of this extension, in order to address concerns regarding the size of this extension and the collective mass and bulk overall appearance of the existing and proposed extensions.

Due to the size and siting of the proposed side extension, and in particular its distance from the neighbouring properties; this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers.

Due to the size and design of the side extension, this proposal is not considered to have a detrimental impact on the character or appearance of the application property or the general streetscene.

Basement extension:

The proposed basement extension would be constructed beneath the existing single-storey rear extension and raised veranda. It would measure 6.2m - 9.2m in length; 9m wide; and would have a height of 2.65m (extending 1.5m below garden level).

A 4.5m deep / 8.2m wide lower ground floor level patio would be created to the rear of the basement, with a set of steps allowing access up to the rear garden. The levels of the rear garden area would also be altered to facilitate access up to the higher ground level to the side of the dwelling.

Due to the siting of this basement extension and the way these works would manifest on site, this proposal is not considered to have a detrimental impact on the character or appearance of the application property or the general locality.

Due to the siting and nature of these works, and considering the siting and orientation of the windows, this proposal is not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overbearing, loss of light, loss of outlook, overlooking or loss of privacy.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the above report.

- The total increase in the size of this property would not be clearly visible from the surrounding area and is therefore not considered to be out of keeping.
- Due to the area of hardstanding to the front of the dwelling, this proposal is not considered to have a detrimental impact on access or parking.
- This site is not located within a designated flood risk zone.
- Possible impacts in terms of subsidence, damage to neighbouring properties or flooding, are not material planning considerations.
- Due to the size of the proposed side extension, and as the proposed basement extension would be constructed within the footprint of the existing property, this proposal is not considered to result in a significant reduction in space around the property.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal is considered to be acceptable in terms of its impact on the application site, the general locality and the amenities of neighbouring residents. The proposal accords with council policy and guidance and the application is subsequently recommended for **approval** subject to conditions.

SITE LOCATION PLAN: 1 Elmstead Close, London, N20 8ER

REFERENCE: B/03679/11



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LOCATION: 21 Ridgeview Road, London, N20 0HH

REFERENCE: B/03673/11

Received: 25 August 2011

Accepted: 06 September 2011

WARD(S): Totteridge

Expiry: 01 November 2011

Final Revisions:

APPLICANT: Central Property Villages Ltd

PROPOSAL: Erection of a two storey building including basement and rooms in the roofspace comprised of 4no 3 bedroom flats with associated landscaping works to front to provide 4no parking spaces including 1no disabled parking space, roof lights to the side and rear roof slopes, juliet balconies and bin storage following the demolition of existing bungalow

RECOMMENDATION: Approve Subject to S106 Agreement

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £23,397.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £312.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £5,046.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £1,437.75**
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/03673/11 under delegated powers subject to the following conditions: -

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

383-PA-01, 383-PA-02, 383-PA-03, 383-PA-04, 383-PA-05, 383-PA-06, 383-PA-07, 383-PA-08, 383-PA-09, DRAFT, Design and Access Statement (date received 25-Aug-2011);

383-PA-10 Rev A, 383-PA-15 Rev A, 383-PA-16 Rev A, 383-PA-17 Rev A, 383-PA-18 Rev A (date received 24-Oct-2011);

383-PA-11 Rev B, 383-PA-12 Rev B, 383-PA-13 Rev B, 383-PA-14 Rev B (date received 20-Feb-2012).

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 383-PA-10 Rev A 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), including the balustrades for the balconies and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. A sample board should be made available on site. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality and ensure a satisfactory appearance to the development.

6. 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.

7. Before the building hereby permitted is occupied any windows in the side elevations or side roof slopes shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening up to a minimum height of 1.7m above the internal room floor level, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

9. 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.

10. 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.

11. 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.

12. 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.

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

Reason:

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

14. No development shall take place until details of a Construction Management Plan have been submitted to and approved in writing by the Local Planning Authority. This should include the following details:

- Location of materials storage and site accommodation
- Details of vehicles and machinery to be used during the construction process
- Schedule of works including likely timescales
- Details of the hours of delivery/collection of materials to and from the site
- Enclosure of the site during construction
- Details of contractor parking

Reason:

To safeguard residential amenity and in the interests of Highway safety.

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, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, D1, D2, D3, D4, D5, D6, D11, M11, M12, M13, M14, H16, H17, H18, CS2, CS8, IMP1, IMP2.

Supplementary Planning Document: Sustainable Design and Construction;

Supplementary Planning Document: Planning Obligations;

Supplementary Planning Document: Contributions to Education;

Supplementary Planning Document: Contributions to Libraries;

Supplementary Planning Document: Contributions to Healthcare.

Core Strategy (Publication Stage) 2010: CS1, CS4, CS5, CS15.

Development Management Policies DPD: DM01, DM02, DM03, DM06, DM08, DM14.

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

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general locality and would provide housing without adversely impacting upon the amenities of neighbouring occupiers. The proposal would provide sufficient parking and would not cause local parking stress or harm the free flow of traffic. The proposal would be in accordance with the aforementioned policies.

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

2. Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

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

4. If the proposal is carried out, any new or modified vehicular crossovers will be constructed by the Highway Authority at the applicant's expense. The applicant is advised that any lighting column(s) or street furniture affected by the proposed works would be relocated under a rechargeable works agreement by the Council's term contractor for Highway Works at the applicant's expense. These works may not just relate to the lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street

lighting coverage is maintained along Ridgeview Road. You may obtain an estimate for the vehicle crossover works and any associated works on public highway from, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 29th March 2012 the Assistant Director of Planning and Development Management REFUSE the application ref: B/03673/11 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to meet the costs of extra libraries, health and social care facilities and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Documents - Contributions to Libraries (2008), Health (2009) and Monitoring (2007) and policies CS2, CS13, IMP1 and IMP2 of the Adopted Unitary Development Plan (2006).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1

PPS3

PPG13

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

Various including:

3.5 - Quality and Design of Housing Developments

7.4 - Local Character

Relevant Unitary Development Plan Policies:

GSD, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, D1, D2, D3, D4, D5, D6, D11, M11, M12, M13, M14, H16, H17, H18, CS2, CS8, IMP1, IMP2.

Supplementary Planning Document: Sustainable Design and Construction;

Supplementary Planning Document: Planning Obligations;

Supplementary Planning Document: Contributions to Education;

Supplementary Planning Document: Contributions to Libraries;

Supplementary Planning Document: Contributions to Healthcare.

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, CS4, CS5, CS15.

Relevant Development Management Policies DPD: DM01, DM02, DM03, DM06, DM08, DM14.

Relevant Planning History:

B/04410/10 Erection of a three storey plus basement building comprising of 4No. flats with four associated car parking spaces, following demolition of existing bungalow. Withdrawn 10/01/2011.

Consultations and Views Expressed:

Neighbours Consulted: 27
Neighbours Wishing To 3
Speak

Replies: 13

The objections raised may be summarised as follows:

- Out of character with the locality
- Make an unacceptable cumulative contribution to the conversion of houses to flats in Ridgeview Road
- Loss of a house
- Overdevelopment
- Visually obtrusive
- Excessive density
- Proposed development does not include a formal undertaking
- Proposed development is excessively high
- Provision of four parking spaces to the front would be out of character in the area, resemble a parking lot and present an excessive intrusion into the street scene
- Fails to provide visual interest at street level
- None of the proposed flats meet the London Plan 2011 space standards
- There are no flats on this road
- The road is not suitable for single tenants
- Loss of light to gardens
- Construction of a basement will affect foundations
- Great deal of noise and disturbance
- Application will make the traffic situation worse
- It is already difficult to get out of driveways safely because of obstructed view as well as obstructed entrance
- Local parking stress is demonstrably at saturation levels

- Loss of light
- Overlooking and loss of privacy
- Infringement of rights
- The existing bungalow is pretty
- Proposal will create a poor townscape
- Development is in direct conflict with council policies and guidance
- Balconies would overlook neighbouring gardens

Internal /Other Consultations:

Traffic & Development -

The proposal is for demolition of existing single dwelling and erection of 4 3-bedroom flats. A total of 4 off street parking spaces are proposed accessed via 2 crossovers, one new crossover and one existing crossover which will be widened.

The parking provision is in accordance with the parking standards set out in the London Borough of Barnet Adopted Unitary Development Plan 2006.

If the development is carried out it will be necessary for a new crossover to be constructed and for the existing crossover to be modified by the highways authority at the applicants' expense, any redundant crossovers must be reinstated to footway.

- Railtrack PLC - No response received
- Green Spaces (inc Allotments) - No response received

Date of Site Notice: 15 September 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached bungalow located on the northwestern side of Ridgeview Road. This road is predominantly residential in character comprised largely of single family dwellings which vary in style and age.

Finchley Catholic High School is to the south of the site, some 120m away. Totteridge and Whetstone Underground Station is some 680m to the north. The railway line runs along the rear of the site.

There is a level change on the site with the levels dropping down to the rear. The rear garden has a depth of approximately 14m.

The existing property is neither Listed or within a Conservation Area.

It should be noted that there is not a No.19 Ridgeview Road, therefore the adjacent properties are No.17 and No.23.

Proposal:

This application seeks planning permission for the erection of a two storey building including basement and rooms in the roofspace comprised of 4no 3 bedrooms flats with associated landscaping works to front to provide 4no parking spaces including

1 no disabled space, roof lights to the side and rear roofslopes, juliet balconies and bin storage following the demolition of existing bungalow.

The proposed building would measure 10.9m wide, 9.5m high (to the ridge of the roof) and would have a maximum depth of 12.2m (this includes the front gable and single storey rear projection).

The existing bungalow measures 10.55m wide, 5.05m high (to the ridge) and has a maximum depth of 9.9m (this includes the garage).

The proposal also includes the provision of 4 car parking spaces to the front which would see the removal of the existing front garden area which is currently partly soft landscaped. One of the spaces would be a disabled parking space.

Refuse bins and storage are going to be located within a recess in both sides of the building.

Communal amenity space will be provided to the rear.

Balconies are proposed within the rear elevation of the building at ground floor (above the basement).

Planning Considerations:

The principle of demolishing the existing bungalow and replacement building providing flats

One predominant characteristic of the area is that it is largely comprised of single family dwellings. There are however a number of purpose built flatted developments located further along Ridgeview Road. The principle of converting the subject property into flats is considered to be acceptable for the following reasons.

Firstly, whilst the predominant character of this area is single family homes, as already mentioned, there are already examples of purpose built flatted developments in the locality some 120m to the east on Woodside Avenue and 140m to the southeast on Holden Avenue. Furthermore No.29 Ridgeview Road has been converted into two units as indicated on Council Tax Records. Whilst it can be argued that the majority of properties along this road are single family dwellings, it does not automatically mean that flatted developments are unacceptable. The building has been designed to reflect a house more than a block of flats. Whilst the design of the building does not fully reflect that of the properties either side, the properties along Ridgeview Road are an eclectic mix and there is no defining character in terms of property styles. The building is considered to sit well within the site, retaining sufficient space around it to ensure that it does not appear cramped or shoe-horned into the site. Given that it would harmonise well with the existing and neighbouring development around it, it is not considered to stand out nor be visually obtrusive or overly dominant in the street scene.

Given that the existing property is a bungalow and the proposed building is two storey with rooms in the roofspace and basement accommodation, there is inevitably an increase in the volume of the building including an increase in height. However given that the properties either side of this site are two storey and that in fact the bungalow is considered to be an anomaly in the street given that two storey

dwellings are the predominant building type, a two storey replacement building is considered to be in keeping with the local character. The ridge of the roof would be slightly lower than that of No.23 and is therefore not considered to detract from the character of the road. It would be higher than No.17 however this property is also very different to others in the road in terms of size and design.

Secondly, this property is located on a well trafficked road which is also located near to Totteridge and Whetstone Underground Station as well as Finchley Catholic High School. Due to the proximity of the school and to some extent, the station, it attracts on street parking and related pedestrian activity. Accordingly the comings and goings which may be generated as a result of this development is not considered to significantly alter the character of this road given the existing backdrop of daily activity in this part of the road. Whilst the numbers of people living in this building would increase as a result in the increase of accommodation, Ridgeview Road is not considered to be a particularly quiet or sensitive residential locality and it is considered that the proposal would not lead to harmful disruption of the character of the area. Given the detached nature of the site, the proposal is not considered to result in additional noise and disturbance which would be particularly noticeable or detrimental to the neighbours amenities or the character and appearance of the area.

Thirdly, the new building has been designed in such a way that it would not readily be noticeable from the street that it contains flats rather than one large family dwelling. There would be a single entrance to the building. The bins have been placed to the side of the building, within recesses. The refuse bins may well be visible from the street scene from certain perspectives however it is not uncommon to see refuse bins stored to the front of properties in established residential areas. Amenity space will be provided in the form of a communal garden area and will therefore not be subdivided to provide private gardens thus ensuring that the character of the locality is not compromised. The proposal would see the creation of a hardstanding to the front providing parking for up to four vehicles. Parking is provided to the front of the existing property however there is also a front garden. Notwithstanding this point, many properties along Ridgeview Road have hard surfaced over the front garden areas to provide parking and indeed for single family dwellings, these works do not require planning permission subject to certain conditions. The replacement of the front garden with a parking area would not be out of character with the road and would not warrant the refusal of this application.

Fourthly, this development would see the provision of larger units providing family accommodation. Within the emerging Core Strategy and the Development Management Policies DPD it is noted that there is a shortfall of larger homes and an over provision of 1 and 2 bed units. The existing bungalow has 3 bedrooms. The proposal would see 4no 3bed units. This is not considered to be at the detriment of the local character or amenity which will be discussed later. Instead it would see the provision of larger units in a sustainable location on a brownfield site.

Residential Amenity

The level of amenity afforded to the future occupiers of these units and the occupiers of neighbouring properties is considered to be acceptable.

The size of the building has been amended during the course of the application to ensure that it would not be overly dominant or visually intrusive to neighbouring occupiers.

The property most affected by the proposal would be No.17. This property is a two storey dwelling centrally placed within the site with a detached single storey garage located close to the boundary with the application site. The western flank wall is therefore set off the common boundary by approximately 4.5m. It has a number of side-facing windows serving what appears to be non habitable rooms. One of the windows is obscure glazed (at first floor) and there is also a window within the roofspace. There may well be windows within the side at ground floor however any view from these would be obscured by the existing garage. The main habitable room windows face the front and the rear. The inclusion of the basement and the associated lightwells are not considered to have a greater visual impact on No.17 given that it would not be largely visible from within this neighbouring site. In terms of the main two storey part of the new building, it would be visible from the rear garden area of the site however it would not be overly visible or indeed overbearing. The new building would extend some 3.7m beyond the rear wall of No.17 (this includes the ground floor projection on the new building) however this relationship would be very similar to that currently seen between the bungalow and No.23. It is considered that in light of the separation distance between the dwelling at No.17 and the flank wall of the new building, this would ensure that the flank wall of the new building would not be overbearing or result in a loss of outlook detrimental to the amenities of the occupiers of No.17.

In terms of daylighting and sunlighting it is considered that there should be little impact to the side windows of both No.17 and No.23 given the orientation of the site and its relationship with the adjoining properties. As mentioned previously, the side windows appear to be for non habitable room windows.

The size of the units is considered to largely accord with the standards set out in the Mayors London Plan 2011. Given the number of bedrooms and their sizes, Flats 1 and 2 are 3 bed 5 person flats and the minimum floorspace standards is 86sqm. Flats 3 and 4 are 3 bed 4 person flats and the minimum floorspace standards for such units is 74sqm. The floor spaces proposed are as follows:

Flat 1 - 88 sqm

Flat 2 - 85 sqm

Flat 3 - 74 sqm

Flat 4 - 77 sqm

Flat 2 would fall short of the minimum floor space by 1sqm however this is not considered to be to the detriment of the future occupiers of these units. The development proposal is considered to be of a high quality providing much needed family housing. The slight shortfall is not considered to warrant the refusal of this application.

The room layout of the units is sufficient to ensure minimal noise and disturbance either side by side or above (in terms of stacking).

Any increase in noise and disturbance to neighbours from future occupiers of the proposed flats using the parking spaces would be minimal in view of background traffic noise. The comings and goings which will be generated as a result of this development are also considered to be minimal and would not be overly noticeable over and above other activity along this road.

Policy H18 requires that new development provide adequate levels of amenity or garden space. This will help to protect and improve the quality of residential areas and maintain living standards. For flats, it could be provided communally around the building but must be usable. a minimum of 5 square metres per habitable room is required for flats. Communal space to the rear with minimal alterations has been proposed which is considered appropriate given the character and appearance of the site and adjacent sites rather than to allow for the subdivision of the garden. All flats will have access to the communal amenity area. The two ground floor units would have direct access to the garden area however no concerns are raised in respect of privacy or overlooking. This type of relationship is found in many purpose built flatted developments and therefore this part of the proposal is not considered to be unacceptable or inappropriate.

Balconies are proposed at ground floor level however these would be recessed within the building. The ground floor balconies are not considered to result in overlooking into neighbouring gardens at a level higher than what may currently exist. There are level changes to the rear of the site which means that the houses are higher than the gardens. Indeed neighbouring property No.23 has a raised decked area leading from the house into the garden which does allow for some overlooking into the application site. The ground floor balconies are not considered to be any worse than the degree of mutual overlooking which may occur if people were to stand within the rear garden. At first floor large doors are proposed with railings across (Juliet balconies). These are not considered to result in any higher degree of overlooking than what may exist from the first floor windows of both No.17 and 23.

A condition has been recommended to ensure that any windows in the side roof slopes facing both No.17 and 23 are obscured glazed if less than 1.7m above the internal floor level to ensure that there is no undue overlooking from the units to neighbouring properties and their gardens.

It is therefore considered that the proposal would comply with saved UDP policies D5 and H23.

Parking

Adequate parking for this site is required. Saved UDP policy M14 requires 1 to less than 1 space per unit for a flatted development. Spaces should be able to be accessed independently and the access to the site should be unobstructed.

The parking provision is considered to be acceptable and in accordance with the requirements laid out in Policy M14. Therefore this development is not considered to increase any parking stress which may occur in the locality nor is it considered to cause conflicting movements on the highway or result in more accidents. No objections have been raised by Highways.

Section 106 Contributions

The purpose of planning obligations is to make acceptable development which would otherwise be unacceptable in planning terms. Circular 05/2005 sets out (at paragraph B5) five policy tests which must be met by the LPA when seeking planning obligations. In addition, Regulation 122 of the Community Infrastructure Levy Regulations, which came into force on 6 April 2010, makes it unlawful for a planning obligation to be taken into account in determining a planning application if it does not meet the three tests set out in Regulation 122. These statutory tests are

based upon three of the five policy tests in Circular 5/2005 at paragraph B5 (tests (ii), (iii) and (iv)). A Community Infrastructure Levy scheme for Barnet has not yet been adopted.

Education needs generated by the development

Circular 05/2005 supports the use of planning obligations to secure contributions towards the provision of educational facilities, provided that they are directly related to the development proposal, the need for them arises from its implementation, and they are related in scale and kind.

This scheme would provide additional residential units that it is considered would generate an increased demand for educational facilities in the area. The calculation of additional demand (SPD para's 4.6-4.14), existing facilities and capacity (SPD para's 5.5-5.12), method of calculating the required contribution (SPD para's 3.1-3.15 and 4.1-4.5), and use of the contributions (SPD para's 5.13-5.14) are set out in the Council's SPD "Contributions to Education" adopted in February 2008.

It is considered that a financial contribution towards future education facilities is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this.

To accord with UDP Policy CS8 and the SPD the proposed scheme would require a contribution of £23,397.00 plus a monitoring fee of 5%.

Contributions to library services

Circular 5/2005 "Planning Obligations" supports the use of developers contributions to mitigate the impacts of new development, where it would give rise to a need for additional or expanded community infrastructure.

The increase in population resulting from development is expected to place serious pressures on libraries, which are already required to meet all the needs of Barnet's diverse community. Developer contributions are therefore necessary to ensure service provision mitigates the impact of their development activity.

The Council's adopted SPD "Contributions to Library Services" sets out the Council's expectations of how developers will be able to contribute to the provision and delivery of a comprehensive and efficient library service, with the aim of opening up the world of learning to the whole community using all media to support peoples educational, cultural and information needs. The SPD provides the calculation of additional demand (para's 4.10-4.12), existing facilities and capacity (para's 1.1-1.4 & 2.5), method of calculation (para's 2.4 & 3.1-3.11), and use of funds (para's 5.1-5.7).

It is considered that a financial contribution towards library services is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this.

To accord with UDP Policy CS2 and the SPD the proposed scheme would require a contribution of £312.00, plus a monitoring fee of 5%.

Contributions to Health facilities

Circular 05/2005 supports the use of planning obligations to secure contributions towards the provision of health facilities, provided that they are directly related to the development proposal, the need for them arises from its implementation, and they are related in scale and kind.

This scheme would provide additional residential units that it is considered would generate an increased demand for health facilities in the area. The calculation of additional demand / method of calculating the required contribution (SPD para's 6.1-6.4), existing facilities and capacity (SPD para's 5.7-5.18), and use of the contributions (SPD para's 8.1-8.4) are set out in the Council's SPD "Contributions to Health" adopted in July 2009.

It is considered that a financial contribution towards future health facilities is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this.

To accord with UDP Policy CS13 and the SPD the proposed scheme would require a contribution of £5,046.00 and a monitoring fee of 5%.

A Section 106 Agreement will accompany this application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning grounds of objection have largely been covered above. However the following comments can be made:

Issues relating to foundations are not a material planning consideration.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties. It would result in the provision of family dwellings in a sustainable location on a brownfield site. 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.

It is therefore recommended that the application be **APPROVED**.

SITE LOCATION PLAN: 21 Ridgeview Road, London, N20 0HH

REFERENCE: B/03673/11



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LOCATION: 18 Harmsworth Way, London, N20 8JU

REFERENCE: B/04243/11

Received: 14 October 2011

Accepted: 19 October 2011

WARD(S): Totteridge

Expiry: 14 December 2011

Final Revisions:

APPLICANT: Mr & Mrs Treyster

PROPOSAL: Erection of a two storey detached dwellinghouse with rooms in roofspace and basement accommodation.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 140-A-(00)-L001, 140-A(00)-P100, 140-A(00)-L002, 140-A(00)-E100, 140-A(20)-L001, 140-A(20)-P201 B, 140-A(20)-P101 B, 140-A(20)-P001 B, 140-A(20)-E104 B, 140-A(202)-E103 B, 140-A(20)-E102 B, 140-A(20)-E101 B, 140-A(20)-S102 B, 140-A(20)-S101 B, 140-A(20)-P401 B, 140-A(202)-P301 B.

Reason:

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

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

Reason:

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

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

Reason:

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

4. Before the development hereby permitted commences, 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.

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

Reason:

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A-H of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwelling house hereby approved without the prior written permission of the local planning authority.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

7. 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.

8. The roof of the ground floor rear projection hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

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

9. Before the development hereby permitted commences 1:10 scale details of all windows and doors including sections through, frames, openings, materials and colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and maintained thereafter.

Reason:

To safeguard the visual amenities of the Conservation Area.

10. Before the development hereby permitted commences 1:10 scale details of the lantern rooflight shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the development.

11. Notwithstanding the details shown on the hereby approved drawings, the rooflights hereby approved shall be of a "conservation" type set flush in the roof.

Reason:

To safeguard the character and appearance of the Conservation Area.

12. Before the building hereby permitted is occupied the proposed windows in the first floor flank elevation facing No. 16 Harmsworth Way shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

13. Before the development hereby permitted commences details of the position, height and material of any boundary enclosures shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the Conservation Area and the amenities of neighbouring residents.

14. 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.

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

Reason:

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

16. 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.

17. 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.

18. 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.

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):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D5, H1C1, HC5, H16, H17, H18, M14.

Core Strategy (Submission version) 2011:

CS5

Development Management Policies (Submission version)2011:

DM01

PPS1 - Delivering Sustainable Development

PPS5 - Planning for the Historic Environment

ii) The proposal is acceptable for the following reason(s): - The proposed replacement dwelling is considered to be in keeping with the scale, appearance and character of the Harmsworth Way street scene preserving the character and appearance of this part of the Totteridge Conservation Area. The development is not considered to have a detrimental impact on the amenities of the adjoining residents and is in accordance with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS5 - Planning for the Historic Environment

The Mayor's London Plan: July 2011

7.4 and 7.8

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GBEnv4, D1, D2, D5, HC1, HC5, M14, H16, H17, H18.

Totteridge Conservation Area Character Appraisal Statement 2008

Core Strategy (Submission version) 2011

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01

Relevant Planning History:

Application Number: B/01005/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/04/2011
Proposal: **Demolition of existing building and erection of a two storey detached dwellinghouse with rooms in roofspace and basement.**

Site Address: 18 Harmsworth Way, London, N20 8JU
Application Number: B/01006/11
Application Type: Conservation Area Consent
Decision: Approve with conditions
Decision Date: 21/04/2011
Proposal: **Demolition of existing dwellinghouse. (CONSERVATION AREA CONSENT)**

Application Number: N00547L/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 29/09/2008
Proposal: **Erection of a building at rear to house indoor swimming pool, plant room and a gym area.**
Case Officer: Martin Westwood

Application Number: N00547E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/01/1974
Proposal: **First floor rear extension.**

Application Number: N00547D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/01/1973
Proposal: **First floor side and rear extensions**

Application Number: N00547A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/01/1967
Proposal: **Front and rear extensions to house.**

Application Number: N00547
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 31/03/1966
Proposal: **Extension at rear to form laundry room.**

Application Number: B/00161/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 07/03/2011
Proposal: **Extension to time limit for implementing planning application N00547L/07 granted 22/09/08 for "Erection of a building at rear to house indoor swimming pool, plant room and a gym area".**

Consultations and Views Expressed:

Neighbours Consulted: 25
Neighbours Wishing To Speak: 0

Replies: 3

The objections raised may be summarised as follows:

- Overbearing form of development
- Overdevelopment
- The house is already big enough and will impede views and overshadow other houses in the road
- Noise and disturbance from construction
- Proposal lacks any architectural merit, the treatment of the front elevation appears out of keeping with the street scene
- This property is very visible from the rear of properties in Pine Grove and the treatment of the rear elevation which appears out of keeping would adversely impact on them

Internal /Other Consultations:

Urban Design and Heritage:

No objections to amended scheme.

Totteridge Conservation Area Advisory Committee:

Comments received in response to original proposal:

This proposal lacks any architectural merit and does nothing to conserve or enhance this part of the Conservation Area. The treatment of the front elevation is out of balance and unattractive, and not in keeping with the street scene. The comments made in the March minutes concerning an earlier application for this site remain relevant and are repeated, *“The rear of this proposal would be highly visible from the properties in Pine Grove and it is thought that the treatment of this elevation is out of keeping and wholly unacceptable. The design of the proposed fenestration lacks consistency of design. The proposed increased footprint would result in the spaces between adjacent properties being reduced and would result in an undesirable terracing effect, which would be out of keeping with the street scene and the Conservation Area”*.

Comments by the CAAC in reference to the amended plans had not been received at the time of writing the report. These will be reported verbally at the meeting.

Date of Site Notice: 27 October 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached dwelling house located on the northern side of Harmsworth Way which has recently been demolished. The site is within Area 4 of the Totteridge Conservation Area (CA). The Totteridge CA Character Appraisal notes this area as comprising of *“inter-war and post-war suburban cul-de-sacs”*. One of its principal negative features being; *“there is pressure for redevelopment of properties and replacement with much larger properties of a more grand design”*.

Harmsworth Way is characterised by a variety of two storey dwellings, with strong front building lines which follow the curve of the road. Each dwelling is positioned on its plot in such a way that there are gaps between properties giving views of vegetation and mature planting. This is a strong characteristic of the Totteridge CA.

Whilst the majority of the existing dwellings along Harmsworth Way cannot be considered to be of exemplar architectural quality, they do form a cohesive group of inoffensive residential properties, both modest in design and detailing.

The drop in levels affecting the site gives rise to several instances of lower ground floor level accommodation within properties on this side of the street.

Proposal:

The application seeks planning consent for the erection of a two-storey replacement dwelling house. It follows the recent approval of the demolition (B/01006/11) and replacement (B/01005/11) of the dwelling that previously occupied the site.

The proposed dwelling would be 2 storeys with accommodation within the roof space and at lower ground floor level. The upper floor footprint would be 14.6m wide and 11.8m deep with a flat roof ground floor projection on the west side of the building projecting an additional 3.8m. The lower ground level accommodation would have a maximum depth of 21m with a terrace above similar to what existed at the original dwelling (which has since been demolished). The building would have a pitched crown roof with a forward projecting gable on the west side of the property. 2no. conservation style roof lights are proposed to the west facing roof slope and 3no. dormer windows are proposed to the rear elevation. The building would have a total height of 8.5m although from the rear, given the drop in levels and exposure of the basement level would be 11.5m tall.

Planning Considerations:

It was previously considered that the design, scale and detailing of the replacement dwelling approved under B/01005/11 would preserve the character and appearance of this part of the Totteridge Conservation Area. In addition it was not considered that the dwelling would have a significantly adverse impact on the adjoining residents when taking account of the existing relationships and those approved under previous applications for extensions and alterations to the building. The existing dwelling was of no historic or architectural significance and as such Conservation Area Consent for its demolition was granted subject to its suitable replacement.

The proposed dwelling subject of this application would have a similar siting and footprint of that approved under application B/01005/11 but would differ in its design and appearance and in the arrangement of the internal accommodation. The previously approved car lift has been omitted in favour of an integral double garage at ground floor level and the basement consists largely of staff accommodation. The building is narrower than previously approved and is of a more restrained design similar to those which characterise the street. The lower ground level would be more exposed under the current proposals and dormer windows rather than rooflights are proposed on the rear elevation.

Given that the relationship with the neighbouring properties remains largely as approved it is not considered that the development would have an obtrusive or overbearing impact on the occupiers of either of these adjoining properties. Whilst the rear of the building would appear 1m taller than that previously approved, it is not

considered to be an obtrusive or overly dominant form of development given it is some 60m from the rear northern boundary with properties on Pine Grove and over 90m from the rear walls of the adjoining property in Pine Grove.

The design and appearance is considered to be acceptable and in keeping with the characteristics of properties in the street. The proposals have been amended during the course of the application to reduce the bulk and depth of the roof to ensure that its bulk and subsequent impact on the character and appearance of the street scene is no different to that previously approved. The amended roof form is now considered to relate well to the general street scene and the proposed dwelling is considered to preserve and enhance the character and appearance of this part of the Totteridge Conservation Area.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed above.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal is considered to have an acceptable impact on the amenities of the occupiers of adjoining residential properties and would be in keeping with the character and appearance of the street scene and this part of the Totteridge Conservation Area. The proposals are in accordance with planning policy and guidance and approval is therefore recommended.

SITE LOCATION PLAN: 18 Harmsworth Way, London, N20 8JU

REFERENCE: B/04243/11



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LOCATION: Pavement outside B & Q High Road, Whetsone, London, N20
OPD
REFERENCE: B/00406/12 **Received:** 01 February 2012
Accepted: 01 February 2012
WARD(S): Totteridge **Expiry:** 27 March 2012

Final Revisions:

APPLICANT: Vodafone UK LTD

PROPOSAL: Installation of a 12.5m high telecommunications mast with associated equipment cabinet.
(TELECOMMUNICATIONS INSTALLATION)

RECOMMENDATION: Grant Conditional Prior Approval

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
100, 200, 300, Supplementary Information, Cornerstone: Supporting Technical Information for O2 and Vodafone, General Background Information for Telecommunications Development, Declaration of Conformity with ICNIRP Public Exposure Guidelines (date received 1-Feb-2012);

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 commences, details of the colour of the mast and equipment cabinets 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.

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): GBEnv1, GBEnv2, D1, D2, D16.

Core Strategy (Submission version) 2011: CS5

Development Management Policies (Submission version)2011: DM18

ii) The proposal is acceptable for the following reason(s): -
The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general street scene. It is not considered to have an adverse impact on residential amenity or on the visual amenities of the locality. A sufficient number of alternative sites have been assessed and overall the development is considered to have overcome the previous reasons for refusal and now accords with the aforementioned policies.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPG8 - Telecommunications

The Mayor's London Plan: July 2011

Various

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D16.

Core Strategy (Submission version) 2011

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS5

Relevant Development Management Policies:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

DM18

Relevant Planning History:

Site Address: 1201 High Road, London, N20 0PD (Land Fronting B & Q Store)
Application Number: B/04363/11
Application Type: Telecommunications Prior Notification
Decision: Prior Approval Required & Refused
Decision Date: 02/12/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of a 15m high mast containing 3 antennas and adjacent equipment cabinet. TELECOMMUNICATIONS APPLICATION**
Case Officer: Lisa Cheung

Consultations and Views Expressed:

Neighbours Consulted: 42
Replies: 1 (any further replies will be reported at the meeting)
Neighbours Wishing To Speak: 0

The objections raised may be summarised as follows:

- Visually detrimental to the area
- Object to the look of the pole
- Have seen some poles which look like trees

Internal /Other Consultations:

Highways - No response received at the time of writing the report. Any response will be reported at the meeting.

Date of Site Notice: 09 February 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to land to the front of B&Q Superstore on the western side of High Road. This part of the road is predominantly commercial in character.

Proposal:

This application seeks consent for the erection of a 12.5m high column incorporating one antenna with associated equipment cabinet. This application follows the submission of application reference B/04363/11 which was refused in December 2011 on the following grounds -

The pole and associated equipment by reason of their height, size, siting and lack of screening on this prominent location would be unduly obtrusive in the street scene causing harm to the character and appearance of this part of the High Road contrary to policies GBEEnv1, D1, D2 and D16 of the Adopted London Borough of Barnet Unitary Development Plan 2006 and advice in PPG8.

Insufficient evidence of satisfactory assessment of alternative pavement sites to provide the optimal location has been provided contrary to policy D16 of the Barnet Adopted Unitary Development Plan (2006) and PPG 8 - Telecommunications.

The proposed development falls under Part 24 of the General Permitted Development Order and as such the LPA must consider the siting and design of the equipment described above.

Prior approval for the siting and appearance of the proposal is required.

The proposal is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP) and the application has been provided with the appropriate declaration of conformity.

The applicant submitted all relevant information for the Local Authority to assess the scheme.

The installation includes a 12.5m high mast, 1 cabinet and 1 meter pillar and would be sited to the back edge of the pavement.

Planning Considerations:

Council's policies in relation to the siting and appearance of telecommunications equipment generally seek to ensure that their installation does not create adverse environmental effects on the local area surrounding the particular site. It is important to note that equipment encompasses both masts and cabinets.

It is considered that a base station in this location is acceptable given the height of surrounding buildings, the set back from the road, the position of other street furniture, the width of the pavement and the adjacent lay by.

The current application includes a number of amendments to the previous scheme including a reduction in height from 15m to 12.5m. The lamp posts along the A1000 are generally 10m high but no more than 12m. Whilst the proposed mast would be higher than the lampposts maximum height, this increase would not be discernible along this part of the street. The pole is not considered to be out of character with the area nor would it appear as a stand alone feature given its reduced height and the back drop of larger buildings including Barnet House and Edelman House, on the opposite side of the road.

Paragraph 78 of PPG8 states that in considering the design of an individual development, and particularly any mast development, careful consideration should be given to screening and planting. Given the location of the installation on a busy road just within a town centre and the proximity of the bus stop and the B&Q Superstore, it would be difficult to provide a degree of planting or screening. It is therefore considered that the reduction in height is sufficient enough to address the concerns raised in respect of the impact of the installation on the character and appearance of the street scene.

Information has been submitted in respect of alternative sites. Application B/04363/11 was partly refused on the grounds that there was insufficient evidence of satisfactory assessment of alternative pavement sites. The information submitted as part of the current application does include the assessment of pavement sites as well as roof top sites. It is also noted that the proposal itself would allow two operators to share the same mast, thereby avoiding a further installation. From the submitted evidence, it is accepted that fixing a mast to a tall building or other structure within the deficiency zone may not be feasible given the issues relating to coverage and safety. It is considered that given the number of alternative sites which have been considered for a ground based mast, the applicant has carried out sufficient assessment of alternatives. This would accord with UDP policy D16 that requires, amongst other things, that the possibility of mast sharing and erecting antennas on existing buildings or other structures has been fully explored. It would also comply with relevant guidance in PPG8.

It is considered that the current proposal would not have a significantly harmful impact on the character and appearance of the application site and general street scene. It is considered to have overcome the previous reasons for refusal and is therefore recommended for approval.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Dealt with in the planning appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

This application is considered to comply with national and local planning policies and is recommended for approval subject to conditions.

SITE LOCATION PLAN: Pavement outside B & Q High Road, Whetsone,
London, N20 0PD

REFERENCE: B/00406/12



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LOCATION: 57-59 Bells Hill, Barnet, Herts, EN5 2SG

REFERENCE: B/03997/11

Received: 23 September 2011

Accepted: 29 September 2011

WARD(S): Underhill

Expiry: 29 December 2011

Final Revisions:

APPLICANT: Lily Mae Jack LLP

PROPOSAL: Demolition of existing dwellings at 57-59 Bells Hill and erection of a two storey block with rooms in the roofspace and basement to provide a total of 12no residential units. Associated off-street parking, refuse store, cycle storage and landscaping.

RECOMMENDATION: Approve Subject to Unilateral Undertaking

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £20,522.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £1,285.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £9,225.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £1,396.44**
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/03997/11 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: C067-01 rev A, C067-03 rev A, 57BH P120, C067-02 rev A, 57BH P113, 57BH P111 rev.04, 57BH P110 rev.03, 57BH P119 rev.01, Energy Statement by AJ Energy Consultants Limited, Planning Statement, Design and Access Statement.

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 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.

4. Before the development hereby permitted is occupied the parking spaces shown on Plans 57BHP110 rev. 03 and 57BHP111 rev. 04 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

5. Before this development is commenced, details of the levels of the building, road and footpath in relation to adjoining land and highways 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.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment, which shall include appropriate acoustic fencing along the open part of the boundary with and to the rear of No. 1 Lexington Way, shall be completed before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason:

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

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

Reason:

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

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) access to the site
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) hours of operation, including times of delivery;

- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of security hoarding;
- vii) wheel washing facilities;
- viii) measures to control the emission of dust and dirt during construction;
- ix) a scheme for recycling/ disposing of waste resulting from demolition and construction works.

Reason:

To safeguard the amenities of adjoining residents and in the interests of highway and pedestrian safety and the free flow of traffic.

12. The level of noise emitted from the air source heat pumps 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.

13. Before the building hereby permitted is occupied the proposed windows in the first floor north east flank elevation facing towards 55 Bells Hill and the rear of properties on Dunster Close shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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):

GBCEnv1, GBCEnv2, D1, D2, D5, H5, H16, H17, H18, M11, M12, M13, M14, CS2, CS3, CS8, CS13, IMP2.

Supplementary Planning Documents:

Planning Obligations

Affordable Housing

Sustainable Design and Construction

Contributions to Education

Contributions to Health Facilities from Development

Contributions to Libraries

Core Strategy (Submission version) 2011:

CS1, CS4, CS5, CS11.

Development Management Policies (Submission version)2011:

DM01, DM02, DM03, DM08, DM10.

- 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 street scene and visual amenity of the general locality. The development would not have any adverse impacts on the amenities of the adjoining residents and would provide an acceptable standard of accommodation for future occupiers. The development is not considered to compromise highway or pedestrian safety or be detrimental to the free-flow of traffic. The proposals are in accordance with the aforementioned policies and the proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.
2. Any new or amended crossovers will be subject to detailed survey by the Crossover Team as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense. Any street furniture affected by the proposed works would be relocated at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
3. If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

RECOMMENDATION III

That if an agreement has not been completed by 29/03/2012, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application B/03997/11 under delegated powers for the following reason/s:

1. 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 London Borough of Barnet Adopted Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education,

Supplementary Planning Document - Contributions to Health Facilities from Development and Supplementary Planning Document - Contributions to Libraries.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS3 - Housing

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, H5, H16, H17, H18, M11, M12, M13, M14, CS2, CS3, CS8, CS13, IMP2.

Supplementary Planning Documents:

Planning Obligations

Affordable Housing

Sustainable Design and Construction

Contributions to Education

Contributions to Health Facilities from Development

Contributions to Libraries

Core Strategy (Submission Version) 2011

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS1, CS4, CS5, CS11.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01, DM02, DM03, DM08, DM10, DM13.

Relevant Planning History:

57-59 Bells Hill

B/02741/10 - Refused 31/08/2010, Appeal Allowed 25/01/2012

Erection of a two-storey block with rooms in the roofspace and basement to provide a total of 9no. residential units with Use Class D1 within the basement. Associated off-street parking, refuse store, cycle storage and landscaping.

B/01899/09 - Refused, Appeal Dismissed 18/02/2010

Erection of a two-storey block with rooms in the roofspace and basement to provide a total of 9no. residential units with Use Class D1 within the basement. Associated off-street parking, refuse store, cycle storage and landscaping.

Land to the rear of 57-59 Bells Hill

B/03960/11 - Refused 01/11/2011

Extension to time limit for implementing Planning Permission reference B/02519/08 dated 24/09/2008 for construction of a 2 storey single family dwelling house incorporating accommodation within the roofspace and rear dormer window, attached single garage and rear garden.

B/02519/08 - Approved 24/09/2008

Construction of 2 storey single family dwelling house incorporating accommodation within the roofspace and rear dormer window, attached single garage.

1 Lexington Way

N10104B/08 - Approved 04/04/2008

Demolition of garage. Erection of two-storey side extension, part single, part two-storey rear extension and roof extension with rear dormer window.

Consultations and Views Expressed:

Neighbours Consulted: 139

Replies: 19

Neighbours Wishing To Speak; 2

Petitions: 1 received with 41 signatures.

The objections raised may be summarised as follows:

- The massing of the building is significantly larger than the existing buildings on the site; it is taller than the existing building and will fit the width of 2 plots which will affect the amount of daylight received by opposite properties on Bells Hill;
- Some occupants may have more than 1 car or will have visitors that will park on the street putting additional strains on parking in the vicinity where it is already an issue;

- Increased traffic on the road and noise and disturbance;
- The use of the loft space for apartments will mean that properties opposite would be more overlooked;
- Loss of a local service;
- Loss of vegetation and soft ground for wildlife and green environment;
- Loss of views
- Proximity of building to the roads resulting in a dominating and overbearing presence on the street;
- Basement accommodation will require additional excavation down around paths with retaining walls having an adverse impact on the appearance of the road
- There is a shortage of family homes in the area;
- Noise, disturbance and pollution associated with demolition and building
- Loss of gaps between existing buildings and reduction in green areas will result in an increase in architectural acoustics and reverberation amongst adjacent buildings causing a nuisance;
- Proposed planting strip to the north east boundary to provide privacy is unrealistic plants/ trees take a considerable time to grow ensuring no privacy;
- Loss of light from the planting;
- Loss of privacy, light and view to Dunster Close properties;
- Nuisance from external lighting and vehicle lights
- Additional costs to existing residents arising from increased security measures
- Impact on subsidence/ landslide once the stable ecosystem has been destroyed
- Loss of garden space for parking
- Risks associated with the sinking of the building to work around its inappropriate height
- Question the statement of the applicant that there is a demand for non-family housing in the area such as that which is proposed
- Planning should be driven by real housing needs rather than the preservation of the profit margins
- Impact on highway safety and free flow of traffic, access for emergency vehicles is already difficult due to the high amount of on-street parking
- Relocation of the doctors surgery would make it inaccessible for many less mobile who currently use the facility
- Impact on the oak tree on the edge of the site which is protected - a tree survey must be required before works are carried out
- There is an empty building site up the road, this should be developed first;
- There are many derelict buildings on the Barnet Hospital site that should be developed for housing first before perfectly good dwellings are demolished
- There is an increasing bat population around this part of Bells Hill and it would be a shame if their habitat was destroyed
- Application assumes consent for a house to the rear of the site on Lexington Way will be extended
- Out of keeping with the character of the area
- Impact on drainage

Internal /Other Consultations:

Environmental Health

The energy statement indicates that air source heat pumps will be installed within the development. As such it is recommended that conditions are imposed to ensure that the noise emitted from this equipment is not detrimental to the amenities of future or neighbouring occupiers.

Barnet NHS (Former PCT)

No comments received. See comments within the planning appraisal below.

Date of Site Notice: 06 October 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located on the eastern side of Bells Hill at the junction with Lexington Way. The character of the surrounding area is mixed but residential dwellings predominate. Dwellings in the locality comprise mainly of detached and semi-detached houses although there are a number of purpose built flatted developments to the north east of the site. To the west lies buildings forming part of Barnet Hospital

The application site is currently occupied by 2no. two-storey detached dwellings. No. 59 which is on the corner accommodates a doctor's surgery on the ground floor and a residential flat above. No. 57 is a single family dwelling house. The site has a frontage to Bells Hill of about 15m and to Lexington Way of some 36m. There are significant changes in levels across the site with the land sloping down from Bells Hill to the boundary with No. 1 Lexington Way.

Proposal:

The application seeks planning permission for the erection of a block of 12no. flats on the site following the demolition of the existing buildings. The building would be two-storeys in the main although there would be accommodation in the roof and at lower ground floor level owing to the drop in levels at the site. Parking is proposed to the front and rear of the building and amenity space would be provided through a mix of private balconies and terraces and communal space to the rear.

The proposed block would comprise of a total of 12 self-contained residential units (1no. 3 beds, 9no. 2 beds and 2no. 1 beds) and 12no. parking spaces would be provided for the development as well as cycle store facilities.

Planning Considerations:

Planning History:

The application follows 2 similar applications for redevelopment of the site. Both applications involved the creation of 9 residential units and the provision of D1 facilities within the basement. Both applications were refused by the LPA, the earlier scheme was subsequently dismissed at appeal and the most recent was granted at appeal in January 2011. This scheme (reference B/02741/10) is extant and is a material consideration in this case.

Character and Appearance:

The building proposed subject of this application is the same as that approved at appeal in terms of its siting, footprint, massing, design, height, scale and appearance. The changes proposed under this application are to the internal layout of the building and the layout of the parking and amenity area to the rear. The D1 accommodation (previously designated for use as a doctors surgery, physiotherapist's, acupuncturists, homeopathy, chiropractors or psychiatrists as a condition of the grant of planning permission) is no longer proposed and instead it is proposed to utilise this floorspace for a further 3 residential units.

The Inspector who determined the appeal considered that whilst detached dwellings remained the dominant characteristic on Lexington Way that the existing 3 storey apartments were now a major feature of Bells Hill as is the existing care home which is in close proximity to the site. In this context it was concluded that the redevelopment of the site for flats would be acceptable in principle.

The building subject of the appeal scheme and the current proposal was considered to respect the constraints of the site's level changes by stepping the building down and around the corner which ameliorated the impact on the street scene which had been a reason for refusal of the earlier application. The *'mixture of hipped roofs and gables, articulated by overhanging eaves,'* was considered to *'create a distinctive character for this prominent corner site'*. The Inspector considered that the use of materials and the design would respect the character of the area and successfully integrate into its local environment. The high quality of the design was considered to protect and enhance the quality of the built environment and accord with the Council's adopted policies on such matters.

There have been no material changes in the design or appearance of the building, the character or appearance of the area or any material changes in policy since this decision was made. As such, the proposed building is still considered to be an appropriate form of development on the site that would be in keeping with the character and appearance of the general locality.

The inclusion of a further 3no. self-contained flats within the building envelope is not considered to unduly compromise the character or appearance of the street scene. The additional units have resulted in the provision of additional terraces fronting Lexington Way and a re-organisation of the parking and amenity area to accommodate the additional residents. These changes are not considered to materially alter the character or appearance of the development from the extant scheme and are considered acceptable. As the area is predominantly residential, it is not considered that a wholly residential form of development on the site would be out of character. The replacement of the D1 floorspace with residential is not considered to significantly increase the comings or goings or levels of activity associated with the site. The patterns of movement would be more consistent with the adjoining residential premises.

Loss of D1 floorspace:

The healthcare facility previously approved has been omitted from the scheme and there is no objection to this loss. Whilst no comments have been received from the PCT regarding this current application, during the previous application where an element of D1 was proposed to be retained they made the following comments:

"NHS Barnet does not support this application.

The Trust has been in discussion with the current GP since 2007 regarding the redevelopment of the surgery. Any proposal for the redevelopment would not be approved as investment in new surgery developments for single-handed/small practice does not involve co-location of individual practices, is not in keeping with the PCT's Primary Care Strategy. The decision not to invest was ratified at the PCT's Primary Care Strategy Group on 10 July 2008.

High Barnet is not a priority area for investment - given the investment that has already been made at Vale Drive Primary Care Centre. In general the primary care strategy for the Barnet Borough as a whole priorities the following for investment:

- *The development of larger purpose built premises with practices working in a more collaborative way to extend the range of services available to patients.*
- *Major population growth areas such as Colindale and Crickelwood. It is anticipated that the overall population of Barnet will increase by 40,000 over the next ten years - so the PCT need to ensure health services are available to this new population.*
- *The Dollis Valley estate is a regeneration project, but the predicted population growth is small and given its proximity to Vale Drive PCC the PCT has agreed with the doctors moving to Vale Drive PCC that they will increase capacity as and when necessary to absorb additional patients.*

The PCT area aware that their decision not to support the planning application will have a major impact on the ability of the GP to continue providing an NHS practice in this area. However, they advise that they are working with the existing GP to consider relocation options to Vale Drive PCC."

The continued use as a doctor's surgery (or alternative uses as a physiotherapist's, acupuncturists, homeopathy, chiropractors or psychiatrists as specified within the Inspector's decision) is not consistent with the PCT aims and therefore no objection is raised to its removal from the scheme.

The Council seeks to protect D1 community uses and require re-provision of alternative facilities where redevelopment is proposed as per policies GCS1 and CS3 of the Adopted Barnet UDP (2006) and policy CS11 of the Core Strategy (submission stage 2011) and Development Management Policy DM13 (submission stage 2011). Given that there is a suitable alternative and enhanced facility for the surgery at the Vale Drive Primary Care Centre it is not considered that the re-provision of D1 floorspace on site is necessary. The provision of an alternative use within the D1 class is not considered appropriate given the nature of the development, constraints of the site and predominantly residential character of the locality.

Amenities of adjoining and future occupiers:

The proposed development is considered to have an acceptable impact on the amenities of neighbouring and future occupiers. The Inspector considered that the building would have an acceptable impact on the visual and residential amenities of adjoining residents; the relationship between the proposed and adjoining buildings is unchanged since this decision was made and as such the proposal is still considered to be acceptable in this regard.

The additional 3no. residential units proposed above what was previously allowed at appeal is not considered to result in undue levels of noise and disturbance or compromise the amenities of neighbouring residential occupiers.

The scheme has been amended during the course of the application to ensure that a good level of amenity is provided for future occupiers. This has involved an increase in the amount of amenity space provision on the site (and associated amendments to the car parking layout) to comply with policy H18 to provide the equivalent of 5sqm of amenity space per habitable room in the development. In addition there have been amendments to the private terraces, room layouts and sizes to preserve privacy and

ensure compliance with the minimum London Plan space standards for new residential developments. The scheme is considered to provide a good standard of amenity for future occupiers in accordance with local and regional requirements.

Highway Safety and Parking Provision:

The parking provision is in accordance with the parking standards in the London Borough of Barnet Adopted Unitary Development Plan 2006 with the provision of 1 space per residential unit. The layout is largely as previously approved in the appeal scheme with 10 spaces to the rear of the site and 2 to the front.

s.106 Matters:

The creation of additional residential accommodation in the borough places increased pressure on local services. As such, approval is recommended subject to an undertaking from the developer that contributions are paid towards health, education and libraries services in order to off-set the increased demand. These contributions are considered necessary and directly related to the development in scale and kind in accordance with the Council's SPD's on such matters.

As the development is for more than 9 residential units there is a requirement for the developer to provide on-site affordable housing as per policy H5 of the Council's UDP (2006). However, the scheme has been independently assessed and proven to be unviable with the inclusion of any affordable units within the development. As such, the proposal for 12no. private residential flats is considered acceptable and in accordance with policy H5 and the associated SPD on affordable housing.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed above and within the Inspector's report, additional comments are as follows:

- Noise and disturbance during construction, impact on drainage and structural concerns are not material planning considerations
- A condition requiring details of noise attenuation methods along the boundary with No. 1 Lexington Way has been imposed to protect the amenities of adjoining residents from noise from the parking area
- Proposed planting strip is indicative at this stage and a detailed landscaping scheme will be agreed with the LPA prior to the commencement of development. The LPA will seek to ensure appropriate species densities and heights are planted to safeguard the character and appearance of the area and amenities of adjoining residents.
- The LPA are not able to bring forward sites for development.

4. EQUALITIES AND DIVERSITY ISSUES

The loss of the doctors surgery has been fully discussed within the planning appraisal above and the proposals are not considered to 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.

2no. disabled parking spaces are to be provided on site and level access would be provided across the site.

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 proposal is considered to be an acceptable form of development on the site in keeping with the character and appearance of the street scene and general locality. The development would not have a significantly harmful impact on the amenities of the adjoining or neighbouring residents and would provide a suitable form of amenity for future occupiers of the development. The proposal is in accordance with planning policy and guidance and is considered to be acceptable in all other regards. Approval subject to conditions following the completion of an undertaking for contributions towards essential services as a consequence of the development is recommended.

SITE LOCATION PLAN: 57-59 Bells Hill, Barnet, Herts, EN5 2SG

REFERENCE: B/03997/11



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LOCATION: 50 Ashurst Road, London, N12 9AX

REFERENCE: F/00202/12

Received: 17 January 2012

Accepted: 24 January 2012

WARD(S): Coppetts
Woodhouse

Expiry: 20 March 2012

Final Revisions:

APPLICANT: Mr Dasht

PROPOSAL: Conversion of a single family dwelling house into 2No. Self-contained flats.

RECOMMENDATION: Approve following completion of Unilateral Undertaking

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £2,659.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £1,184.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £34.00**
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £193.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/00202/12 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1111-634-101, 1111-634-102, 1111-634-103, 1111-634-104 and Design and Access Statement.

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 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.

4. Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason:

To protect the amenities of future and neighbouring residential occupiers.

5. Before development hereby permitted is occupied, turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

6. The layout of the flats and gardens shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To preserve the amenities of future occupiers of the property.

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: PPS1 and PPS3

The Mayor's London Plan: July 2011: 3.5, 5.3, 5.4 and 6.13.

Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, GH1, GH2, GH3, D1, D2, D3, D4, D5, D8, D11, M11, M12, M13, M14, H4, H5, H13, H14, H16, H17, H18, H23, H26, CS2, CS8, IMP1 and IMP2.

Core Strategy (Submission version) 2011: CS4 and CS5

Development Management Policies (Submission version) 2011: DM01, DM02, DM08 and DM17.

- 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 the proposal would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties. 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.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 20th March 2012 the Assistant Director of Planning and Development Management REFUSE the application ref: F/00202/12 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to meet the costs of extra education, libraries, health and social care facilities and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet supplementary Planning Documents - Contributions to Education (2008), Libraries (2008), Health (2009) and Monitoring (2007) and policies CS8, CS2, CS13, IMP1 and IMP2 of the Adopted Unitary Development Plan (2006).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1 and PPS3

The Mayor's London Plan: July 2011: 3.5, 5.3, 5.4 and 6.13.

Relevant Unitary Development Plan Policies: GBEEnv1, GBEEnv2, GH1, GH2, GH3, D1, D2, D3, D4, D5, D8, D11, M11, M12, M13, M14, H4, H5, H13, H14, H16, H17, H18, H23, H26, CS2, CS8, IMP1 and IMP2.

Core Strategy (Submission version) 2011

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 submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS4 and CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM08 and DM17.

Relevant Planning History:

Site Address: 50 ASHURST ROAD, LONDON, N12 9AX
Application Number: 00285/08
Application Type: Full Application
Decision: Withdrawn
Decision Date: 09/05/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Loft conversion including rear dormer.**
Case Officer: Alissa Fawcett

Site Address: 50 ASHURST ROAD, LONDON, N12 9AX
Application Number: F/02126/08
Application Type: Section 192
Decision: Lawful Development
Decision Date: 13/08/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Alterations to roof including hip to gable end to facilitate a loft conversion.**
Case Officer: Alissa Fawcett

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a semi detached single family dwelling house located in the Woodhouse ward. The site does not fall within a conservation area.

Proposal:

The application seeks consent for the conversion of a single family dwelling house into 2No. Self-contained flats.

Planning Considerations:

The main considerations are the impacts on the property, the surrounding area and on any neighbouring properties.

Principle of Development

National, regional and local guidance have policies that seek to promote the redevelopment of Brownfield sites for residential use providing they are acceptable in terms of character and will not harm the amenities of future occupants or any of the adjoining uses. Policies such as H2, H16 and H17 relate to this in the Unitary development Plan and indicate that the Council will seek to provide additional homes providing that certain criteria has been conformed to. The various aspects of the application have been broken down and discussed below.

PPS3 states that housing which advocates that new housing development of whatever scale should not be viewed in isolation. Consideration of design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.

Policy H16 of the adopted *Unitary Development Plan* is a housing policy which states that new residential developments should harmonise with and respect the character of the area within which they are situated and should:

- Be well laid out in terms of access, car parking and landscaping;
- Provide and preserve adequate daylight, outlook and residential amenity;
- Provide a safe and secure residential environment;
- Maintain privacy and prevent overlooking; and
- Provide adequate levels of private garden or amenity space.

Policy H23 on conversion of Residential Property states that the council will permit the conversion of single dwellings into flats provided that the development has an acceptable impact on the amenity of neighbouring occupiers, the established character of the locality and the appearance of the street scene.

Policy H26 on the design of conversion of Residential Property states that proposals for residential conversions must:

- Involve no large extensions or alterations to roofs which are unacceptable in terms of their appearance;

- Be in houses with a useable rear garden of more than 50 square metres and meet the garden space standards set out in Policy H18;
- Include suitably enclosed refuse storage areas at the rear of the property (if this is not practical, storage areas at the front or side of the property should be adequately screened so as not to become a dominant feature, and to avoid loss of amenity);
- Provide adequate and properly located car parking retaining as much front garden as is practical; and
- Be designed to have the minimal impact on the amenities of neighbours through the layout of rooms.

Policy GBEEnv1 of the adopted *Unitary Development Plan* is a general policy stating that the Council will protect and enhance the quality and character of the Borough's built and natural environment.

There are no external changes proposed in this application. The development is therefore considered to be acceptable on these grounds.

The principle of flats has already been established in the area. 13 Ashurst Road was approved in 1972 under application C03656 and 14 Ashurst Road approved in 1966 under N00636; both for two flats. It is therefore not considered that the principle of flats on these two properties will harm the character of the area.

Neighbouring Residential Amenities

Policy D5 of the adopted *Unitary Development Plan* is a Design policy states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. As there are no extensions proposed, there are no objections on these grounds either.

Density

There are no concerns regarding the density of the proposed scheme. It is considered that the number of units is appropriate for the property.

Amenity Space

Policy H18 of the Council's Adopted Unitary Development Plan (2006) requires new residential schemes to provide a minimum level of amenity space at 5 square metres of space per habitable room, with the emphasis being on 'usable amenity space'.

Two private gardens separated by vegetation have been proposed with areas of 80 and 100 square metres respectfully. It is considered that this is acceptable.

Highways and Refuse

The existing property has a hardstanding to the front but does not have a crossover. There are therefore no existing car parking spaces. The existing 4 bedroom house would have a maximum parking requirement of 2 spaces. The proposed four bedroom and two bedroom flats would have a parking requirement of 2.5 spaces. It is not considered that the additional parking requirement of 0.5m would warrant refusal of the application.

The application is considered to be acceptable in terms of highways and parking and therefore there are no objections on these grounds. Refuse details have been requested by condition. The areas which are to be used for parking are currently hardstanding and therefore this situation will not change.

Section 106 Requirements

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

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

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

Policy CS2 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities. A contribution will be sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services. A sum of £34 would satisfy this requirement.

Policy CS13 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of healthcare facilities. A contribution will be sought for the provision of healthcare services in the borough in line with the council's Supplementary Planning Document on Contributions to Health Facilities from Development. A sum of £1,184 would satisfy this requirement.

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. The amount of contribution being sought would depend upon the final scheme. In February 2006 Cabinet approved a Supplementary Planning Document (SPD) for Planning Obligations. A sum of £193.85 would satisfy the monitoring requirement.

The total amount payable would therefore be £4, 070.85 which is to be secured by a unilateral undertaking.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The grounds of objection have been addressed below:

- It is considered that flats would not be out of keeping with the area, and would not conflict with the council's three strands approach.
- The application is considered to be acceptable on highways grounds.

- The extensions are currently being constructed under permitted development as the property is a single family dwelling. The conversion has not taken place.
- The application could not be refused on loss of TV reception.
- It is considered that the proposal is consistent with the council's three strand approach.

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 the proposal would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties. 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.

It is therefore recommended that the application be **APPROVED**.

SITE LOCATION PLAN: 50 Ashurst Road, London, N12 9AX

REFERENCE: F/00202/12



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