

LOCATION: 3 Woodstock Road, London, NW11 8ES

REFERENCE: F/00588/11

Received: 03 February 2011

Accepted: 25 February 2011

WARD(S): Childs Hill

Expiry: 22 April 2011

Final Revisions:

APPLICANT: Common View Limited

PROPOSAL: Demolition of existing single dwelling. Erection of a three storey building (plus habitable rooms within basement and roof space) to create a new block of six self contained units, with offstreet parking and associated landscape.

RECOMMENDATION: Approve Subject to S106

Subject to a Section 106 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) £10,449.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £590.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £5,320.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Open Spaces (ward level) £3,000.00**
A contribution towards the improvement of open spaces in Childs Hill ward
- 7 **Monitoring of the Agreement £967.95**
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/00588/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - A-WOR10-PP-01 Revision C; A-WOR10-PP-02-EX; A-WOR10-PP-03-PR, Revision E; A-WOR10-PP-04-PR Revision D; WOR10-PP-10.
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 building shall not be occupied until parking spaces have been laid out within the site in accordance with the approved plans and shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

Reason:

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

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

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

- 6 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

- 7 Before the building hereby permitted is occupied the all proposed windows in both side elevations 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.

- 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 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 15 No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for: access to the site, and the parking of vehicles for site operatives and visitors; hours of operations, to include deliveries and loading and unloading of plant and materials; storage of plant and materials used in the construction of the development; the erection of any temporary means of enclosure or security hoarding; and measures to prevent mud and debris being carried on to the public highway. The approved statement shall be adhered to throughout the demolition and construction period.

Reason:

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, H16, H17, H18, H21, GParking, M11, M12, M13, M14, , CS2, CS8, CS13, IMP2; & Barnet Core Strategy's relevant policy CS5:

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

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring development. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring dwellings and this application is in keeping with Council Policies and Guidelines.

2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

3 The application is advised that the proposed crossover is greater than 4.8 metres. The maximum width of continuous crossover allowed is 4.8 metres. Crossovers wider than 4.8 metres would need to be constructed as 2 separate crossovers and a 1.8 metre break is required between the two crossovers.

The applicant contacts the Highway Network Management Team in Environment and Operations Directorate to carry out a detailed investigation at the applicant's expense before the planning application is approved. This is to avoid any complications later on as the applicant would need to make a separate application for the provision of a crossover to Environment and Operations Directorate if the planning application is approved.

4 Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Highway Network Management, Environment and Operations Directorate as part of the application for crossover under Highways Act 1980. Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be

done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works. You may obtain an estimate for initial investigation and any associated work on public highway from the Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

- 5 In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team in Highway Network Management, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
- 6 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the on-site provision of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

RECOMMENDATION III

That if an agreement has not been completed by 16/08/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/00588/11 under delegated powers for the following reasons:

The development would require a Section 106 agreement and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting identified additional education, health and library facilities, and the associated monitoring costs which would be incurred by the community as a result of the development, contrary to Policy CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

The determination of planning applications are 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 PPS3 “Housing” (2006), along with other Government housing policy and planning policy statements, provides the context for plan preparation in relation to housing development. Paragraphs 12-19 relate to the achievement of high quality housing. In para. 16 the matters to consider when addressing design quality include the extent to which the proposed development is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. PPS3 advises at para. 49 that more intensive development is not always appropriate.

The implications of new development on transport are included within PPG13 “Transport” (2001). Paragraph 49 relates to car parking and in para. 52 it is stated that maximum parking standards should be designed to be used as part of a package of measures to promote sustainable transport choices.

The Mayor's London Plan: Consultation Draft Replacement Plan 2009:

The Development Plan for the area comprises the London Plan is a planning document written by the Mayor of London, England in the United Kingdom and published by the Greater London Authority. The plan was first published in final form on 10 February 2004 and has since been amended. The current version was published in February 2008. The latest proposed amendments to the London Plan were published in April 2009 with consultation starting in October 2009 and the replacement plan expected to be published in 2011.

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.

One overall theme that runs through the plan is ‘sustainable development’. Policy GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

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.

As part of its emerging Local Development Framework the Council has adopted (October 2006), following consultation, a Supplementary Planning Document relating to Planning Obligations. This highlights the legislation and Barnet's approach in requiring contributions from new development.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

On 21 February 2008, following public consultation, a Supplementary Planning Document "Contributions to Education" was adopted by the Council. The SPD, which provides guidance and advice in relation to adopted planning policy to secure contributions towards education needs generated by new residential development, superseded an SPG approved in August 2000.

On 21 February 2008 the Council also adopted following public consultation, a Supplementary Planning Document "Contributions to Library Services". The SPD covers the issues relating to the provision by the London Borough of Barnet of library and related cultural/learning facilities and the role of S106 planning obligations in achieving this. The SPD sets out the contributions that will have to be provided by developers for each proposed new unit of residential accommodation.

On 6 July 2009, following public consultation, the Council adopted a Supplementary Planning Document "Contributions to Health Facilities from Development". The SPD provides detailed guidance that supplements policies in the Unitary Development Plan and sets out the Council's approach to securing contributions for health facilities in order to address additional needs from new development.

Core Strategy (Publication Stage) 2010

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

and Development Management Policies DPD.

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

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

Relevant policies: Policy CS5

Relevant Planning History:

3 Woodstock Road, London, NW11 8ES

Application:	Planning	Number:	F/02438/10
Validated:	29/06/2010	Type:	APF
Status:	WDN	Date:	06/08/2010
Summary:	WIT	Case Officer:	Junior C. Moka
Description:	Alterations and extensions to convert existing residential property into a 12 bed House in Multiple Occupation (HMO) and 4 self-contained flats. Alterations and extensions comprising; excavation of new lower ground floor; 2 storey side and rear extensions; extensions to roof to accommodate rooms within and ancillary alterations to existing front yard to form access ramp, bin store, cycle rack and car parking.		

3 Woodstock Road, London, NW11 8ES

Application:	Planning	Number:	F/04563/10
Validated:	19/11/2010	Type:	APF
Status:	WDN	Date:	11/01/2011
Summary:	WIT	Case Officer:	Junior C. Moka
Description:	Demolition of existing single dwelling and erection of a 3 storey building containing 5no self-contained residential units, including basement and rooms in roofspace. Associated amenities, landscape alterations, basement parking for 4no cars and bicycle storage.		

Consultations and Views Expressed:

Neighbours Consulted:	56	Replies:	3
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- this is a gross overdevelopment;

- out of character and the proposal would harm the character of the area;
- out of keeping;
- concerns on parking in the area.

Internal /Other Consultations:

Traffic & Development

The proposal is acceptable on highway grounds subject to conditions and informatives.

Date of Site Notice: 10 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a detached residential dwelling located with Woodstock Road in Childs Hill Ward. There are some examples of dwellings on the road which have been converted into flats and some purpose built blocks including no's 1 (3 flats), 2, 4 (4 flats), 17 (3 flats), 19 (4 flats), 21, 23 (3 flats), 25 (3 flats), 27, 30 (5 flats), 38, 40 (3 flats), 42 (4 flats), 43 (3 flats), 45 (5 flats), 46 (4 flats), 47 (3 flats), 48, 50 (3 flats), 51 (4 flats), 52 (3 flats), 58 (3 flats), 70 (3 flats), Hylmary Court (3 flats), Golders Court (23 flats).

Proposal:

The proposal relates to the demolition of existing single dwelling and the erection of a three storey building (plus habitable rooms within basement and roof space) to create a new block of six self contained units, with offstreet parking and associated landscape.

The proposed development will include 2 one-bedroom flats, 2 two-bedroom flats, and 2 three bedroom flat (Flats 4 & 5 include a study rooms which are large enough to be converted into bedrooms). Flats 1 to 3 will be maisonette units occupying the basement and ground floor levels.

The proposed flats have the following measurements:

- Flat 1 will be 99 msq;
- Flat 2 will be 90 msq;
- Flat 3 will be 63 msq;
- Flat 4 will be 120 msq;
- Flat 5 will be 120 msq;
- Flat 6 will be approximately 67 msq;

Planning Considerations:

The immediate surroundings are characterised by purpose-built flats and houses converted into residential units as well as properties in single family occupancy. The proposal would result in the re-use of a brownfield site and as such a flatted development is considered acceptable in this location. The proposed density is in

line with policy H21. The current application is for two 1-bed flats, two 2-beds flats, and two 3-beds flats. Surrounding sites have or are being re-developed for flatted developments. The design and built form in relation to the size of the plot on previous applications was not considered to be acceptable given the surroundings and the number of units provided. However, this revised scheme is considered to fit in with the character of the area.

The main issues are considered to be:

- whether harm would be caused to the character and appearance of the area and street scene;
- the living conditions of future residents having regard to the provision of amenity space;
- parking, Access and Vehicle Movements;
- whether the proposal would result in the community incurring extra educational costs that should be met by the developer;
- whether the proposal would increase pressures on the services provided by libraries incurring additional costs that should be met by the developer;
- whether the proposal would increase the demand for health care facilities incurring extra costs that should be met by the developer.

Proposed siting, character and appearance:

The proposed footprint would respect the character and pattern of buildings in this part of Woodstock Road and allow for sufficient gaps in between the site and surrounding buildings. 4 off street parking spaces are proposed to the front of the site.

The proposed front building line aligns with the general building line of buildings on this side of Woodstock Road. There has been an increase to the footprint compared to that of the existing dwelling, but it is still considered that the proposed footprint would relate well to surrounding development. Overall, it is considered that the size, height, mass and appearance of the building as amended from that originally submitted would be harmonious with and not over dominate the scale or adversely affect the character of adjacent development.

The proposal is considered to have a minimal impact on the residential amenity of neighbouring occupiers. The proposal as amended is considered to result in a proposed bulk and siting of the building that would not detrimentally impact on the amenity of neighbouring occupiers or result in a significant loss of light to surrounding habitable room windows.

The depth beyond the rear building line of Hylmary Court is considered that this will not have a detrimental impact on each units amenities within this block which would not justify a reason for refusal on this occasion.

The proposed design replicates architectural elements from the neighbouring properties on Woodstock Road and as such respects the general proportions of the surrounding urban fabric.

Amenity of existing/future occupiers:

It has been proposed that all windows in the both side elevations facing Hylmary Court and properties on Hordford Road which are for a staircase, secondary windows to kitchen/living room areas and for bathrooms (conditioned to be obscure glazed) are not considered to be out of character with the area. No overlooking will be facilitated due to this obscure glazed condition and thus this is considered to be acceptable as it will not cause harm. The windows on the site elevation to Hylmary Court facing the application site appear to be secondary windows.

All units would provide adequate internal space and therefore comply with policies H16 and H26. The stacking of flats/rooms is generally acceptable.

However, it is considered necessary to attach a condition that will be to this approved decision in respect to Barnet's SPD for Sustainable Design and Construction requiring the addition of sound insulation systems in relation to impact and airborne noise to achieve a sound attenuation of 3dB above Building Regulation requirements for airborne sound and 3dB above Building Regulation requirements for impact sound. It should be noted that this standard is similar to the Eco Homes requirements. To ensure the sustainability of each unit an insulation of acoustic separation for the proposed new units would be required for the floors and party walls.

The application does show where the proposed refuse facilities will be located. It is considered that the proposed location is a collection point that would be in accordance with Council Guidelines (within a maximum pull distance from the pavement of 10 metres); however doesn't show how the refuse is to be kept, therefore, a condition for refuse is to be attached to the permission.

Policy H16 of the Barnet Unitary Development Plan (May 2006) [UDP] states that new residential developments should harmonise with and respect the character of the area within which they are situated and should, among other matters, provide adequate levels of private garden or amenity space. UDP policy H18 sets out minimum amenity space standards. The following standard, with the emphasis being on 'usable amenity space' for flats:

5 square metres of space per habitable room.

Rooms exceeding 20 square metres will be counted as two habitable rooms.

The proposed development would fail to provide sufficient amounts of on site usable outdoor space for the enjoyment of future occupiers as there are 18 habitable rooms (including 11 large rooms exceeding 20 square metres) - the required total amount of outdoor amenity space is 145m² in order to comply will Policy H16.

The proposed development includes a total of 124.8m² with the combination of private garden space for Flat 1 and a communal garden to be used by the remaining flats. Details of landscaping are required by condition.

However, although the site is within an area identified as being deficient in open space, there is a park within a walking distance and the proposed units will have

other locational advantages in being close to transport and services as a result of its edge of town centre location. Therefore the LPA do not consider that this in itself would be a sufficient reason to refusal, particularly given that the applicant has agreed to enter into a Section 106 contribution towards open space. A contribution of £3000 (plus monitoring costs) for greenspaces provision within the ward of Childs Hill is required to address the issues as part of the Section 106 agreement.

The proposed intensification of use from a single dwelling to six units is not expected to result in a detrimental loss of amenity for occupiers of this part of Woodstock Road or future occupiers of the adjacent flatted development to be built.

Parking, Access and Vehicle Movements:

The proposal is for the Demolition and erection of a new three storey building to provide six self-contained units comprising 2x1 bedroom, 2x2 bedroom and 2x3 bedroom units with provision of 4 car parking spaces and 1 cycle parking space.

The parking provision meets the parking standards as set out in the UDP 2006.

Also taking into consideration several factors including the location of the site and the following:

- the site is located within a Controlled Parking Zone (CPZ).
- the site is within a high public transport accessibility area.
- the site is close to Town Centre amenities and public transport.

Education needs generated by the development:

The scheme would provide residential units that are considered would generate an increased demand for educational facilities in the area. The method of calculating the likely demand resulting from new development is provided in the Council's Supplementary Planning Document "Contributions to Education" adopted in February 2008.

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. 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 of 6 residential units (two 1-bed flats, two 2-beds flats, and two 3-beds flats) would require a contribution of £10,449 and a monitoring fee of 5%.

Contributions to library services:

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's contributions are therefore necessary to ensure

service provision mitigates the impact of their development activity. The Council's adopted Supplementary Planning Document "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.

Circular 5/2005 "Planning Obligations" supports the use of developer's contributions to mitigate the impacts of new development, where it would give rise to a need for additional or expanded community infrastructure. 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 £590 and a monitoring fee of 5%.

Contributions to Health facilities:

The scheme would provide residential units that it is considered would generate an increased demand for health care facilities in the area. The Council's SPD "Contributions to Health Facilities from Development" adopted in July 2009 sets out capital contributions per residential unit.

Circular 05/2005 supports the use of planning obligations to secure contributions towards the provision of community infrastructure 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.

No information has been provided to demonstrate how the health care needs of the future occupiers of the development would be met by the submitted scheme, or how the proposal fits within NHS Barnet's long term plans to deliver primary care services on a "hub and spoke model" (para. 5.16 of the SPD).

It is considered that a financial contribution towards health care 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 £5,320 and a monitoring fee of 5%.

The greenspace, education, library services & health facilities contributions are to be secured by Section 106.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal considering the principle of this development is considered acceptable following the previous withdrawn applications. The points made within the objection have been covered in the appraisal 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 does comply with the requirements of PPS1, which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities available for improving character and quality of an area and the way it functions, should not be accepted'.

When the Local Planning Authority approve planning applications there may be cases where there is some element of a loss of light to neighbouring properties. It is for the Local Planning Authority to determine whether the loss of light that could occur would be sufficient a reason to refuse the application.

The Local Planning Authority considered the have considered this current scheme has an acceptable impact on neighbours.

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments. It is recommended that the application be **APPROVED** subject to the discharging of attached conditions.

SITE LOCATION PLAN: 3 Woodstock Road, London, NW11 8ES

REFERENCE: F/00588/11



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LOCATION: 12 Westover Hill, London, NW3 7UH
REFERENCE: F/01070/11 **Received:** 14 March 2011
Accepted: 14 March 2011
WARD(S): Childs Hill **Expiry:** 09 May 2011
Final Revisions:
APPLICANT: Mr D Mirchandani
PROPOSAL: Demolition of existing dwelling and construction of a detached two storey plus rooms in basement and roofspace dwellinghouse.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, Drawings P02.01A, P02.02A, P03.01A, P04.01A, P04.02A, P01.01, P01.03.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.
- 4 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To safeguard the visual amenities of the locality.
- 5 Before the building hereby permitted is occupied the proposed windows in the side elevations shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.
Reason:
To safeguard the privacy and amenities of occupiers of adjoining residential properties.
- 6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the house hereby permitted shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.
Reason:
To ensure that the development does not prejudice the character of the locality

- and the enjoyment by existing and/or neighbouring occupiers of their properties.
- 7 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
- Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 8 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.
- 9 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.
- 10 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.
- 11 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.
- 12 The level of noise emitted from any 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.
- 13 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.

- 14 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).

- 15 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown in the hereby approved drawings shall be provided and the access to the parking spaces will be maintained at all time.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies

- 16 A Construction Management Plan must be submitted to and approved by the Local Planning Authority. This document following approval must be complied with unless previously agreed in writing by the Local Planning Authority.

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, H16, H17, H18, M7, M14, ENV12.

Core Strategy (Publication Stage) 2010: CS5

ii) The proposal is acceptable for the following reasons: The proposed house would result in a suitable replacement which would be in character with this part of Westover Hill and respect the streetscene. As conditioned, the house would not have a significantly harmful impact on the residential amenity of neighbouring occupiers. The proposals are acceptable on highways grounds. The proposals would not result in harm to protected trees.

- 2 Highways informatives

Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Environment and Operations Directorate as part of the application for crossover under Highways Act 1980. Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the

applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1, PPS3, PPS5

The Mayor's London Plan: Consultation draft replacement plan 2009: 3A.1, 3A.2, 3A.4, 4B.1, 4B.2.

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, H16, H17, H18, M7, M14, ENV12.

Barnet Core Strategy

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 DPD. Until the LDF is complete policies within the adopted UDP have been saved for a period of three years.

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

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

Relevant policies: Policy CS5

Relevant Planning History: None relevant

Consultations and Views Expressed:

Neighbours Consulted:	23	Replies: 6
Neighbours Wishing To Speak	2	

The objections raised may be summarised as follows:

- effect on trees
- sense of enclosure
- loss of privacy
- construction and management including impact on highways
- development out of character with area by reason of design, materials, scale and bulk
- unnecessary to demolish the house

It should be noted that following the submission of amendments, the 6 original objectors were sent the amended drawings by email inviting further comments.

Internal /Other Consultations:

Traffic & Development - no objection
Trees and Landscaping - no objection

Date of Site Notice: 07 April 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located at the end of Westover Hill, which is a private gated close off West Heath Road in the Childs Hill ward. The site falls within an area of special archaeological interest.

6, 8, 10, 12, 1, 3 and 5 Westover Hill are contemporary and have similar designs. 14, 16, 18, 7 and 9 at the end of the close form another group of houses with a different design.

Proposal:

The application seeks permission for the demolition of the existing dwelling and the construction of a detached house with rooms in the basement and roofspace.

The application was amended since first being submitted to take into account advice from officers.

Planning Considerations:

Design and appearance / amenity

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

Policy D2 states that the council will encourage development proposals which are based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street patterns and the overall character and quality of the area.

The scheme as originally submitted was not considered to respect the character of the this part of Westover Hill and was amended accordingly with the assistance of officers.

The amended proposed bulk, siting, scale and general proportions would be in character with the surroundings and sit comfortably within the site. The chosen design would replicate elements found on the group of buildings at 6, 8, 10, 12, 1, 3 and 5 Westover Hill of which the application site forms part. It is accepted that the proposed design does not exactly replicate all design elements of houses in this part of the group but this is not considered to be harmful. The general proportions and projecting elements however would be a close match and a condition relating to materials is required to ensure that the replacement house is built with materials matching those found at 6, 8, 10, 12, 1, 3 and 5 Westover Hill.

The proposed eaves levels would be raised 20cm compared with existing but they would still match those of neighbouring buildings taking into account the small natural slope of the land in this part of Westover Hill. The proposed front building line would remain as existing. The rear building line is proposed to be significantly set back to take advantage of the stepping of properties.

The proposed roof pitch to the front would remain as the existing roof. The introduction of a gable end closest to 14 Westover Hill is considered in character with the street. 10 Westover Hill has the same feature to its roof. The provision of additional accommodation at roof level is achieved by the insertion of rooflights to the front and the use of an inverted dormers to the rear.

Policies D5 and H16 seek to ensure that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to these issues. Overall, it is considered that the increased bulk and size of the building would be acceptable subject to compliance with the recommended conditions. Policy H17 sets the council's overlooking standards which are met

throughout the development. The rear garden would remain of a suitable usable size by a single dwellinghouse and would provide acceptable standards of amenity. Houses at 10 and 14 have blank walls facing the application site and the increase in bulk of the house to the rear would not impact detrimentally on the residential amenity of neighbouring occupiers.

In addition to the case officer, the council's tree officer conducted a site visit to assess the suitability of neighbouring trees for inclusion in a Tree Preservation Order (TPO). It has been confirmed that no TPO can be made. The proposed tree removal is therefore not considered to warrant refusal for the proposals. The proposals would not impact on the health of trees already under a TPO in the surrounding area. The council accepts that the proposed basement is likely to have implications for non-protected trees surrounding the site, but in view of their non inclusion in a TPO, this is not considered objectionable.

Sustainability:

The sustainable Design and Construction SPD states that proposals for such developments need to demonstrate compliance with both the broader sustainable design principles and the specified environmental minimum requirements. The Council expects that proposals for such developments show how they fully embrace the principles, guidance and minimum requirements set out in the SPD. Any aspect of a proposal which does not fully comply with what is set out in this SPD will need to be fully explained and justified through appropriate feasibility studies.

Officers note that demolishing a house is not the most sustainable way to provide additional accommodation. A condition is recommended to ensure that the house is built to Code Level 3 performance against the Code for Sustainable Homes.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are generally considered to have been covered in the above appraisal. Objections on the grounds of disruption during construction are noted. The council's highways officers have no objection subject to conditions including the submission of Construction Management plan.

4. EQUALITIES AND DIVERSITY ISSUES

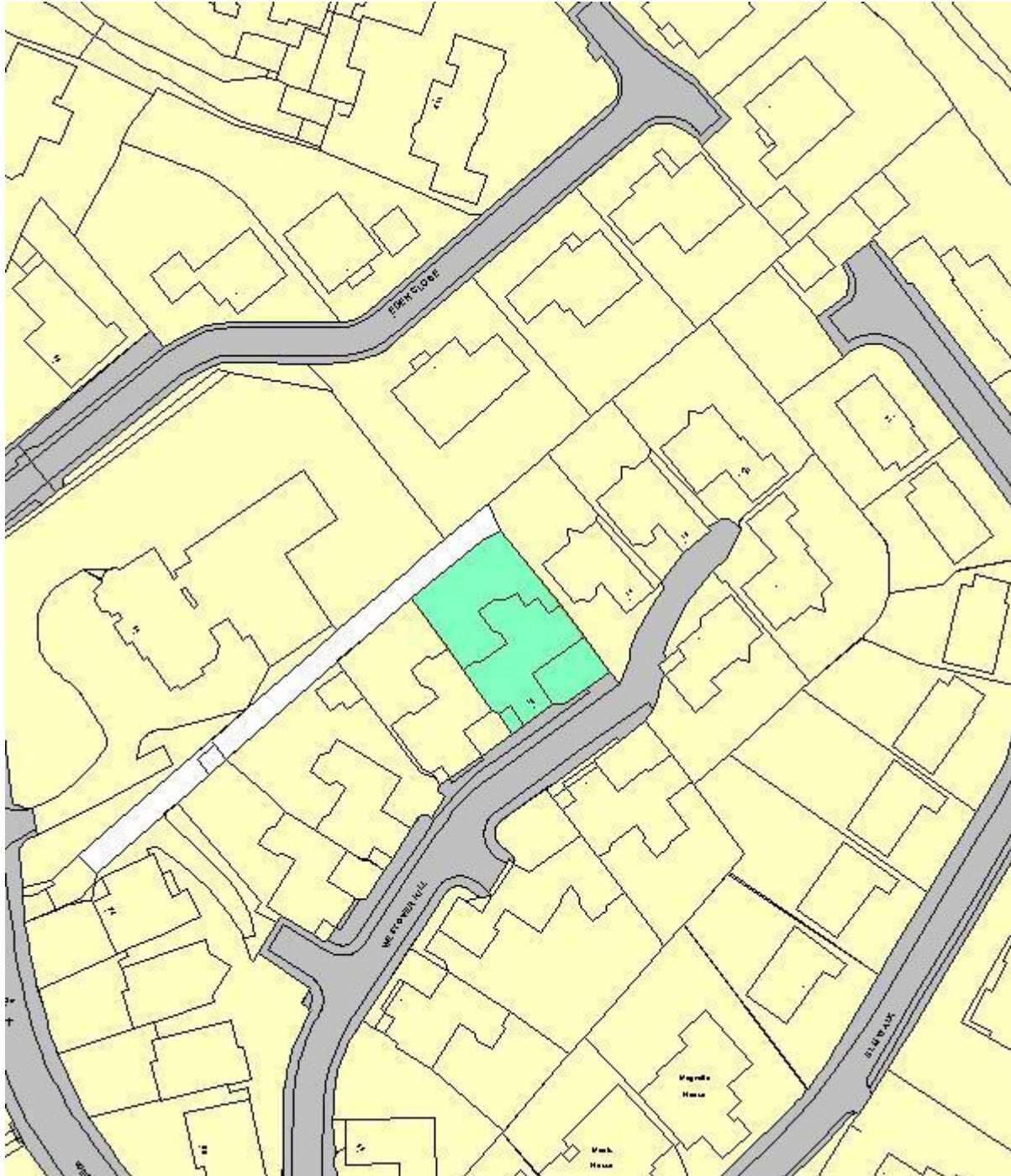
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposed house would result in a suitable replacement which would be in character with this part of Westover Hill and respect the streetscene. As conditioned, the house would not have a significantly harmful impact on the residential amenity of neighbouring occupiers. The proposals are acceptable on highways grounds. The proposals would not result in harm to protected trees. **APPROVAL** is recommended.

SITE LOCATION PLAN: 12 Westover Hill, London, NW3 7UH

REFERENCE: F/01070/11



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LOCATION: Heathway Court, Finchley Road, London, NW3 7TS
REFERENCE: F/00991/11 **Received:** 23 February 2011
Accepted: 12 April 2011
WARD(S): Childs Hill **Expiry:** 07 June 2011
Final Revisions:

APPLICANT: Bank Estates (UK) Ltd
PROPOSAL: Alterations to roof including insertion of dormer windows, recessed terraces and rooflights to all elevations to convert the existing loft space into 4 self-contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, Drawings 2010-423/P100, 2010-423/P102, 2010-423/P103, 2010-423/P104, 2010-423/P105, 2010-423/P106, 2010-423/P107.
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 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.
Reason:
To protect the amenities of future and neighbouring residential occupiers.
- 4 Before flat B is occupied, details of the raising of the wall between bedroom 2 dormer window and flat 31 together with the partial obscure glazing of the window shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in their entirety and retained thereafter.
Reason:
To protect the amenity of residents of flat 31.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows:
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006): GSD, GLand, GBEnv1, GBEnv2, GParking, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.
Core Strategy (Publication Stage) 2010: CS5
Sustainable Design and Construction (2007)
Contributions to Education (2008)
Contributions to Libraries (2008)
Contributions towards Health (2009)

Planning Obligations for S106 Agreements (2007)

ii) The proposal is acceptable for the following reasons: The proposal represent an efficient use of the land. The number of units proposed is considered acceptable on site. Subject to a number of conditions the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives.

- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process. The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1, PPS3

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

Strategic Planning Policies, in particular 3.4, 3A.13, 3A.18, 3C.17, 3C.23, 4A.3, 4B.1, 5B.2, 5B.3

The Community Infrastructure Levy Regulations 2010

Relevant Unitary Development Plan Policies: GSD, GLand, GBEnv1, GBEnv2, GParking, D1, D2, D3, D4, D5, D11, D13, M14, H2, H16, H17, H18, CS1, CS8, CS13, IMP1, IMP2.

Supplementary Planning Guidance/Documents:

Sustainable Design and Construction (2007)

Contributions to Education (2008)

Contributions to Libraries (2008)

Contributions towards Health (2009)

Planning Obligations for S106 Agreements (2007)

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS5

Relevant Planning History:

C07604K/01 Conversion of roofspace into four two bedroom flats involving addition of dormer windows and roof terraces **REFUSED** 13/06/2001 and **APPEAL ALLOWED** 04/12/2001

Application:	Planning	Number:	C/07604/L/06
Validated:	28/04/2006	Type:	LIC
Status:	DEC	Date:	05/05/2006
Summary:	EXM	Case Officer:	Fabien Gaudin
Description:	Installation of antenna "flagpole", 2no. microwave dishes and provision of internal equipment room.		

Application:	Planning	Number:	C/07604/M/06
Validated:	27/12/2006	Type:	APF
Status:	DEC	Date:	05/03/2007
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Replacement of windows in the building. (except one flat that has been already replaced).		

Consultations and Views Expressed:

Neighbours Consulted:	190	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:
existing breaches of planning permission
impact on character
loss of amenity including overlooking and loss of privacy

Internal /Other Consultations:

Transport for London - no response

Date of Site Notice: 21 April 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is block of 52 flats situated at the corner of Finchley Road and East Finchley in the Childs Hill ward.

Proposal:

The application seeks permission for the retention of alterations to the roof including the insertion of dormer windows, recessed terraces and rooflights to all elevations to convert the existing loft space into 4 self-contained flats.

Planning Considerations:

The principle of redevelopment for the purposes of 4 flats is established with the 2001 appeal decision. The number and size of the flats has not changed.

It is considered that the site has the potential to accommodate the amount of development proposed. It is considered that the current proposals would result in an appropriate level of development for the site. Higher densities and the use of previously developed land have to be balanced against the impact of development on the character and appearance of the area, the amenity of neighbouring/future occupiers and the health of surrounding trees. As proposed, the development is considered to have struck the right balance and would result in an efficient use of previously developed land.

The chief objective of Planning Policy Statement 3: Housing (PPS3) is to provide sufficient housing for future needs, ensuring that as many of the new homes as possible are built on previously developed land. The site is a previously developed site and on this basis the addition of additional units is considered to accord with national, strategic and local planning policy.

The immediate surroundings are characterised by different types of residential accommodation and the addition of further residential accommodation in the form of flats would not be out of character.

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

It is considered that the dormers as built have not harmed the character of the building or this part of Childs Hill. They are considered acceptable in terms of numbers, size and siting. They do not result in harm to the amenity of neighbouring residents with the exception of the dormer in bedroom 2 of flat B.

This dormer overlooks a window in flat 31 which serves a kitchen/dining room. This particular window opens up onto a fire exit. A small wall separates the fire exit from the roofslope where the dormer stands. It is considered that the raising of this wall to 2.2 metres in height (as measured from the fire exit platform) and a condition requiring one of the three dormer window panels to be kept shut and obscure glazed would resolve the overlooking issue. This is conditioned as part of this recommendation.

All proposed flats would provide sufficient internal levels of amenity.

To accord with Policy H18 the Council require usable outdoor amenity space for residential development comprising of 5m² per habitable room for flats. The scheme would provide some private recessed terraces.

The provision of private recessed terraces (not shown clearly on the submitted drawings but inspected on site) is considered suitable in view of the circumstances which include the appeal decision (where the provision was similar to that proposed), the quality of the space proposed and the location of the flats on the 5th floor (and associated distance from any possible ground floor amenity areas).

Highways issues were discussed at length in the 2001 appeal decision when the Inspector allowed the scheme without the provision of additional parking spaces.

Required Planning Contributions

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

Education

Under Policy CS8 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future education needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Education available on the Council's website. As proposed, the figure is £10,636.

Library Services

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

the Council's website. As proposed, the figure is £556 for the residential aspect of the development.

Health

Under Policy CS13 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future health needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Health available on the Council's website. As proposed, the figure is £4,736.

Monitoring Contribution

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. The amount of contribution being sought would depend upon the final scheme. In February 2006 Cabinet approved a Supplementary Planning Document (SPD) for Planning Obligations details of which are available on the Council's website. As proposed (and without a libraries contributions for future employees of the commercial units), the figure is £796.40.

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

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal represent an efficient use of the land. The number of units proposed is considered acceptable on site. Subject to a number of conditions the proposal would preserve the character of the Borough. The proposed development would provide sufficient standards of amenity for future residents of the site. As conditioned, the proposals would have an acceptable impact on the residential amenity of surrounding occupiers. The proposals are acceptable on highways grounds. As conditioned, the proposed building would meet the council's sustainable objectives.

APPROVAL is recommended.

**SITE LOCATION PLAN:
7TS**

Heathway Court, Finchley Road, London, NW3

REFERENCE:

F/00991/11



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LOCATION: 937 Finchley Road, London, NW11 7PE

REFERENCE: F/01559/11

Received: 04 April 2011

Accepted: 14 April 2011

WARD(S): Childs Hill

Expiry: 09 June 2011

Final Revisions:

APPLICANT: Mr Davila

PROPOSAL: Single storey rear extension.

RECOMMENDATION: **Approve Subject to Conditions**

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; 937/10; 937/100.

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.

INFORMATIVE(S):

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

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

Adopted Barnet UDP (2006): GBEnv1, D1, D2, D5, and H27

Design Guidance Note 5 - Extensions to houses

Core Strategy (Publication Stage) 2010:

Relevant policies: CS5

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:
PPS1

Relevant Unitary Development Plan Policies:
GBEnv1, D1, D2, D5, and H27
Design Guidance Note 5 - Extensions to houses.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:
CS5

Relevant Planning History:

Site history for current landparcel :

92891 - 937 Finchley Road, London, NW11 7PE

Case Reference: **F/01559/11**

Application:	Planning	Number:	F/01556/11
Validated:	14/04/2011	Type:	192
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	part single, part first floor rear extension with associated pitch roof.		

Application:	Planning	Number:	F/04106/09
Validated:	11/11/2009	Type:	192
Status:	DEC	Date:	30/11/2009
Summary:	LW	Case Officer:	Elizabeth Thomas
Description:	Extension to roof including a side and rear wrap around dormer window to facilitate a loft conversion. Single storey rear extension.		

Consultations and Views Expressed:

Neighbours Consulted: 9
Neighbours Wishing To Speak 2

Replies:

The objections raised may be summarised as follows:

- multiple properties will increase traffic flow, reduce available parking.
- proposed scale of development will be out of proportion to neighbouring properties which are mainly single use.
- loss of light.
- loss of privacy and increased overlooking.
- trees will be destroyed.
- area is in danger of severe decline.
- although not listed responsibility of council to maintain certain and acceptable standard.
- increased noise and disturbance as a result of increasing number of properties and tenants.
- increase in multiple accommodations is not appropriate or benefit to the area.
- loss of daylight, sunlight and general overshadowing.
- loss of outlook.
- increased sense of enclosure and negative visual impact.
- disturbance to tree roots of trees.
- more rubbish.
- front garden hedges and beds are being destroyed.
- de-value surrounding properties.
- building the extension will result in considerable noise and disturbance. Noise and dust debris will be unbearable.
- intention to turn properties into multiple flats along the same lines as a property opposite which has been used as a brothel. Concerns that the flats will be rented with no further investigation.
- overlooking into gardens and patio, in the summer months children may have little or no clothes on in the garden. 'What is to stop someone taking photographs without our knowledge.'
- hedges will not be attended by the tenants and will grow wild and look ugly.
- intention would be to construct 11 flats. Cars will have to be parked on the road.
- flats will mean a possible 44 extra bins.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a semi detached dwelling located within the Childs Hill ward. The property does not fall within a conservation area and is within walking distance of Golders Green town centre and the underground station.

Proposal:

Single storey rear extension with a depth of 3m, the full width of the property and a height of 3m with a flat roof.

Planning Considerations:

The council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene. Extensions to houses, both individually and cumulatively can have a profound effect on the appearance of neighbourhoods and of the street scene and on the amenities enjoyed by the occupiers of adjoining properties. Extensions to properties should reflect the design of the original building, have regard to the character of the area and amenity enjoyed by your neighbours. This means making sure the extension does not disrupt the neighbours' enjoyment of their own home, garden or neighbourhood.

The single storey rear extension as proposed is considered to be an acceptable and appropriate form of development which would harmonise well with the existing property. The extension is in keeping with the character and appearance of the surrounding area and would not appear out of context within its surroundings with a number of other properties in the surrounding area having benefitted from single storey rear extensions including the neighbouring property no.939. The proposal is considered to be in keeping with the host property and would not appear as an incongruous or disproportionate addition to the application property or the site which is considered large enough to accommodate the proposal. It is not considered that the proposal would result in any harm to the streetscene of this part of Finchley Road.

The proposal meets council design guidance which indicates that the depth of a single storey rear extension, normally considered acceptable for semi-detached properties is 3.5 metres. The proposal is located along the boundary with no.935, the proposal is not considered to result in any harm to the occupiers by virtue of the design, size and height of the proposal. The depth of the extension proposed is 3m.

The neighbouring property no.939 has previously benefited from a single story rear extension and as such the proposal is not considered to give rise to any loss of amenity to the residential occupiers.

The proposal is not considered to give rise to any appreciable loss of amenity to the neighbouring residential occupiers, as such, Barnet's UDP policies would be complied with, in particular, D5 in '*allowing for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users*' and H27 as it has no significant effect on the amenity of neighbouring occupiers.

The proposal would fall within permitted development criteria for a single storey rear extension to a single family dwellinghouse.

A certificate of lawfulness has also been submitted for a part single, part two storey rear extension. This is a separate application and the Local Planning Authority must consider whether planning permission is acceptable for the proposed development in accordance with guidance and policy and taking account of site specifics.

A number of objections received are in relation to the possible conversion of the property into flats, however, the application currently being assessed does not relate to the conversion of the property or the introduction of any further units at the

property. The application as it stands is solely for a 3m deep single storey rear extension for use as a kitchen and extension to the existing dining room.

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

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

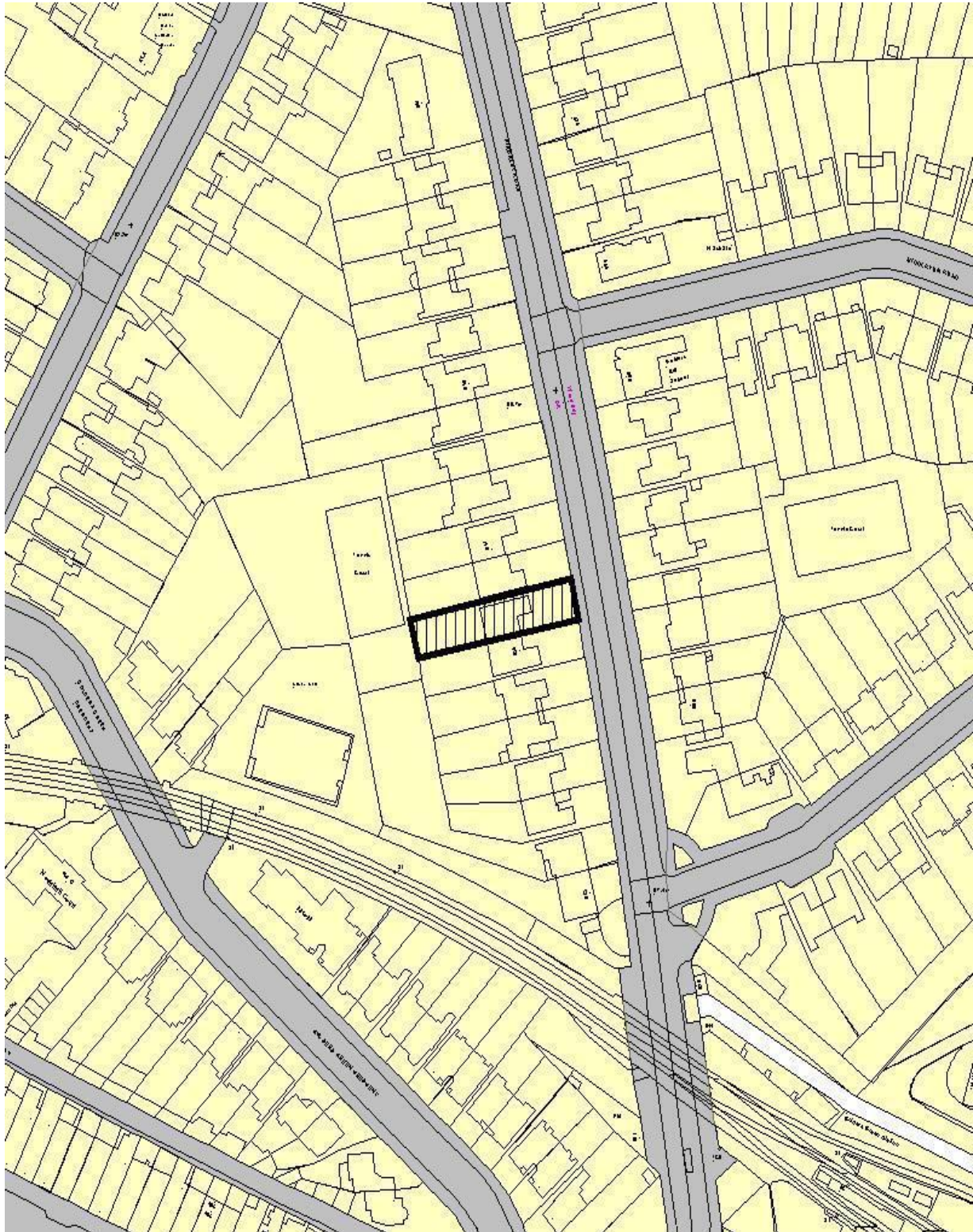
5. CONCLUSION

The proposal complies with the requirements of PPS1, especially paragraph 34 which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities available for improving character and quality of an area and the way it functions, should not be accepted'.

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

SITE LOCATION PLAN: 937 Finchley Road, London, NW11 7PE

REFERENCE: F/01559/11



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LOCATION: 22 Llanvanor Road, London, NW2 2AP

REFERENCE: F/01585/11

Received: 04 April 2011

Accepted: 18 April 2011

WARD(S): Childs Hill

Expiry: 13 June 2011

Final Revisions:

APPLICANT: Ultra Estates Ltd

PROPOSAL: 2 storey extensions to both sides and to rear and conversion of property into 3 flats.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan - L1; Plan No's: 2071/P301/A; 2071/E101; Design & Access Statement, dated 4/04/11; PTAI Study Report Summary, dated 20/07/10.

Reason:

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

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

Reason:

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

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

Reason:

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

4 Before the building hereby permitted is occupied the proposed window(s) as shown on Drawing No. 2071/P301A on the side elevation shall be glazed with obscure glass on the first floor, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

5 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 windows other than those expressly authorised by this permission shall be constructed in the flank elevations of the extension hereby approved facing the neighbouring properties, unless agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenities of the occupiers of the adjoining properties.

6 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

- 7 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).
- 8 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.
Reason:
To protect the amenities of future and neighbouring residential occupiers.
- 9 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.
Reason:
To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D & E of Part 1 to Schedule 2 of that Order shall be carried out within the area of the dwellinghouse hereby approved without the prior written permission of the local planning authority.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 11 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
Reason:
To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.
- 12 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
Reason:

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

- 13 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), the floor plan layout as shown on the hereby approved plans must not be changed without the prior written permission of the local planning authority.

Reason:

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

- 14 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with the drawing No. 2071/P301A and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, ENV4, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27.

Design Guidance Note 7 - Residential Conversions and Design Guidance Note No. 5 – Extensions to Houses.

Local Development Framework: Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

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

The conversion of the property into three self contained flats and proposed extensions are considered acceptable, in character with the surrounding area. The proposal would protect the character of this part of Childs Hill and respect the setting of nearby buildings. The proposal would provide acceptable standards of amenity for future occupiers and respect the amenity of existing neighbouring occupiers.

- 2 The applicant is advised that in case where any modifications are proposed to the existing access off the public highway or a new access is proposed then it will be subject to a detailed investigation by the Crossover Team in Environment and Operations Directorate. This may result in alterations to the existing on-street controlled parking bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process. Any modification works including relocation of any existing street furniture would need to be done by the Highway Authority at the applicant's expense. You may obtain advice and an estimate for this and any associated work on public highway from the Crossover Team in Environment and Operations Directorate, Building 4, North London Business Park (NLBP),

- Oakleigh Road South, London N11 1NP.
- 3 In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team in Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
 - 4 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process. The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation. Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development.
Planning Policy Statement 3: Housing.

The Mayor's London Plan (consolidated with alterations since 2004):

The Mayor of London, The London Plan, Spatial development strategy for Greater London, Consolidated with Alterations since 2004 is the development plan in terms of strategic planning policy. Relevant strategic policies include 4B.1 and 4B.3.

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, ENV4, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27.

Supplementary Planning Guidance:

Design Guidance Note No. 5 – Extensions to Houses.
Design Guidance Note No. 7 - Residential Conversions.

Supplementary Planning Document on Sustainable Design and Construction (June 2007).

Supplementary Planning Document on Contributions to Education (2008).
Supplementary Planning Document on Contributions to Library Services (2008).
Supplementary Planning Document on Contributions to Health and Social Care (2009).

Core Strategy (Publication Stage) 2010:

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

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

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

Relevant Core Strategy Policies:

Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

Relevant Planning History:

Application:	Planning	Number:	F/00205/11
Validated:	06/01/2011	Type:	APF
Status:	APS	Date:	10/03/2011
Summary:	AREF	Case Officer:	Neetal Rajput
Description:	Part single, part two storey both sides extensions. Two storey rear extension. Loft conversion. New front brick boundary wall. Conversion of a single dwellinghouse into 5 flats with 2 new associated parking spaces and landscaping.		

Application:	Planning	Number:	F/01585/11
Validated:	18/04/2011	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	Neetal Rajput
Description:	2 storey extensions to both sides and to rear and conversion of property into 3 flats.		

Application:	Planning	Number:	F/02975/10
Validated:	22/07/2010	Type:	192
Status:	DEC	Date:	16/09/2010
Summary:	LW	Case Officer:	Neetal Rajput

Description: Single storey extensions to both sides and rear. Extensions to roof including dormer windows to both sides to facilitate a loft conversion.

Application: Planning
Validated: 25/08/2010
Status: WDN
Summary: WIT
Description: Two storey side extensions and two storey rear extension

Number: F/02986/10
Type: HSE
Date: 20/10/2010
Case Officer: Neetal Rajput

Application: Planning
Validated: 11/08/2010
Status: WDN
Summary: WIT
Description: Erection of 2 no. new two-storey dwelling houses, including rooms in roof space, following demolition of existing dwelling.

Number: F/03042/10
Type: APF
Date: 29/09/2010
Case Officer: Neetal Rajput

Application: Planning
Validated: 11/08/2010
Status: WDN
Summary: WIT
Description: Demolition of existing residential building and erection of a two storey building plus rooms in roof space to accommodate 5 flats.

Number: F/03081/10
Type: APF
Date: 29/09/2010
Case Officer: Neetal Rajput

Application: Planning
Validated: 25/10/2010
Status: DEC
Summary: APC
Description: Two storey side extension and two storey rear extension.

Number: F/04314/10
Type: HSE
Date: 09/12/2010
Case Officer: Neetal Rajput

Consultations and Views Expressed:

Neighbours Consulted: 46 Replies: 3
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Llanvanor Road is part of a garden suburb and is characterised by small family houses with front and back gardens. a single dwelling would be detrimental to the street and neighbourhood, and unfortunately my fears, and those of my neighbours have not been allayed by the owner's treatment of the existing house, property and most sadly, by chopping down several mature trees without any consideration but to his own ends.
- in the recent past there have been a number of major developments deemed appropriate by Barnet Council and to which together with the rest of the community of Llanvanor, Crewys and Nant Road we have objected due to reasons of over development, over population, lack of infra structure, excessive traffic volumes and most importantly lack of parking space already stretched to its maximum possible limit, to the extent that we have been fined on occasions, due to lack of parking space in the vicinity for access to our own family residence.
- the proposed plans for turning one of the standard family houses in this road into 3 units will create a property that has a most detrimental impact on the character of existing family residences in this road to the extent that it will change the peaceful character of the neighbourhood which in addition to the developments completed so far and those currently being

considered by Barnet council will arguable create a most significant examples of over development within the greater London Area.

- urge the planning committee to give proper consideration to standing unitary development guidelines and regulations in the area at large limit any further developments to the necessary minimum.
- the proposed development cannot be occupied by a family. As a tenanted property this will effectively be a multiple occupation building which is bound to be occupied by transitory tenants who will in the short term not be able be part of the local community.
- if the house at number 22 is permitted to be redeveloped along the lines proposed, into a multi- occupancy construction, the character of the road will be totally lost.
- the volume of traffic at the development generates will prove to be intrusive and the number of additional vehicles owned by the occupants will add further strain on the limited parking space in the road.
- it should be borne in mind that the public amenities and infra-structure including roads, public services, gas, electricity, water and sewage utilities as well as council services have proved inadequate already.
- the recent massive over-developments in the vicinity by Albany home and others have to date detrimentally affected properties in the surrounding area.
- a proposal for development of Smith's Industries building, withdrawn in the first instance due to public protest, and currently under consideration once again, for conversion to a block of flats will create an intolerable living environment which is bound to put further pressure on the quality of life in Llanvanor road.
- adverse influence on the loss of our privacy and character of a pleasant and peaceful residential neighbourhood in danger of being lost, due to gross over development.
- it is also stated the existing 1920s single dwelling building is unsuitable for renovation. However, it is pointed out that it is still in tact although badly damaged by recent but deliberate activities of workmen which could have been avoided. Nonetheless it could be refurbished even from its current poor condition.
- the increase of one residential unit to five is an over development of the site and alters the pattern of the rest of the road which are single dwellings with a few converted into no more than two flats. The flat at second floor level is cramped as there is insufficient space in the roof to accommodate a viable living area.
- the proposed balcony is not in keeping with the adjacent houses in the road. Other properties have been denied consent. It would overlook gardens of properties on both sides with the resultant loss of privacy.
- the height and massing of the proposed building, in particular of the roof ridge, is excessive and inconsistent with the adjoining properties
- the proposed external finish of rough caste rendering is inconsistent with most other properties in the road which are rendered in coarse pebble dash.
- the provision of 5 parking spaces at the front of the site would be out of keeping with the other houses in the rest of the road and

disproportionately increase traffic. Access would be required over the pavement across existing parking bays and the reduction of these would adversely affect other residents in zone H.

- please, think about the short term and long term damage to the street and neighbourhood with these applications and say no and further more, insist that the owner of the property put the house back into good working order.

Under Subject to Conditions:

- the use of building materials - since the house has already been knocked about and building started on various parts - specify what materials will be used as to simply say they must match would allow for almost any material to be used.
- the extension shall not be occupied as a separate unit, oppose converting the house into five self contained units.

Under Material Considerations:

- the dwelling should only be used as a single unit and not be converted into self contained flats.
- the felling of the trees - is it possible to make it a condition that the development will re-landscape and plant the external areas? Also that only the one parking place, in front of their own garage will exist? i.e. no other hard standing?

Under Planning Appraisal:

- I would just re-iterate that the unoccupied house had not "fallen into a state of disrepair" - the current owner/developer created the situation thus enabling this application. This attitude and the felling of the trees has won the owner no friends or goodwill in the street and has meant that we will be far more vigilant that he follows the letter of the planning consent than a developer with the goodwill of the residents. I only mention this as it does mean if the developer is hoping once the permission is granted we will all go away and turn a blind eye, I doubt that will be the case. Anything he can do to regain the goodwill of a very friendly street would be taken well by all concerned.
- the last paragraph and the amended plan - the amended plan has internal rooms showing a single household dwelling. If there is any way to ensure that this internal development of rooms does not change, i.e. cannot be changed internally so that, for instance, the house becomes three flats with a flat on each floor, I would accept Barnet's ruling. However, if the planning consent only applies to the external development and the extensions, I would ask how can the Conditions be adhered to?
- the application states that no work has commenced but foundations and brickwork have been constructed on the site although this has now ceased.

It should be noted that some of the points within the objection summary above relate to the previous planning application F/04314/10, which has been granted planning permission in 09/12/2010.

Internal /Other Consultations:

Traffic & Development - The proposal is for the extension and conversion of the existing 2 x 2 bedroom flats and provision of 3 self-contained flats comprising 2 x 3 bedroom flats and 1 x 2 bedroom flats. 4 car parking spaces and are being

provided.

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

A new crossover is proposed for new parking provision. The existing on-street resident parking bays will require amendment to accommodate the amended crossovers.

Recommendation:

The proposal is acceptable on highways grounds subject to the following conditions and informatives:

Date of Site Notice: 28 April 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a detached property in the Childs Hill ward, which is currently unoccupied and has fallen into a state of disrepair. The location of the site is in close proximity with the junction at Finchley Road. The street is characterised by a mix of semi-detached and detached properties. Llanvanour Road is part of a residential street where a number of properties have had alterations.

Proposal:

The proposed development has the following elements:

- two storey side extension – this has been set back by 1 metre from the ground floor extension and the roof of the extension has been set down by 1.3 metres from the main roof;
- first floor side extension which will be set 1 metre away from the boundary of the neighbouring property No. 24 Llanvanor Road and 2 metres away from the boundary of the neighbouring property No. 20 Llanvanor Road. The first floor rear extension measures 3 metres in depth and this will sit flush with the ground floor extension.
- there will be the addition of a side entrance to allow access for Flat 1 with a 2 metres boundary wall.

The proposal is for the conversion of the existing 4 bedroom house and provision of 3 self-contained flats comprising 2 x 3 bedroom flats and 1 x 2 bedroom flats. 4 car parking spaces are being provided.

Planning consent (F/04314/10) has been granted for *'two storey side extensions and two storey rear extension'* in 09/12/2010.

Council Tax records show that the application site had been previously converted into two self contained flats, for which there is no planning history available.

Planning Considerations:

It is not considered that the redevelopment of the site into three self contained flats

would be out of character with the area and the principle of redevelopment is therefore acceptable. The application which provides additional residential accommodation accords with Council Policy. Policy GH1 of the Adopted UDP (2006) as well as the SPD on Sustainable Design and Construction (2007) indicates that the Council will seek the provision of additional homes through the redevelopment of existing sites.

The nature of the development is not in itself considered to harm the residential character of the area. It is noted that the area is characterised by a mix of semi detached dwellings which provide both single family dwellings and self contained flats.

As the area is characterised with self contained flats, it is not considered that the principal of converting the premises into three self contained flat would harm the residential character of the area. PPS3 encourages developments that make the most efficient use of land, whilst policy 4B.3 of the London Plan encourages proposals that encourage the highest possible intensity of land that is appropriate for the area, conforms to design principals that are outlined in policy 4B.1 and has public transport capacity.

The site is within a well established residential area which is close to shops, transport and community facilities of Childs Hill. The proposed redevelopment of the site to provide five residential units is considered to comply with the requirements of Policy H2 of the Adopted UDP.

All flats exceed Barnet's minimum size of 30m² and the proposed layout ensures that rooms are stacked appropriately. In addition to this, to ensure the sustainability of each unit an insulation of acoustic separation for the proposed new units will be required for the floors and party walls. Barnet's SPD requires the addition of sound insulation systems in relation to impact and airborne noise to achieve a sound attenuation of 3dB above Building Regulation requirements for airborne sound and 3dB above Building Regulation requirements for impact sound. It should be noted that this standard is similar to the Eco Homes requirements.

To ensure the sustainability of each unit an insulation of acoustic separation for the proposed new units will be required for the floors and party walls. The applicant has not submitted this information and it will therefore be enforced through an appropriate condition attached to the decision.

Design Guidance Note 7, relates to the adequate provision of internal space. It is considered that there is sufficient space to allow the occupants unrestricted movement within the premises. In respect to the amenity space, there is a rear and side access to the rear garden which is for shared private amenity space for the flats which provides sufficient amenity space to comply with policy H18.

Policy H26 states that proposals for residential conversions must include suitably enclosed storage areas at the rear of the property. If it 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. The application shows that there will be wheelie bins and recycling boxes which will be screened at the front of

the property.

The highways department have deemed the proposal as acceptable, there will be the provision of four car parking spaces to the front of the property. On balance it is unlikely that the proposed conversion will have any additional detrimental impact on public highway.

In accordance with the Councils Supplementary Planning Documents in relation to Health, Education and Libraries, the proposed development would require a financial contribution (plus associated monitoring costs) towards health, educational places/library provision within the borough via the discharge of the condition attached to the decision.

The proposed two storey side and rear extensions would accord with Council policies that seek to maintain the character of areas and individual properties and there are other examples of properties on Llanvanor Road which have a similar feature. The design, size and bulk of the extension is such that it would not have a detrimental impact on the appearance of the property, street scene and general area. The extension will be subordinate to the original house and as it will be set back 1 metre from the front building line of the property, it will not have a detrimental impact on the appearance on the street scene and general area. It should be noted that this element has been granted planning consent (F/04314/10) for *'two storey side extensions and two storey rear extension'* in 09/12/2010.

The proposed part single, part two storey side and rear extension accords with Council Design Guidance Note 5 – Extensions to Houses which indicates that at first floor level, side and rear extensions should be set back and set in. This ensures that the extension appears subordinate to the existing house when viewed from the streetscene. The proposal is in keeping with the character of the host building and area and will not be detrimental to neighbouring residential amenity. (As approved under planning application F/04314/10).

As a result of the shape and location of the application site, the proposed first floor rear extension is considered acceptable. In order to maintain the detached aspect of the property, there is a 1 metre distance from the neighbouring property, No. 24 Llanvanor Road. This will ensure that the character of the original property has been maintained. (As approved under planning application F/04314/10).

As the application site is set at an angle in relation to No. 20 Llanvanor Road, it is considered that the proposed footprint of the two storey side and rear will have minimal impact on this property.

The proposed development does not project forward then the two storey rear extension at the neighbouring property No. 24 Llanvanor Road, thus this ensures that there is minimum impact on the principal rear windows of the adjoining property. In addition, as the extension remains in line with the neighbouring property the depth of the proposed extension would, in itself, ensure that there was no unduly oppressive sense of enclosure that was overbearing, or unacceptable loss of daylight or sunlight. For these reasons, the living conditions of the neighbouring properties would not be harmed. (As approved under planning application

F/04314/10).

The boundary wall is not considered to cause harm to character of the streetscene, the height is 2 meters and is not considered to be a obtrusive form of development.

The proposed development respects the proportions of the existing house. It is not considered that the extension is overbearing or unduly obtrusive and therefore there would not be any significant impact on privacy, loss of light, loss of outlook or overbearing in relation to neighbouring properties. As such, policies in Barnet's UDP would be complied with, in particular D2 in respecting its character and appearance, D5 in '*allowing for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users*' and H27 as it has no significant effect on the amenity of neighbouring occupiers.

The proposal is for relatively large extensions, which may not be appropriate on other houses, but due to the site specifics of the site and all material planning considerations the application is considered to be acceptable and planning consent (F/04314/10) has been granted for '*two storey side extensions and two storey rear extension*' in 09/12/2010.

Conclusion:

Following a site visit and with confirmation from the Council Tax Valuation List there are some other conversions in the area. For example, No. 5 Llanvanor Road (C/11914) and No. 35 Llanvanor Road (C/10516/A) have both been converted into two self contained flats. Additionally, according to Council Tax Records, No. 22 Llanvanor Road had been converted into two self contained self, thus the proposal is considered to be appropriate for its locality. The proposed conversion is considered to be in keeping with the character of this part of Childs Hill which is in a highly accessible location and is not considered to adversely affect the amenities of the surrounding residential occupiers.

It is not considered that the proposed extensions will be harmful to the character of the area or the amenities of the neighbouring occupiers. The proposed extensions – part single, part two storey both side extensions and two storey rear extension has been granted planning permission under application F/04314/10.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal and the objections have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

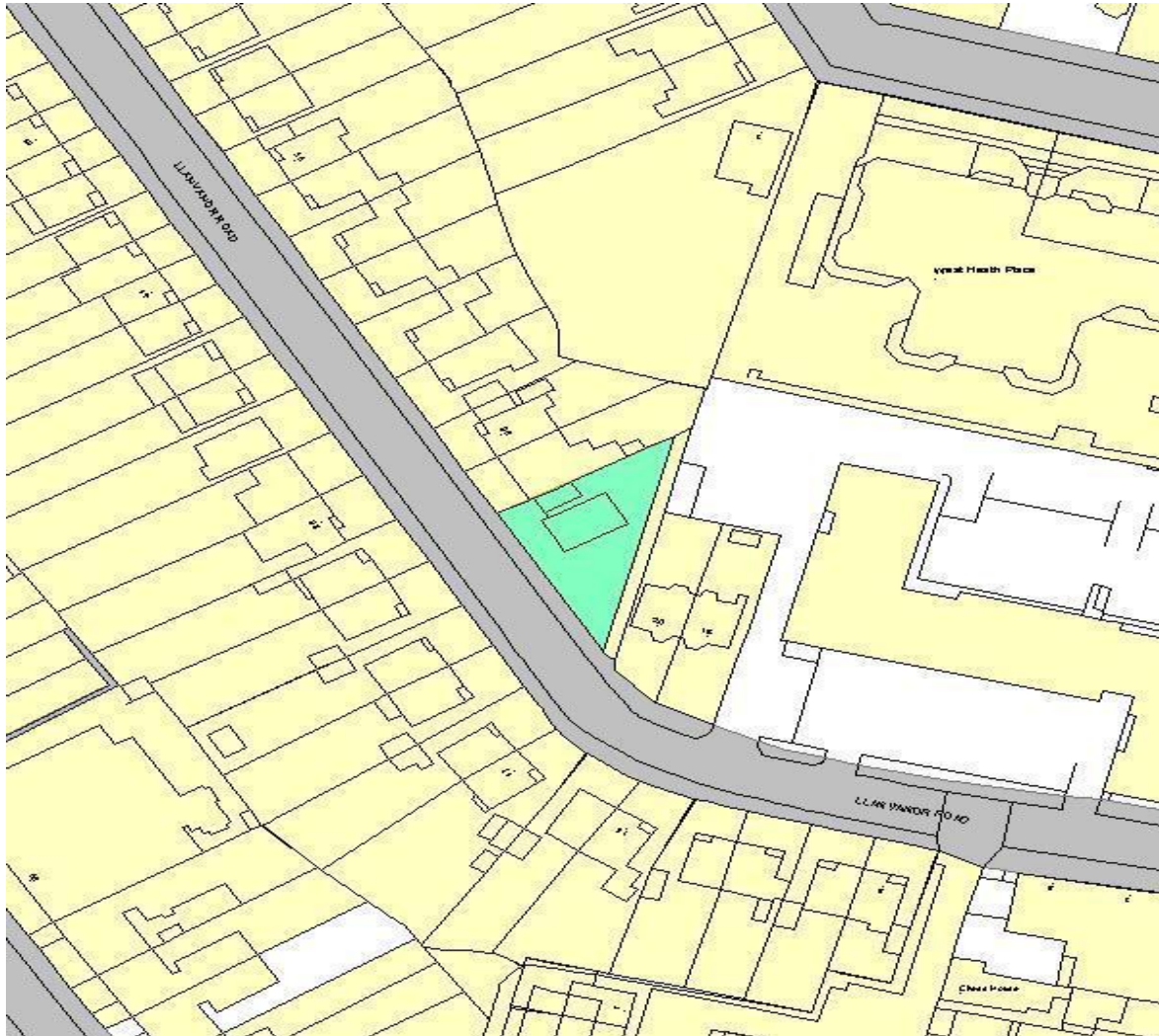
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

As conditioned, the proposal would provide further accommodation without detriment to the residential amenity of neighbouring and future occupiers. The proposal is acceptable on highways grounds. It is recommended the application be **approved** subject to the discharging of attached conditions.

SITE LOCATION PLAN: 22 Llanvanor Road, London, NW2 2AP

REFERENCE: F/01585/11



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LOCATION: Rosh Pinah School, Glengall Road, Edgware, Middx, HA8 8TE

REFERENCE: H/00998/11 Received: 09 March 2011

Accepted: 21 March 2011

WARD(S): Edgware Expiry: 16 May 2011

Final Revisions:

APPLICANT: Rosh Pinah Primary School

PROPOSAL: Single storey extensions to building, alterations to parking and playground layout, in connection with expansion to accommodate the Early Years Unit.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: GR.818.01, GR.818.02, GR.818.11A, GR.818.12, GR.818.13, GR.818.15, GDB/TB/4021/TS.1, 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 is occupied the parking spaces/garages shown on Plan GR.818.11A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

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

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

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

6 The extensions and alterations shall be used for a school and nursery and no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

- To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.
- 7 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 8 The playground areas hereby approved shall not be used before 8am or after 5.30pm on weekdays or before or at all on Saturdays or Sundays.
Reason:
To safeguard the amenities of occupiers of adjoining residential properties.
- 9 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.
- 10 The proposed playground for the 'Early Years Unit' shall be used by no more than 60 children at any one time.
Reason: To safeguard the residential amenities of nearby residential properties.
- 11 The number of children enrolled on the school register for each academic year should not exceed 510 at any time.
Reason: To safeguard the residential amenities of neighbouring residential occupiers.
- 12 A scheme for acoustic fencing to the boundary with properties on Tayside Drive shall be submitted in writing and approved by the Local Planning Authority prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.
Reason:
To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their home(s).
- 13 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.
Reason:
To ensure a satisfactory appearance to the development.
- 14 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
Reason:
To ensure a satisfactory appearance to the development.
- 15 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.
Reason:

To ensure a satisfactory appearance to the development.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, CS4, CS9, M2, M11, M12, M14.
PPS1 - Delivering Sustainable Development
Core Strategy (Publication Stage) 2010: CS5, CS10.
 - ii) The proposal is acceptable for the following reason(s): - The proposal would improve existing school facilities on site. Subject to conditions it is not considered that the proposals would harm the residential amenities of neighbouring occupiers.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

The Mayor's London Plan: Consultation draft replacement plan 2009: None Specific

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan 2006: GBEnv1, GBEnv2, D1, D2, D5, CS4, CS9, M2, M11, M12, M14.

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, CS10

Relevant Planning History:

Application:	Planning	Number:	H/00739/11
Validated:	22/02/2011	Type:	APF
Status:	DEC	Date:	04/05/2011
Summary:	APC	Case Officer:	Graham Robinson
Description:	Erection of a single storey modular classroom building to accommodate additional reception classes from September 2011.		

Consultations and Views Expressed:

Neighbours Consulted:	99	Replies:	3
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

Traffic - Parents and teachers currently use surrounding roads which were not intended for parking in relation to the school.

Noise - Proposals would result in more noise and disturbance for surrounding residents, resulting from extra students and increased volume of traffic.

Loss of property value.

Internal /Other Consultations:

Traffic & Development - Have no objection to the proposals as amended.

Date of Site Notice: 24 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is Rosh Pinah School, sited on the north side of Glengall Road. The site forms a boundary with residential properties on Tayside Drive to the west and Kingsley Court to the north.

The surrounding area is predominately residential in character with some commercial properties on Glengall Road.

Proposal:

The proposals are for single storey extensions to the building, alterations to parking and playground level in connection with the expansion of the school to accommodate the Early Years Unit. The Early Years Unit is currently at the Rosh Pinah Mowbray Road Site.

A transport statement accompanies the application.

The proposed extensions involve:

ground floor extension to south-west of main school building over existing car park area to create new Early Years Unit.

- extension to north of building to playground, infilling part of area currently enclosed to create new toilets and cloakrooms, classroom and library.
- extension to east of the main over part of existing enclosed area building to extend resource area and create new classroom.

The extensions would be single storey with some roof elements. They would be of facing brickwork to match that existing on site, with Eternity 'Glascal' Fibre Cement Panels (Red).

The proposals have been amended to provide an additional 8 car parking spaces so that there is no net loss of staff car parking.

Planning Considerations:

An application under reference H/00739/11 was approved for Erection of a single storey modular classroom building to accommodate additional reception classes from September 2011, this would bring an additional 90 students to the site.

Policy Context

General Policy GBEnv1 aims to maintain and improve the character and quality of the environment.

Policies D1 and D2 aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

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

Policy CS4 advises that proposals for the development of educational facilities will be permitted where they:

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

Policy CS9 states that the council will encourage proposals to enlarge school buildings and sites to meet department for Education and Skills space and playing

field standards, or otherwise improve educational facilities and playing fields, where adjacent land becomes available.

Policy M2 – Transport Impact Assessments

In considering planning applications for new development, the council will require developers to submit a full transport impact assessment in cases where it will have significant transport implications. This will include an analysis of accessibility by non-car modes of transport and measures to assist in meeting Barnet's traffic reduction targets.

Policy M11 – Safety of Road Users

The council will ensure that the safety of road users, particularly those at greater risk, is taken fully into account when considering development proposals.

Policy M12 – Safety of Road Network

The council will seek to reduce accidents by refusing development proposals that unacceptably increase conflicting movements on the road network or increase the risk, or perceived risk, to vulnerable road users.

Policy M14 – Parking Standards

The council will expect development to provide parking in accordance with the London Plan parking standards, except in the case of residential development, where the standards will be:

- i. 2 to 1 1/2 spaces per unit for detached and semi-detached houses;
- ii. 1 1/2 to 1 spaces per unit for terraced houses and flats; and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats.

Impact on the character and appearance of the streetscene and general locality.

The proposals involve extensions to the building. These would be at ground floor level with some additional cladding above. The existing building is of specific architectural merit. It is considered that the proposed extensions would be in keeping with the appearance of the existing buildings on site. It is considered that the extensions would be proportionate additions that would fit acceptably within the wider locality.

It is considered that the proposed extensions to the school would have an acceptable impact on the appearance of the wider locality.

The impact on neighbouring residential amenity

The proposed extensions to the school building would be located a minimum of approximately 6m from the boundary with properties on Tayside Drive. Given the distance away it is not considered that the extensions to the school would cause a harmful loss of light, outlook or privacy to properties on Tayside Drive.

The proposed extensions are in association with the existing Mowbray Road school site moving to the Glengall Road site. This would accommodate an additional 60 students, in addition to the 90 students that would be transferred under the

previously approved application H/00739/11. This would bring to the total number of students on site to 510 for the next seven years, as opposed to 360 at present.

The playground for the early years unit would be located to the south-west of the site, relatively close to the boundary with properties on Tayside Drive. As a result it is considered that conditions are necessary to limit the use of this area to prevent undue noise and disturbance. Furthermore, a condition is proposed for new acoustic fencing to the boundary with properties on Tayside Drive.

It is not considered that any noise and disturbance associated with the intensification of the use on the site would have a harmful impact on the residential amenities of neighbouring residents.

It is considered that the proposals would not have a significantly harmful impact on the visual or residential amenities of neighbouring occupiers.

The impact on highway and pedestrian safety.

The site is not within a controlled parking zone. It lies in close proximity to the A41

The school has a sister site at Mowbray Road. This site is programmed to close down in two years time when its nursery of 60 children will be transferred to the Glengall Road site, bringing a total number of students to 510. (It is envisaged that this would eventually be reduced to 480)

This existing school has 26 full time staff and 20 part time staff. The final expansion will increase the staff complement to 30 full time staff and 24 part time staff.

It is proposed to retain 19 spaces. Two disabled spaces will be provided. 16 cycle spaces will also be provided.

The addition of staff cycle spaces is noted but there is no current data that staff use of cycles will increase in proportion to the decrease in car spaces. The applicant's Transport Statement includes a 2010 survey confirming that the vast majority of staff travel by car. The applicants should therefore seek to retain as many spaces as possible.

Glengall Road and adjoining roads experience parking pressure at school pick-up and drop off times from the existing school. Pupil numbers and car trips will increase when all educational activity is transferred from Mowbray Road to the Glengall Road site.

The Transport Statement, accompanying the application states that school will have a high sibling intake of 53% between reception and the Juniors which is likely to restrain the numbers of separate cars using the site, despite the increase in pupil numbers. Recent detailed surveys have been undertaken to determine the capacity for kerb side parking around the school site at the different closure times. The surveys show that there is capacity.

The proposals would involve the loss of some trees to provide access to parking, these are not considered to be of any special amenity value. Conditions are proposed requiring a suitable landscaping scheme.

It is not considered that the proposals would have a materially harmful impact on highway and pedestrian safety.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally contained within the main report.

Loss of property value. - *Not a material planning consideration.*

4. EQUALITIES AND DIVERSITY ISSUES

The proposals would extend the existing school premises in conjunction with the Early Years Unit moving from the Mowbray Road site.

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

5. CONCLUSION

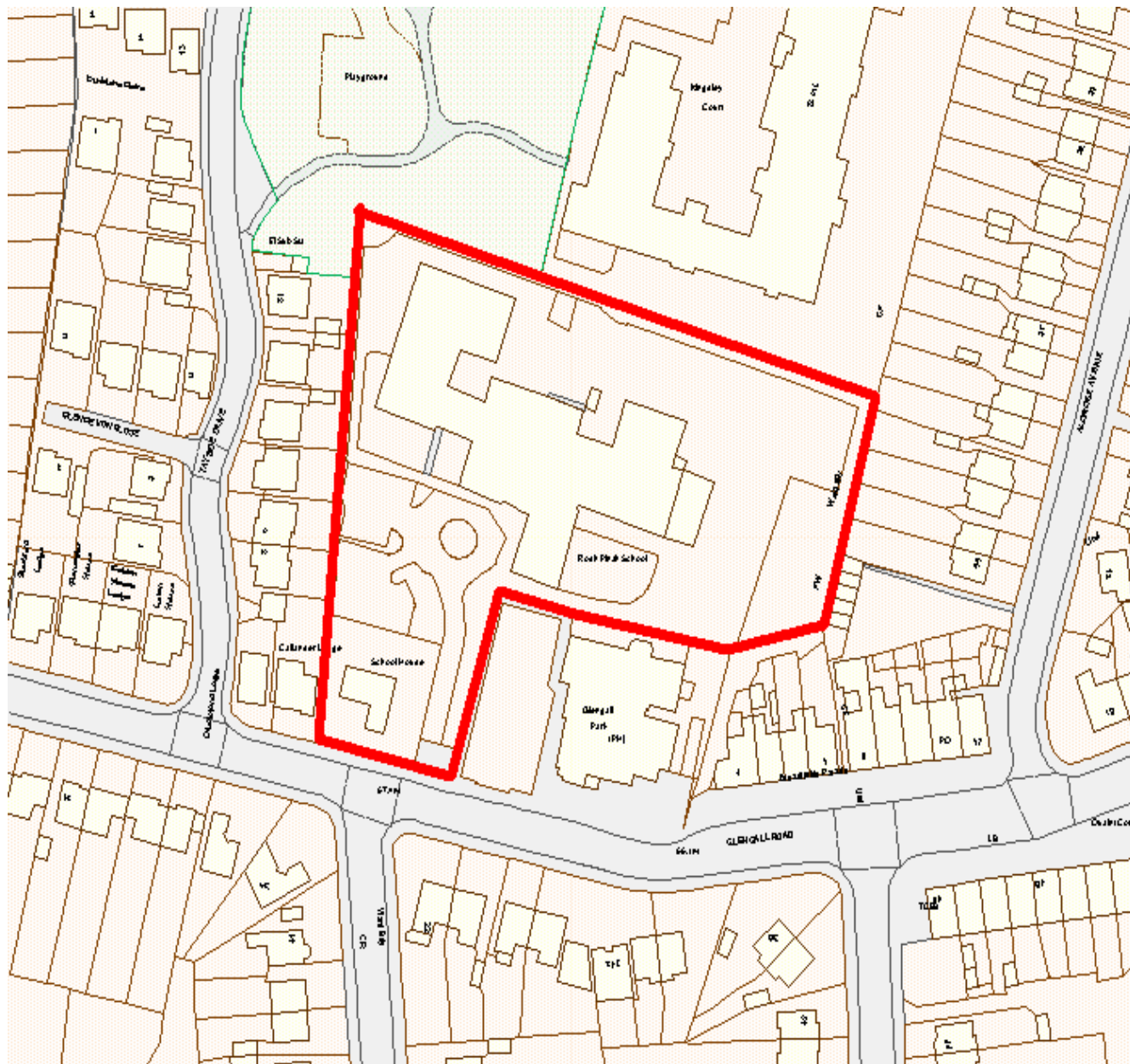
The application is recommended for **APPROVAL**.

SITE LOCATION PLAN:
Middx, HA8 8TE

Rosh Pinah School, Glengall Road, Edgware,

REFERENCE:

H/00998/11



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LOCATION: 134-136 Hendon Lane, London, N3 3PS

REFERENCE: F/00963/11 **Received:** 07 March 2011
Accepted: 21 March 2011

WARD(S): Finchley Church End **Expiry:** 16 May 2011
Final Revisions:

APPLICANT: Dorchester Project Management on Behalf of 134-136 Hendon Lane

PROPOSAL: Erection of a five storey building comprising of lower ground to third floor levels to accommodate 7No. three bedroom and 1No. two bedroom flats. Formation of pergola with glazed panels and associated parking at rear with access from Waverley Grove, following demolition of existing houses.

RECOMMENDATION: Approve Subject to Conditions

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) £57,252.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £1,112.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £12,958.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £3,566.10**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Head of Planning and Development Management approve the planning application reference: F/00963/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, a Planning Statement, Traffic Statement, 06/605/LOC 1, 06/605/P40, 06/605/P41, 06/605/P42, 06/605/P43, 06/605/P44, 06/605/P45, 06/605/P46, 06/605/P47, 06/605/P48, 06/605/P49, 06/605/P50, 06/605/P51, 06/605/P52A, 06/605/P53A and 06/605/P54.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.

Reason:

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

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

Reason:

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

- 4 Before the building hereby permitted is occupied windows on both side elevations (except lower ground floor windows) 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.

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

Reason:

To safeguard the visual amenities of the locality.

- 6 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

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.

- 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 Before the development hereby permitted commences details of a suitably covered and secured cycle parking facility should be submitted to and approved in writing by the local planning authority and shall be provided at the site before the development is occupied.
Reason:
To ensure that cycle parking is provided in accordance with the councils standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.
- 15 Before the development hereby permitted is occupied, parking spaces shall be provided 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 other purpose other than for the parking and turning of vehicles associated with the development.
Reason:
To ensure that adequate and satisfactory provision is made for the parking of

vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policies M11, M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006

- 16 Before the development is commenced, a scheme showing details of access points and ramp gradient in accordance with the siting, size, dimensions and other details shown on the approved drawing shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that the access is satisfactory in terms of highway safety and in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

- 17 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the LPA. This scheme shall include acoustic ventilators in windows to ventilate the rooms without being opened and secondary or triple glazing in the elevation facing Hendon Lane. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied).

Reason:

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

- 18 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.

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

Reason:

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

- 20 A scheme for acoustic fencing (specify where) shall be submitted in writing and approved by the Local Planning Authority prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their home(s).

- 21 Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality

in the vicinity.

- 22 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

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

- 23 Detailed drawings at a scale of 1:20 of the new pergola hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any development hereby permitted is commenced. Development shall be carried out in accordance with the approved plans.

Reason:

To preserve the visual amenities of the surrounding area.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan (published 10 February 2004) 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, D3, D4, D5, D9, D11, H16, M11, M12, M13, M14, H5, H16, H17, H18, H21, H24, CS2, CS8, CS13, IMP1 and IMP2.
 - ii) The proposal is acceptable for the following reason(s): -
The proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring dwellings and this application is in keeping with Council Policies and Guidelines.
- 2 If the development is carried out any new or amended crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
- 3 If the development is carried out it will be necessary for the existing redundant vehicular crossover(s) or sections of crossover to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Chief Highways Officer, NLBP, Oakleigh Road South, London N11 1NP.
- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 5 There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 3 metres of them and will require 24 hours access for maintenance purposes.
- 6 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.

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

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

RECOMMENDATION III

That if an agreement has not been completed by 01/09/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/00963/11 under delegated powers for the following reason/s:

- 1) 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, IMP2 of the Adopted Unitary Development Plan (2006).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1 and PPS5

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D9, D11, H16, M11, M12, M13, M14, H5, H16, H17, H18, H21, H24, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS4 and CS5

Relevant Planning History:

Application:	Planning	Number:	F/00242/09
Validated:	22/01/2009	Type:	CON
Status:	DEC	Date:	03/03/2009
Summary:	AP	Case Officer:	David Campbell
Description:	Submission of details of condition 4 (acoustic report) pursuant to planning permission C01206S/07 dated 28/08/07.		

Application:	Planning	Number:	F/00498/10
Validated:	17/02/2010	Type:	APF
Status:	DEC	Date:	27/05/2010
Summary:	APC	Case Officer:	David Campbell
Description:	Extension to time limit for implementing planning permission C/06013/E/07 dated 26/04/07 for demolition of existing houses and erection of a four storey block of 7 No three bedroom flats over basement car parking.		

Application:	Planning	Number:	F/00963/11
Validated:	21/03/2011	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	David Campbell
Description:	Erection of a five storey building comprising of lower ground to third floor levels to accommodate 7No. three bedroom and 1No. two bedroom flats. Formation of		

pergola with glazed panels and associated parking at rear with access from Waverley Grove, following demolition of existing houses.

Application:	Planning	Number:	F/02802/10
Validated:	07/07/2010	Type:	APF
Status:	DEC	Date:	01/09/2010
Summary:	APC	Case Officer:	David Campbell
Description:	Demolition of existing houses and erection of a 4 storey block of 7 three bedroom flats with surface car parking below pergolas in rear garden off Waverley Grove. (Alteration to previously approved planning application F/00498/10 dated 24/05/10)		

Consultations and Views Expressed:

Neighbours Consulted: 36

Replies: 5

Neighbours Wishing To 0

Speak

The objections raised may be summarised as follows:

- the development will use rear gardens which is now not legal.
- parking
- bulk of the proposals and over-development of the site
- increase in traffic
- the access road would be dangerous for children.
- harm to protected trees.
- the developer has not fulfilled previous obligations on previous developments.

Internal /Other Consultations:

- Traffic & Development - No objection.

Date of Site Notice: 24 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings: The current site contains a pair of semi detached properties in a residential area of the Finchley Church End ward. The site is not in a conservation area.

Proposal: The application seeks consent for the erection of a five storey building comprising of lower ground to third floor levels to accommodate 7No. three bedroom and 1No. two bedroom flats. Formation of pergola with glazed panels and associated parking at rear with access from Waverley Grove, following demolition of existing houses.

The alterations from the previous application include:

an additional two bedroom flat

- creation of a lower ground floor terrace area
- internal alterations
- alterations to fenestration
- alterations to the roof form
- alterations to the rear elevation

Planning Considerations:

Proposed use:

PPS3 advises that new development of whatever scale should not be viewed in isolation and as such, it is not considered that the redevelopment of the site into flats would be out of character with the area and the principle of redevelopment is therefore acceptable. In addition to the examples above a recent appeal decision was granted on the neighbouring site at 132 Hendon Lane for the demolition of a house and erection of nine flats. The proposed density is in line with policy H21. It is not considered that the redevelopment would result in an intensification of use detrimental to neighbouring residents since the plot is relatively large for a pair of semi-detached houses at present and would accommodate additional units without resulting in a cramped form of development.

As part of the appeal statement for the neighbouring site at 132 Hendon Lane, the Inspector commented that the flatted nature of the development would not harm the residential character of the area and that the government does not accept that different types of housing and tenures make bad neighbours. The same argument can be applied to the current planning application for seven units.

Proposed siting, character, design and impact on neighbours amenity

The proposed front building line matches existing and as such aligns with the existing line created by other buildings in this part of Hendon Lane. The building would be set away 1.2 metres away from the boundary with 132 Hendon Lane and 1.5 metres away from the boundary with 138 Hendon Lane. The proposed building would have a similar footprint to the existing building at ground floor level closest to 132 Hendon Lane (where there is currently a garage) and would sit further away than existing closest to 138 Hendon Lane. The first floor element closest to 132 Hendon Lane has been reduced by 2 metres in depth to prevent a loss of amenity (sense of enclosure, outlook) to future residents of 132 Hendon Lane. Overall, it is considered that the proposed footprint would relate well to surrounding development.

The proposed building would be of a similar height to existing: approximately 2 metre higher than 138 Hendon Lane and 0.5 metres lower than the new building at 132 Hendon Lane to accommodate the natural slope of Hendon Lane. Overall, it is considered that the size, height and massing of the building would not over dominate the scale or adversely affect the character of adjacent development.

The proposal is not considered to have a significant impact on the residential amenity of neighbouring occupiers. As conditioned with all windows to both side elevations to be obscure glazed and kept shut with only a fanlight opening, the proposal would not result in increased overlooking or noise to neighbouring properties. The side windows on the ground floor would be positioned behind a fence as indicated on the drawings and as such would not cause any loss of amenity.

It is considered that the proposed bulk and siting of the building would not detrimentally impact on the amenity of existing and future neighbouring occupiers or

result in loss of light or outlook.

The proposed design of the front elevation replicates elements from neighbouring houses with two pronounced front gables. The symmetry of the building is articulated around a two and a half storey glass entrance slightly recessed from the front wall. It is considered that the proposed design would provide an efficient transition between the flatted development at 132 Hendon and more traditional houses to the south. The proposed Juliet balconies at first and second floor level on the street elevation would not result in increased overlooking.

The proposed design of the rear elevation looks in character with surrounding development when viewed from Waverley Grove. Recessed balconies would provide additional private outdoor amenity space for the flats whilst not resulting in detrimental overlooking to neighbouring properties and gardens. The terraces provided at roof level would be within the roofslope and as such difficult to see from Waverley Grove or surrounding gardens.

Although the applicant has provided some information with regards to refuse storage, it is considered that further information should be required by condition to ensure that the provision and location of bins and containers meets council's standards, especially in relation to recycling facilities.

The application is very similar to previous applications in terms of character and design. The main changes to the rear elevation are considered to be largely hidden by the combination of the pergola, vegetation and the set back from the road. It is therefore considered that the principle of an additional flat is acceptable and the design proposed can be supported.

Amenity of future occupiers:

All units would provide adequate internal space and therefore comply with policies H16 and H26 of the UDP. The stacking of flats/rooms is generally acceptable throughout the development. The provision of outdoor amenity space (through balconies and a communal garden to the rear) meets the requirements of policy H18. Access to the site both pedestrian and vehicular is considered acceptable, including access for people with a disability.

The Environmental Health Department did not object to the previous scheme subject to a noise condition being attached to any planning permission, as detailed above.

The amenity space for the additional flat with a terrace space is considered to be acceptable.

Highways:

Parking provisions should meet the Council's guidelines and should be in compliance with UDP standards. The Highways group has confirmed that the proposal is acceptable on Highways grounds subject to conditions detailed above.

The proposed alterations would not impact detrimentally on the character of the

proposed building. The proposed windows being at lower ground floor level would not lead to unacceptable overlooking to neighbouring habitable room windows. It is considered, that subject to a levels condition being imposed, those windows and their relatively limited outlook would still provide sufficient standards of amenity for future occupiers of those flats.

It is not considered that there have been any alterations or policy changes since the previous application which would justify a reason for refusal. There are therefore no objections to the application.

Contributions:

Under Policy CS8 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure a financial contribution of £57,252 for future education needs generated by the development in the Borough which has been calculated in line with the council's Supplementary Planning Document on Contributions to Education.

Under Policy CS2 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure the provision of community and religious facilities. A contribution of £1,112 is sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services.

Under Policy CS13 of the Adopted UDP (2006) the application is subject to a section 106 agreement which seeks to secure the provision of healthcare facilities. A contribution of £12,958 is sought for the provision of healthcare services in the borough in line with the council's Supplementary Planning Document on Contributions to Healthcare Services.

The payment of a financial obligation of £3,566.10 towards the costs of undertaking the work relating to securing the planning obligations is required in line with the Supplementary Planning Document for Planning Obligations.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is not considered that there have been any alterations or policy changes since the previous application which would justify a reason for refusal.

Changes to PPS3:

The change in Government policy has meant that residential gardens are now classified as Greenfield sites and not previously developed land. The purpose of this policy is to prevent 'backland' development in rear gardens and to prevent 'garden grabbing'. Annex B of PPS3 gives a definition of previously developed land and explains what is excluded, including 'land in built-up areas such as private residential gardens, parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed'. As the development is to take place on the ground of the existing bungalow is not considered that the changes to PPS3 could be used as justification for the refusal of

the application.

The changes relate to the block of flats which is to be located in place of the existing building and not in the back garden. Finally it is acknowledged that part of the scheme is to be built in the back garden but this could currently be constructed under the consented scheme. It is therefore considered that the changes to Government policy are not justification for refusal of the 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 would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring dwellings.

APPROVAL is recommended subject to conditions.

SITE LOCATION PLAN: 134-136 Hendon Lane, London, N3 3PS

REFERENCE: F/00963/11



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LOCATION: 13-15 Station Road, London, N3 2SB

REFERENCE: F/01292/11

Received: 28 March 2011

Accepted: 28 March 2011

WARD(S): Finchley Church End

Expiry: 23 May 2011

Final Revisions:

APPLICANT: Mr R Simons

PROPOSAL: Demolition of existing buildings and construction of a three storey building comprising of offices at ground floor and 6no. self-contained flats at first and second floors.

RECOMMENDATION: Approve Subject to S106

1 The development hereby permitted shall be carried out in accordance with the following approved plans: FS723/Loc01; 10/723/sur01 RevA; 10/723/sur02 RevA; 10/723/sur03 RevA; 10/723/sur04; 10/723/sur05; 10/723/sur06; 10/723/P02A; 10/723/P04A; 10/723/P06A; 10/723/P08A; 10/723/P10A; 10/723/P16A; 10/723/P14A.

Reason:

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

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

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

- 9 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 12 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

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

- 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 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.

- 15 Residents of the proposed development will be excluded from obtaining resident and visitor parking permits for the Church End Controlled Parking Zone.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies M8 and M14

of the London Borough of Barnet Adopted Unitary Development Plan 2006.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006):
GBEnv1, GBEnv2, D1, D2, D3, D4, D5, EMP2, H16, H17, H18, H21, GParking, M11, M12, M13, M14, , CS2, CS8, CS13, IMP2
Core Strategy (Publication Stage) 2010:
CS5
 - ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers.
- 2 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 3 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.
The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.
Further details and the application form can be downloaded from:
<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>
or requested from the Street Naming and Numbering Team via email:
street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:
PPS1, PPS3.

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D3, D4, D5, EMP2, H16, H17, H18, H21, GParking, M11, M12, M13, M14, , CS2, CS8, CS13, IMP2; & Barnet Core Strategy's relevant policy CS5:

Core Strategy (Publication Stage) 2010

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

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

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

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

Relevant Core Strategy Policies:

CS5

Relevant Planning History:

Site history for current landparcel :

15927 - 13-15 Station Road, London, N3 2SB

Case Reference: **F/01292/11**

Application:	Planning	Number:	F/00152/10/ENQ
Validated:	09/11/2010	Type:	ENQ
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Demolition of 3 storey office building; construction of ground floor offices and 3 storeys of residential above (8 flats).		

Consultations and Views Expressed:

Neighbours Consulted: 117

Replies: 4

Neighbours Wishing To 1

Speak

The objections raised may be summarised as follows:

Overshadowing and potential to block sunlight.

Loss of privacy.

Station Road is already busy

Further increase density of already overcrowded area.

Immediate neighbouring properties are all two storey height buildings.

Parking and increased congestion.

Purely financially motivated.

Currently the buildings are used as offices and therefore not constantly occupied.

Internal /Other Consultations:

- Traffic & Development - No objections subject to conditions.
- Environmental Health -

Date of Site Notice: 14 April 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site occupies 13-15 Station Road and is situated opposite Finchley Central tube station. The site falls within the secondary retail frontage of Finchley Church End. The site is currently occupied by an accountancy firm on all three levels with A2 use class. There are large outbuildings occupying both rear gardens.

Proposal:

Demolition of existing buildings and construction of a two storey building with accommodation in the roofspace comprising of offices at ground floor and 6 no. self contained flats at first and second floors.

Planning Considerations:

The main considerations in the case are:

Whether the demolition of the existing property and the erection of a new building would harm the character and appearance of the surrounding area;

The change of use of the upper floors from an accountants to residential;

The living conditions of neighbouring residents; The provision of on site amenity space; Parking, Access and Vehicle Movements;

Whether the proposals would result in the community incurring extra educational costs that should be met by the developer;

Whether the proposals would increase pressures on the services provided by Health and Social Care that should be met by the developer;

Whether the proposals would increase pressures on the services provided by libraries that should be met by the developer.

Demolition of Existing Building

The existing property is not considered to be of particular architectural merit and is not located within a conservation area. There is not considered to be any justification to warrant its retention, therefore demolition is considered to be acceptable.

Character and appearance of the proposed building

The London Borough of Barnet adopted Unitary Development Plan 2006 general policies aim to maintain and improve the character and quality of the boroughs environment. (Policies GBEnv1, GBEnv2 and GBEnv4).

Planning Policy Statement 1 (PSS1) makes it clear that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (paragraph 34).

The statement also points out that policies should concentrate on guiding the overall scale, density, massing and height of new development in relation to neighbouring

buildings and the local area more generally. It is clear from these points that Central Government views design as a key issue in the assessment of proposals and that the relationship between proposed buildings and existing buildings and spaces is a particularly important aspect of design.

Policy D2 states that the council will encourage development proposals which are based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street patterns and the overall character and quality of the area. Policy D4 makes it clear that a development should respect the constraints of its site and not result in over development.

The proposal is considered to respect the Finchley Church End vernacular with a traditional design that has a good relationship with the neighbouring properties which have a similar design. The proposed front elevation incorporates important design features including bay windows and front dormer windows which form part of the character of this section of Station Road.

The general height of the proposal is considered acceptable respecting the general pattern of building heights. The eaves level of the proposal respects the eaves level of neighbouring buildings and the level change along the street.

Change of use

The proposed change of use on the upper floors would result in the loss of office space which would be contrary to Policy EMP2 . However, the plans show that there will be no net loss of employment floor space as the ground floor will facilitate the same level of office space as currently exists at the property. Thus, the site will still provide an appropriate level of employment provision and therefore there is no objection in policy terms. The principle of creating residential units in this location on the upper floors is considered to be acceptable.

Living Conditions of Neighbouring Occupiers

The proposal is not considered to result in any loss of amenity to the surrounding properties. At ground floor level the office space will incorporate existing outbuildings at both properties which currently occupy a large proportion of the outdoor space. The proposal is not considered to give rise to any change to the neighbouring properties.

At first floor level the proposal will project an additional 1m and infill the existing recessed section in the centre of the two properties. The additional depth at first floor level is not considered to give rise to any loss of amenity to the neighbouring properties.

Amenity of Future Occupiers

The proposed self contained units meet the minimum internal floor area as required by Barnet's SPD on Sustainable Design and Construction (2007). The proposed self contained units should provide sufficient space to allow the occupants unrestricted movement within the premises.

Council Guidelines seek to ensure that living accommodation is located above living

rooms to upper/lower flats and bedrooms are located above or below other bedrooms, to minimise noise and disturbance between the units.

To ensure the sustainability of each unit an insulation of acoustic separation for the proposed new units will be required for the floors and party walls. Barnet's SPD requires the addition of sound insulation systems in relation to impact and airborne noise to achieve a sound attenuation of 3dB above Building Regulation requirements for airborne sound and 3dB above Building Regulation requirements for impact sound. It should be noted that this standard is similar to the Eco Homes requirements.

The applicant has not submitted this information and it will therefore be enforced through an appropriate condition attached to the decision.

Amenity space

The proposal meets with Policy H18 of the Council's Adopted Unitary Development Plan (2006) which requires new residential schemes to provide a minimum level of amenity space at the following standard, with the emphasis being on 'usable amenity space' for flats:

- 5 square metres of space per habitable room.

Parking, Access and Vehicle Movements

No parking is available for the existing use and no new parking is proposed.

Taking into consideration the following factors:

The site is located in an area with a PTAL score of 5.

- the site is close to Town Centre and close to local amenities and public transport.
- the site is within a Control Parking Zone.
- The applicant has stated in his Design and Access statement that the development is to be a car free development and he would be willing to enter into a S106/Unilateral Agreement to exempt the future occupiers of the new development from obtaining resident's parking permits for the Control Parking Zone (CPZ).

Therefore, on balance, the proposal is acceptable on highways grounds subject to a S106/Unilateral agreement to prevent the occupants of the new development from purchasing parking permits. A contribution of £2000 will be required to implement the alteration to the Traffic Order for the CPZ.

Contributions to Education, Libraries and Health:

Education needs generated by the development:

The scheme would provide residential units that are considered would generate an increased demand for educational facilities in the area. The method of calculating the likely demand resulting from new development is provided in the Council's Supplementary Planning Document "Contributions to Education" adopted in February 2008.

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. 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 CS and the SPD for the proposed scheme of 6 residential units would require a contribution of £8,282 and a monitoring fee of 5%.

Contributions to library services:

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's contributions are therefore necessary to ensure service provision mitigates the impact of their development activity. The Council's adopted Supplementary Planning Document "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.

Circular 5/2005 "Planning Obligations" supports the use of developer's contributions to mitigate the impacts of new development, where it would give rise to a need for additional or expanded community infrastructure. 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 for the proposed scheme of 6 residential units would require a contribution of £834 and a monitoring fee of 5%.

Contributions to Health facilities:

The scheme would provide residential units that it is considered would generate an increased demand for health care facilities in the area. The Council's SPD "Contributions to Health Facilities from Development" adopted in July 2009 sets out capital contributions per residential unit.

Circular 05/2005 supports the use of planning obligations to secure contributions towards the provision of community infrastructure 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.

No information has been provided to demonstrate how the health care needs of the future occupiers of the development would be met by the submitted scheme, or how the proposal fits within NHS Barnet's long term plans to deliver primary care services on a "hub and spoke model" (para. 5.16 of the SPD).

It is considered that a financial contribution towards health care 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 £5,576 and a monitoring fee of 5%.

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

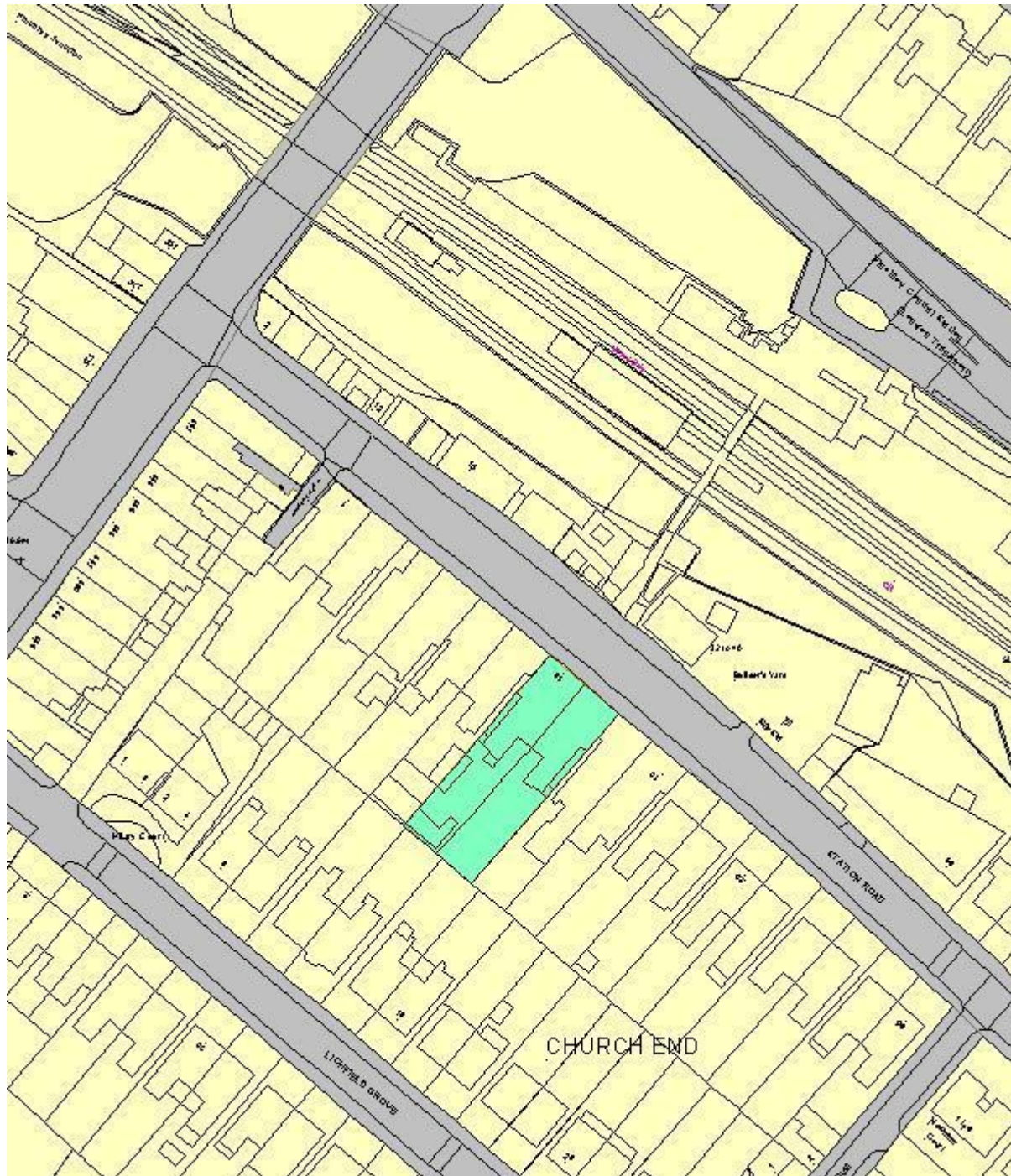
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

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

SITE LOCATION PLAN: 13-15 Station Road, London, N3 2SB

REFERENCE: F/01292/11



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LOCATION: 10 St Marys Avenue, London, N3 1SN

REFERENCE: F/01597/11

Received: 06 April 2011

Accepted: 11 April 2011

WARD(S): Finchley Church End

Expiry: 06 June 2011

Final Revisions:

APPLICANT: Mr Kanzen

PROPOSAL: Single storey rear extension.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan; Plan No's: STMA16/EXT/1 A; STMA16/EXT/2; STMA16/EXT/3 A.

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.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D5, H27 and Design Guidance Note No. 5 – Extensions to Houses.

Local Development Framework: Core Strategy (Publication Stage,

September 2010): Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

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

It is considered that the proposal would not detract from the amenity of neighbouring properties. The design and sitting of the extension is such that it would not have a detrimental impact on the character of either the original property or the area. The application is therefore recommended for **APPROVAL**.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies:

Adopted Barnet UDP (2006): GBEnv1, GBEnv2, D1, D2, D3, D5 and H27.

Supplementary Planning Guidance:

Barnet 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:

Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

Relevant Planning History:

None relevant.

Consultations and Views Expressed:

Neighbours Consulted: 6
Neighbours Wishing To 1
Speak

Replies: 3

The objections raised may be summarised as follows:

- impact of the height of the proposed extension including the skylight will be obtrusive and imposing;
- height of the construction will be imposing over the garden and the patio of neighbouring property;
- extension looks quite ugly and not in keeping with the character of the area;
- extension does not need to be so big;
- if the extension is permitted it should not exceed the height of the garden fence at the patio;
- loss of light to neighbouring property patio area and family room and issues of overlooking;
- loss of natural light into neighbouring property;
- the wall of the extension will create a feeling of loss of open space, giving an enclosing prison like effect – especially when the patio area is used very regularly at meals during the summer months;
- when one is sat in the middle of the garden, facing the application site, the extension will be clearly visible and will appear aesthetically unattractive;
- height of the proposed extension is greater than that of No. 12 St Marys Avenue;
- as the plans show there is a drop in level of the house, there is no need to build so high;
- the window to be installed in the far side building is very large – exceeds the height of the timber fence and will affect right to privacy of adjoining neighbouring occupiers – window should be reduced in size;
- the proposed skylight will add to the height and should not be permitted;
- proposed extension is too deep and has an industrial feel.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a semi-detached residential property located on St Marys Avenue in the Finchley Church End ward.

Proposal:

The application is for a single storey rear extension to No. 10 St Marys Avenue.

The single storey rear extension is proposed have a flat roof, measuring 3.5 meters in height. The single storey rear extension will be 3.5 meters deep along the neighbouring boundary with No. 8 St Marys Avenue, then there will be a set in of 4.1 meters and the extension will extend a further 2.3 meters in depth.

In relation to No. 12 St Marys Avenue, there is a distance of 1 meter distance from the proposed side flank wall of the single storey rear extension to the shared boundary wall and the proposed extension will not project further than that of No. 12 St Marys Avenue.

Planning Considerations:

Council's policies and guidelines in respect of extensions to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Extensions will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

In account of this, the principle of the single storey rear extension is considered acceptable. The proposed rear extension would comply with Council policies that seek to preserve the character of areas and individual properties.

The proposed rear extension would also comply with Council policies that seek to preserve the amenities of neighbouring occupiers. The design, size and rearward projection of the proposed extension are such that it would not have an adverse impact on the residential and visual amenities of the neighbouring occupiers. Design Guidance Note No. 5 - Extensions to Houses states that single storey rear extensions to the semi-detached houses projecting up to a maximum of 3.5 metres in depth along the boundary with a property will normally be acceptable. Thus, the proposal is in accordance with Council guidance as it measures 3.5 metres in depth along the boundary with No. 8 St Marys Avenue.

In regard to No. 12 St Marys Avenue, this property has also benefitted from a single storey rear extension, for which no planning history is available. The proposed extension aligns that of No. 12 St Marys Road and thus it is considered that the proposal will have not a harmful impact to the amenities of neighbouring occupiers.

There is also a distance of 1 meter from the proposed side flank wall of the extension to the shared boundary wall of No. 12 St Marys Avenue, this distance would limit the effect on light level and outlook on the neighbouring property.

The height of the proposed extension has been reduced to 3.5 metres and as there is a considerable level change between the property and the garden level, this height is considered acceptable. The proposed height would, in itself, ensure that there was no unduly oppressive sense of enclosure that was overbearing, or unacceptable loss of daylight or sunlight. For these reasons, the living conditions of the neighbouring properties would not be harmed.

The installation of the window on the side elevation facing No. 8 St Marys Avenue is a considerable distance set away from the shared boundary and as the height of the proposed extension has been reduced, this window is not considered to have a demonstrable harm to the amenities of neighbouring occupiers and future occupiers.

The proposed development respects the proportions of the existing house. It is not

considered that the extension is overbearing or unduly obtrusive and therefore there would not be any significant impact on privacy, loss of light, loss of outlook or overbearing in relation to neighbouring properties. As such, policies in Barnet's UDP would be complied with, in particular D2 in respecting its character and appearance, D5 in '*allowing for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users*' and H27 as it has no significant effect on the amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal.

4. EQUALITIES AND DIVERSITY ISSUES

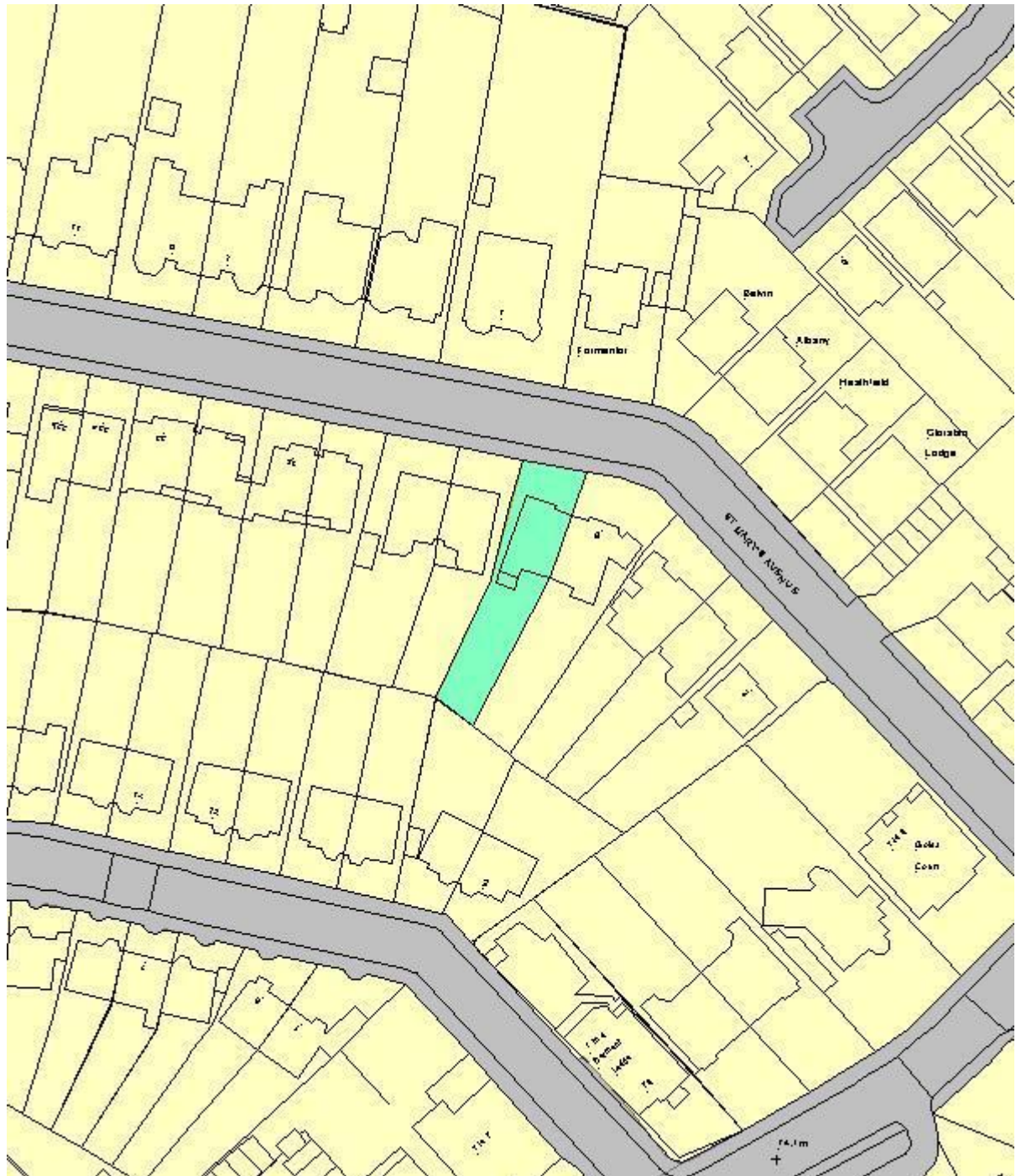
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposal is considered to be in accordance with the Council's Design Guidance and Unitary Development Plan policies with minimal impact on the character of the area and the residential amenities of neighbouring occupiers. It is recommended the application be **APPROVED** accordingly.

SITE LOCATION PLAN: 10 St Marys Avenue, London, N3 1SN

REFERENCE: F/01597/11



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LOCATION: 32 Manor View, London, N3 2SS
REFERENCE: F/01791/11 **Received:** 21 April 2011
Accepted: 21 April 2011
WARD(S): Finchley Church End **Expiry:** 16 June 2011

Final Revisions:

APPLICANT: Choice Place Properties Ltd
PROPOSAL: Conversion of property into 5no self-contained residential units.
1.8 metre high acoustic fencing to subdivide the garden from the car parking at the rear. (Amended Description)

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - MV32-4002; Design & Access Statement; Email from Amit Patel of Construct 360 LTD [mailto:amit@construct360.co.uk] dated 24 May 2011; Plan No's: MV32-4001; MV32-4002B; MV32-4003A.

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 proposed parking spaces within the parking area as shown on revised Drawing No MV32-4002B submitted for the above planning application shall be provided and the access to the parking spaces will be maintained at all time.

Reason:

To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies M13 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

4 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.

5 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

6 No development shall take place until details of the arrangements to meet the obligation for health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, D1, D2, D3, D6, M13, M14, H2, H16, H17, H18, H20, H21, H23, H26, CS2, CS13, IMP1 and IMP2; & Barnet Core Strategy's relevant policy CS5:
 - ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings and is not considered to have a detrimental impact on the residential amenities of neighbouring developments.
- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.
The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.
Further details and the application form can be downloaded from:
<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>
or requested from the Street Naming and Numbering Team via email:
street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.
- 3 If any alteration is required to the existing crossovers or provision of a new crossover will be subject to a detailed survey by the Crossover Team in Environment and Operations Directorate as part of the application for crossover under Highways Act 1980. Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works.
In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged.
Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Environment and Operations Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

The determination of planning applications are 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 PPS3 “Housing” (2006), along with other Government housing policy and planning policy statements, provides the context for plan preparation in relation to housing development. Paragraphs 12-19 relate to the achievement of high quality housing. In para. 16 the matters to consider when addressing design quality include the extent to which the proposed development is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. PPS3 advises at para. 49 that more intensive development is not always appropriate.

The implications of new development on transport are included within PPG13 “Transport” (2001). Paragraph 49 relates to car parking and in para. 52 it is stated that maximum parking standards should be designed to be used as part of a package of measures to promote sustainable transport choices.

The Mayor’s London Plan: Consultation Draft Replacement Plan 2009:

The Development Plan for the area comprises the London Plan is a planning document written by the Mayor of London, England in the United Kingdom and published by the Greater London Authority. The plan was first published in final form on 10 February 2004 and has since been amended. The current version was published in February 2008. The latest proposed amendments to the London Plan were published in April 2009 with consultation starting in October 2009 and the replacement plan expected to be published in 2011.

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.

One overall theme that runs through the plan is ‘sustainable development’. Policy GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

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.

As part of its emerging Local Development Framework the Council has adopted (October 2006), following consultation, a Supplementary Planning Document relating to Planning Obligations. This highlights the legislation and Barnet’s approach in requiring contributions from new development.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

On 21 February 2008, following public consultation, a Supplementary Planning Document “Contributions to Education” was adopted by the Council. The SPD, which provides guidance and advice in relation to adopted planning policy to secure contributions towards education needs generated by new residential development, superseded an SPG approved in August 2000.

On 21 February 2008 the Council also adopted following public consultation, a Supplementary Planning Document “Contributions to Library Services”. The SPD covers the issues relating to the provision by the London Borough of Barnet of library and related cultural/learning facilities and the role of S106 planning obligations in achieving this. The SPD sets out the contributions that will have to be provided by developers for each proposed new unit of residential accommodation.

On 6 July 2009, following public consultation, the Council adopted a Supplementary Planning Document “Contributions to Health Facilities from Development”. The SPD

provides detailed guidance that supplements policies in the Unitary Development Plan and sets out the Council's approach to securing contributions for health facilities in order to address additional needs from new development.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant policies: Policy CS5

Relevant Planning History:

32 Manor View, London, N3 2SS

Application:	Planning	Number:	C/03522/A/03
Validated:	28/01/2003	Type:	APF
Status:	DEC	Date:	25/03/2003
Summary:	REF	Case Officer:	
Description:	Two storey side and rear extensions and conversion and extension of roof including rear dormer window to provide 8 no. self contained flats. Provision of 6 no. car parking spaces at rear with access onto Briarfield Avenue.		

32 Manor View, London, N3 2SS

Application:	Planning	Number:	C/03522/B/03
Validated:	03/06/2003	Type:	APF
Status:	DEC	Date:	24/09/2003
Summary:	APC	Case Officer:	
Description:	Two storey side extension, part single, part two storey rear extension and conversion of property into 2no. self contained flats. Provision of off street car parking accessed from Briarfield Avenue.		

32 Manor View, London, N3 2SS

Application: Planning **Number:** C/03522/C/03
Validated: 11/11/2003 **Type:** APF
Status: APD **Date:** 06/01/2004
Summary: DIS **Case Officer:**
Description: Two storey side extension part single, part two storey rear extension and dormer window to rear. Conversion of property into 4no. self contained flats. Provision of off street parking spaces accessed from Briarfield Avenue.

32 Manor View, London, N3 2SS

Application: Planning **Number:** C/03522/D/05
Validated: 14/06/2005 **Type:** APF
Status: DEC **Date:** 22/08/2005
Summary: REF **Case Officer:**
Description: Excavation of new basement level, with associated light well to front, side and rear. Part single, part two storey side and rear extension. Alterations to roof to create second floor level. Conversion of property into two self-contained units. Provision of 3 off-street parking spaces accessed from Briarfield Avenue.

32 Manor View, London, N3 2SS

Application: Planning **Number:** F/02275/10
Validated: 16/06/2010 **Type:** APF
Status: WDN **Date:** 29/07/2010
Summary: WIT **Case Officer:** Junior C. Moka
Description: Conversion of property into 5no self-contained residential units including associated amenities and off-street parking. Associated part single part two storey front,side and rear extension and extension to roof including rear dormer to facilitate a loft conversion.

32 Manor View, London, N3 2SS

Application: Planning **Number:** F/03082/10
Validated: 04/08/2010 **Type:** HSE
Status: DEC **Date:** 29/09/2010
Summary: APC **Case Officer:** Junior C. Moka
Description: Part single, part two storey side and rear extensions. Rear dormer windows and side and rear roof lights. Front alterations.

Consultations and Views Expressed:

Neighbours Consulted: 38 Replies: 13
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- proposal would result in a very intensive development of this site;
- plays well with much emphasis on first time buyers;
- two ground floor flats are for small families - They will need to be as all flats have a single room which combines the function of a kitchen, utility, dining and living rooms. Akin to an HMO;

- 3 car parking spaces for 5 flats; perhaps the owners will be unable to afford cars;
- even with 3 cars, there will be dents happening as they manoeuvre from the space to the cross over;
- densities may exceed the minimum limits but that does not make them habitable;
- the minimum limits were set so as to encompass all sorts of strange possibilities - This proposal is not one of them;
- this will undoubtedly increase the existing parking problems that already exist on this road leading to parking congestion;
- at the same time, the weight of the existing traffic has resulted on many car wings being broken by passing cars & buses;
- there is a school & a synagogue which increases traffic and parked cars during certain times of the weeks - adding so many flats is completely unsustainable;
- approval was given under F/03082/10 for extensions so the permission for the conversion should be refused;
- previous application was withdrawn due to parking concerns;
- concerns about the construction of the existing extensions;
- misleading information on the plans - unscaled plans;
- out of character in a street characterised by family dwellings;
- conversion is being asked for a property with an incomplete extension;
- concerns regarding rainwater drainage compromised with any further concrete/tarmac to site;
- since 2003 a number of application has been rejected for the conversion of property into flats;
- scale and appearance of the proposal;
- concerns over overlooking;
- increase in noise as a result of the proposal;
- the proposed flat numbers 1, 3, 4 and 5 do not meet the "absolute minimum" residential space standards required in Appendix 1 of the Council's Sustainable Design and Construction Supplementary Planning Document (June 2007) and the applicant has not provided a full justification that includes a feasibility study addressing the long term social implications of choosing smaller sized units;
- the development would be contrary to Policies DM01 and DM08 of the LDF Development Management Policies Submission Draft (May 2011) and described in Paragraph 2.8.1 and approved by the Council's Cabinet on 29th March 2011.
- there appears to be no provision for contributions to Education, Libraries, Health and Monitoring costs that would arise if the proposed development was to be approved;
- concerns over flooding as a result of the development;
- at every stage it appears that we have been lied to;
- party Wall concerns.

Any additional objections received further to this report will be reported to the committee.

Internal /Other Consultations:

Thames Water -

No objection

Traffic & Development -

No objection to the above application on highway grounds subject to highways a condition and an informative.

Date of Site Notice: 18 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a semi-detached residential dwelling located on the corner of Manor View and Briarfield Road in Finchley Church End Ward. The front garden is partly laid with hardstanding and is used for parking, the side and rear garden is largely laid to lawn. There are some examples of these dwellings have been converted into flats on Manor View (no's 6, 8, 36, 40, 44, 50, 52); on Lichfield Grove within approximately 300 metres of the application site (no's 75; 79, 81, 105, 115, 116, 119, 121, 133, 135, 137, 139, 141, 143, 145).

The host property has recently constructed a part single, part two storey side and rear extensions; rear dormer windows and side and rear roof lights; front alterations as part of the planning application F/03082/10.

Proposal:

The proposal relates to the conversion of property into 5 self contained flats. Flat 1 will occupy the ground floor within the ground floor side extension area (F/03082/10); flat 2 will occupy the ground floor of the main dwelling; flat 3 is a maisonette unit occupying the first floor within the first floor side extension area and the extended roof over this extension (F/03082/10); flat 4 will occupy the first floor of the main dwelling; and flat 5 will occupy the roof space of the main dwelling.

Flat 1 to 4 will consist of two bedrooms and flat 5 will consist of one bedroom. All units have access to the rear garden in a the form of a 151.2 msq communal garden.

The proposed flats have the following measurements:

- Flat 1 will be 56 msq;
- Flat 2 will be 75 msq;
- Flat 3 is a maisonette unit which will be 61 msq;
- Flat 4 will be 55 msq;
- Flat 5 will be 37 msq.

The proposal also includes 1.8 metre high acoustic fencing to subdivide the garden from the car parking at the rear.

Planning Considerations:

The main issues are considered to be:

- Whether harm would be caused to the character and appearance of the area and street scene;
- The living conditions of future residents having regard to the provision of amenity space;
- Parking, Access and Vehicle Movements;
- Whether the proposal would result in the community incurring extra educational costs that should be met by the developer;
- Whether the proposal would increase pressures on the services provided by libraries incurring additional costs that should be met by the developer;
- Whether the proposal would increase the demand for health care facilities incurring extra costs that should be met by the developer.

Proposed siting, character and appearance:

The immediate surroundings are characterised by houses converted into residential units as well as properties in single family occupancy. The proposal would result in the re-use of a brownfield site and as such a flatted development is considered acceptable in this location. The proposed density is in line with policy H21. The current application is for a mix of one and two bed flats.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land. Other such flat developments within Manor View and Lichfield Grove noticed above.

The proposed redevelopment of the site to provide additional residential units is considered to comply with the requirements of Policy H2 of the Adopted UDP. It is considered that the conversion to 1 one bedroom flat and 4 two-bedroom flats would not detrimentally impact on the character of the area or the amenity of neighbouring occupiers.

Each flat would be accessed separately and there are to be no external changes to the existing building.

The proposed intensification of use from a single dwelling to five units is not expected to result in a detrimental loss of amenity for occupiers of this part of Manor View or future occupiers of the neighbouring dwellings.

The proposed 1.8 metre high acoustic fencing to subdivide the garden from the car parking at the rear is not considered to 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.

Amenity of existing/future occupiers:

The proposed units would provide adequate internal space and therefore comply with policies H16 and H26 of the Adopted UDP (2006) as well as the SPD on Sustainable Design and Construction (2007).

The proposal in the main ensures that rooms are stacked appropriately so that the living accommodation is located above living rooms to upper/lower flats and bedrooms are located above or below other bedrooms, to minimise noise and disturbance between the units. Apart from one of the proposed bedrooms and bathrooms being located over and below each other. However, it is possible to solve this problem as there is a condition that will be attached to this approved decision.

Barnet's SPD for Sustainable Design and Construction requires the addition of sound insulation systems in relation to impact and airborne noise to achieve a sound attenuation of 3dB above Building Regulation requirements for airborne sound and 3dB above Building Regulation requirements for impact sound. It should be noted that this standard is similar to the Eco Homes requirements. To ensure the sustainability of each unit an insulation of acoustic separation for the proposed new units would be required for the floors and party walls.

The application does show where the proposed refuse facilities will be located. It is considered that the proposed location is a collection point that would be in accordance with Council Guidelines (within a maximum pull distance from the pavement of 10 metres); however doesn't show how the refuse is to be kept, therefore, a condition for refuse would be attached to the permission.

Policy H16 of the Barnet Unitary Development Plan (May 2006) [UDP] states that new residential developments should harmonise with and respect the character of the area within which they are situated and should, among other matters, provide adequate levels of private garden or amenity space. UDP policy H18 sets out minimum amenity space standards. The following standard, with the emphasis being on 'usable amenity space' for flats:

- 5 square metres of space per habitable room.
- Rooms exceeding 20 square metres will be counted as two habitable rooms.

The proposed development also provides sufficient amounts of usable outdoor space for the enjoyment of future occupiers as there are 18 habitable rooms (including 4 large rooms exceeding 20 square metres). All units will have access to the rear garden, which the communal garden would provide an acceptable quality of outdoor amenity space. Details of landscaping are required by condition.

In additional all flats are also located close to a public open space in the form of Victoria Park.

Parking, Access and Vehicle Movements:

The proposal is to convert the existing 4 bedroom plus residential accommodation to provide 5 no self-contained residential units comprising 1x1 bedroom unit and 4x2

bedroom units. 5 parking spaces are being provided including existing 3 parking spaces.

It is considered that the parking layout is in accordance with the Parking Standards as set out in the UDP 2006. One of the spaces to the front is designed for disabled use and this space has a width of 3 metres.

The access to the parking spaces is via existing crossovers.

There are no objections on highways grounds because the proposed conversion is unlikely to have any additional detrimental impact on public highway and thus address the concerns raised with the withdrawn application F/02275/10 '.

Education needs generated by the development:

The scheme would provide residential units that are considered would generate an increased demand for educational facilities in the area. The method of calculating the likely demand resulting from new development is provided in the Council's Supplementary Planning Document "Contributions to Education" adopted in February 2008.

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. 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.

However, although it seems that a blanket requirement on all new residential development is usually imposed, in this case, because of the dwelling mix proposed, there would be the same potential number of children as at present. It is therefore concluded that the requirement for education contributions in this case would not accord with the advice given in Circular 5/2005: Planning Obligations as there is no identified need related to the development.

Contributions to library services:

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's contributions are therefore necessary to ensure service provision mitigates the impact of their development activity. The Council's adopted Supplementary Planning Document "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.

Circular 5/2005 "Planning Obligations" supports the use of developer's contributions to mitigate the impacts of new development, where it would give rise to a need for additional or expanded community infrastructure. 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 for the proposed scheme of 5 residential units (1x1 bedroom and 4x2 bedroom units) would require a contribution of £451 and a monitoring fee of 5%.

Contributions to Health facilities:

The scheme would provide residential units that it is considered would generate an increased demand for health care facilities in the area. The Council's SPD "Contributions to Health Facilities from Development" adopted in July 2009 sets out capital contributions per residential unit.

Circular 05/2005 supports the use of planning obligations to secure contributions towards the provision of community infrastructure 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.

No information has been provided to demonstrate how the health care needs of the future occupiers of the development would be met by the submitted scheme, or how the proposal fits within NHS Barnet's long term plans to deliver primary care services on a "hub and spoke model" (para. 5.16 of the SPD).

It is considered that a financial contribution towards health care 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 £3,522 and a monitoring fee of 5%.

The library services and health facilities contributions will be secured by condition.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not considered to constitute a reason for refusal considering the recent planning history in the Manor Road noted in the planning history section of this report.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal does comply with the requirements of PPS1, which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities available for improving character and quality of an area and the way it

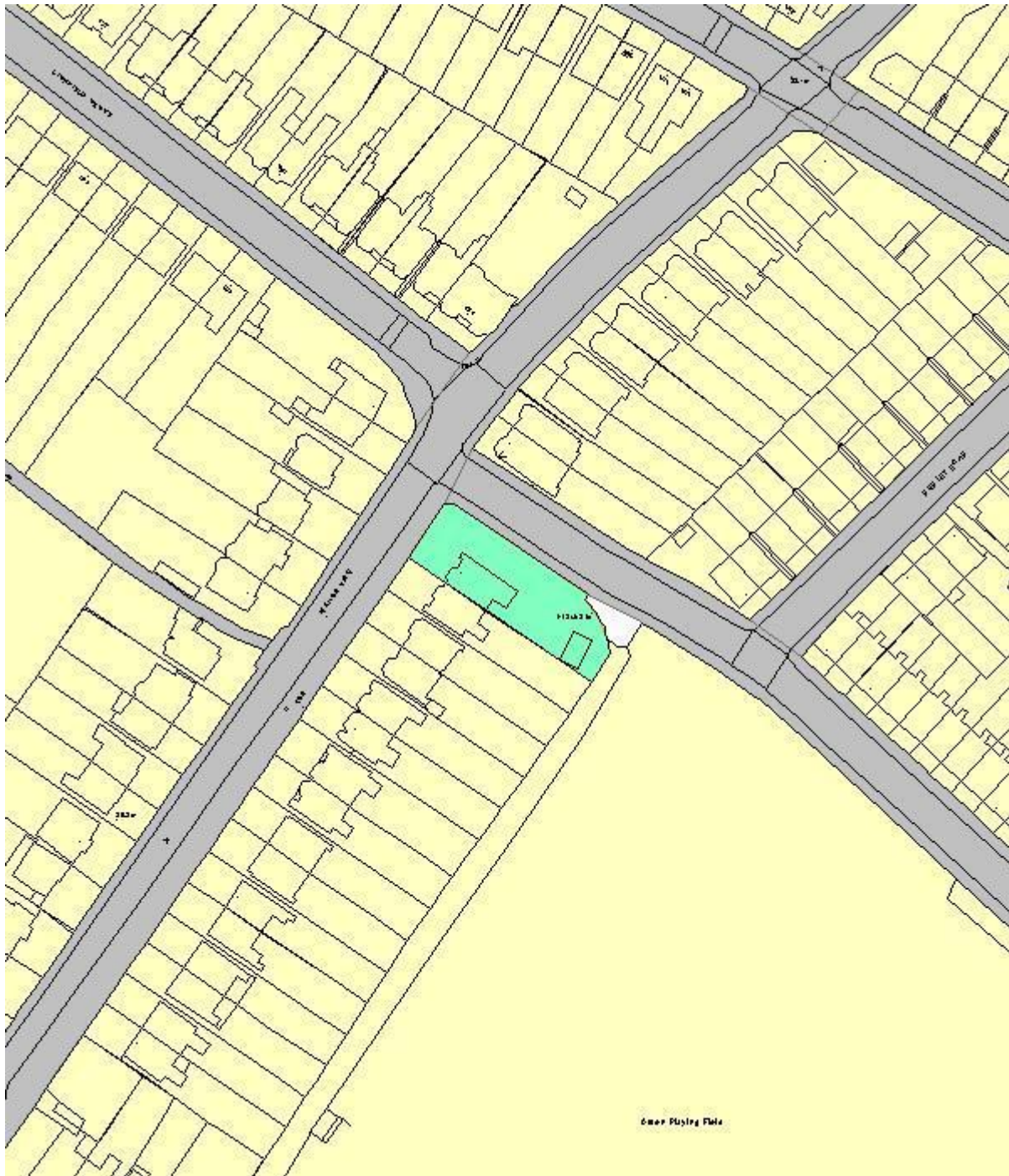
functions, should not be accepted’.

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments.

It is recommended that the application be **APPROVED** subject to the discharging of attached conditions.

SITE LOCATION PLAN: 32 Manor View, London, N3 2SS

REFERENCE: F/01791/11



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LOCATION: 87 Bridge Lane, London, NW11 0EE
REFERENCE: F/00534/11 **Received:** 04 February 2011
WARD(S): Golders Green **Accepted:** 17 February 2011
Expiry: 14 April 2011

Final Revisions:

APPLICANT: Eden Hat Company Ltd
PROPOSAL: Extension to roof including two rear dormer windows, following a creation of a 1bed self-contained flat in roof space to facilitate a loft conversion.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan; Drawing No's: 1A; 1; 2; 3; 4; 4; 5; 6; 7; 8; 9; 10; 11; 12; Design & Access Statement, dated 20/10/10; Photo of the application site.
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 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), the floor plan layout as shown on the hereby approved plans must not be changed without the prior written permission of the local planning authority.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 5 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.
Reason:
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.
- 6 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.
Reason:
To protect the amenities of future and neighbouring residential occupiers.

- 7 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

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

- 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.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, ENV4, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27.

Design Guidance Note 7 - Residential Conversions and Design Guidance Note No. 5 – Extensions to Houses.

Local Development Framework: Core Strategy (Publication Stage, September 2010): Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

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

The conversion of the property into five self contained flats and proposed extensions are considered acceptable, in character with the surrounding area. The proposal would protect the character of this part of Childs Hill and respect the setting of nearby buildings. The proposal would provide acceptable standards of amenity for future occupiers and respect the amenity of existing neighbouring occupiers.

- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:
<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>
or requested from the Street Naming and Numbering Team via email:
street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development.
Planning Policy Statement 3: Housing.

The Mayor's London Plan (consolidated with alterations since 2004):

The Mayor of London, The London Plan, Spatial development strategy for Greater London, Consolidated with Alterations since 2004 is the development plan in terms of strategic planning policy. Relevant strategic policies include 4B.1 and 4B.3.

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, ENV4, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27.

Supplementary Planning Guidance:

Design Guidance Note No. 5 – Extensions to Houses.
Design Guidance Note No. 7 - Residential Conversions.
Supplementary Planning Document on Sustainable Design and Construction (June 2007).
Supplementary Planning Document on Contributions to Education (2008).
Supplementary Planning Document on Contributions to Library Services (2008).
Supplementary Planning Document on Contributions to Health and Social Care (2009).

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.

Local Development Framework:

Core Strategy (Publication Stage, September 2010): Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places.

Relevant Planning History:

Application:	Planning	Number:	F/03775/10
Validated:	16/09/2010	Type:	APF
Status:	WDN	Date:	11/11/2010
Summary:	WIT	Case Officer:	Neetal Rajput
Description:	Demolition of existing garage to rear and erection of a single storey dwelling to the rear of 87 Bridge Lane including bicycle store.		

89 Bridge Lane, London, NW11 0EE

Application:	Planning	Number:	C/10202/A/01
Validated:	08/05/2001	Type:	APF
Status:	DEC	Date:	26/06/2001
Summary:	APC	Case Officer:	
Description:	Two storey rear extension. Enlargement of roof involving dormer windows to front, sides and rear.		

89 Bridge Lane, London, NW11 0EE

Application:	Planning	Number:	C/10202/B/01
Validated:	05/10/2001	Type:	APF
Status:	DEC	Date:	26/11/2001
Summary:	APC	Case Officer:	
Description:	Two storey rear extension. Enlargement and conversion of existing 'top hat' roof form to pitched roof form and addition of side and rear dormer windows.		

68 Cranbourne Gardens, London, NW11 0JD

Application:	Planning	Number:	F/00534/11
Validated:	17/02/2011	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	Neetal Rajput
Description:	Extension to roof including two rear dormer windows, following a creation of a 1bed self-contained flat in roof space to facilitate a loft conversion.		

Consultations and Views Expressed:

Neighbours Consulted:	36	Replies:	18
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- reference to Planning Statement 3: Housing "...{the proposed abode should be} well integrated with and complement the neighbouring buildings and the

local area more generally in terms of scale, density, layout and access.”

- application site is the only property in the area that is configured as two maisonettes;
- with the addition of a third dwelling within a single building would only make the use of No. 87 even more inappropriate to the area where it is located. It would effectively become a block of flats;
- bridge Lane is predominately a single dwelling street;
- the scale and appearance of the proposal would have a detrimental effect on the surrounding area and the adjoining neighbours;
- the intense density of development would conflict with that of neighbouring and surrounding properties in both Bridge Lane and Cranbourne Gardens;
- neighbouring properties would suffer a significant loss of privacy of the proposed plans were approved;
- the house was not designed nor built with sufficient sound insulation to provide for an independent set of residents utilising the loft;
- overdevelopment of the application site;
- insufficient parking for an additional flat, the neighbouring property is normally used for communal meetings and as such, off street parking is a near impossibility during most nights of the week and weekends;
- rear dormer windows would directly overlook into neighbouring properties, including bedrooms of neighbouring properties;
- significant loss of light by the loft extension as gardens on Cranbourne Gardens are north facing and rely heavily on the light provided from the Bridge Lane direction and thus would be prejudiced by the proposal at second floor;
- No. 87 is an investment property for rental income unlike all the surrounding properties which are owner-occupied and thus inappropriate use of the site;
- additional noise and disturbance from the proposal; and
- design is not in keeping with the character of the area – two significant sized dormer windows and the area is characterised with one dormer.

Internal /Other Consultations:

Traffic & Development: The proposal is for the extension to the roof to provide 1 x1 bedroom self-contained flat in roof space.

The existing property benefits from 2 garage spaces and 2 parking spaces in the forecourt. These spaces are being retained.

Parking provision meets the parking standards set out in the UDP 2006.

Access to the development is via the existing drive.

Recommendation: The application is recommended for approval on highway grounds.

Date of Site Notice: 03 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a detached property in the Golders Green ward and is outside any of the Borough's Conservation Areas. The application site is a purpose built maisonette, containing two self contained flats for which Council tax records are available. Bridge Lane is part of a residential street where a number of properties have had alterations.

Proposal:

The proposal is for extensions to roof including two rear dormer windows, following a creation of a 1bed self-contained flat in roof space to facilitate a loft conversion. The rear dormer will measure 2.1 metres in depth, 1.4 metres in height and 3.45 metres in width.

Planning Considerations:

As the area does contain self contained flats and the application site itself is converted into two self contained flats, it is not considered that the principal of converting the loft into a 1 bedroom self contained flat would harm the residential character of the area. PPS3 encourages developments that make the most efficient use of land, whilst policy 4B.3 of the London Plan encourages proposals that encourage the highest possible intensity of land that is appropriate for the area, conforms to design principals that are outlined in policy 4B.1 and has public transport capacity.

The nature of the development is not in itself considered to harm the residential character of the area. It is noted that the area is characterised by a mix of semi-detached and detached dwellings which provide both single family dwellings and self contained flats.

The highways department have deemed the proposal as acceptable, therefore, on balance it is unlikely that the proposed conversion will have any additional detrimental impact on public highway. There is access to the rear of the site via the existing drive and the parking provision meets the parking standards set out in the UDP 2006.

Design Guidance Note 7, relates to the adequate provision of internal space. It is considered that there is sufficient space to allow the occupants unrestricted movement within the premises. There is currently rear and side access to the rear garden which is shared private amenity space for the existing two self contained flats and at the rear of this there is private amenity area for the proposed 1 bedroom self contained flat which provides sufficient amenity space to comply with policy H18.

The 1 bedroom self contained flat exceeds Barnet's minimum size of 30m² and to ensure the sustainability of each unit an insulation of acoustic separation for the proposed new unit will be required for the floor of the loft and party walls. This has been outlined within the Design & Access Statement.

The applicant has not submitted information that shows this insulation of acoustic separation for the proposed new unit. The system should therefore achieve a sound attenuation above the dB requirements and this is to be enforced through an appropriate condition attached to the decision.

Policy H26 states that proposals for residential conversions must include suitably enclosed storage areas at the rear of the property. If it 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. A condition has been attached for details of location and materials that will be used for the enclosed storage area for refuse.

The rear dormers are considered acceptable given that the neighbouring property No. 89 Bridge Lane has similar dormers which were granted consent under planning application C/10202/B/01. There are various other examples of similar rear dormers in the immediate area, especially on the properties backing the application site, fronting Cranbourne Gardens, thus the dormer is in keeping with the character of the area. The windows on the dormer are considered sufficient to provide enough natural sunlight into the bedroom and living space.

In accordance with the Councils Supplementary Planning Documents in relation to Health, Education and Libraries, the proposed development would require a financial contribution (plus associated monitoring costs) towards health, educational places/library provision within the borough via the discharge of the condition attached to the decision.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal and the objections have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

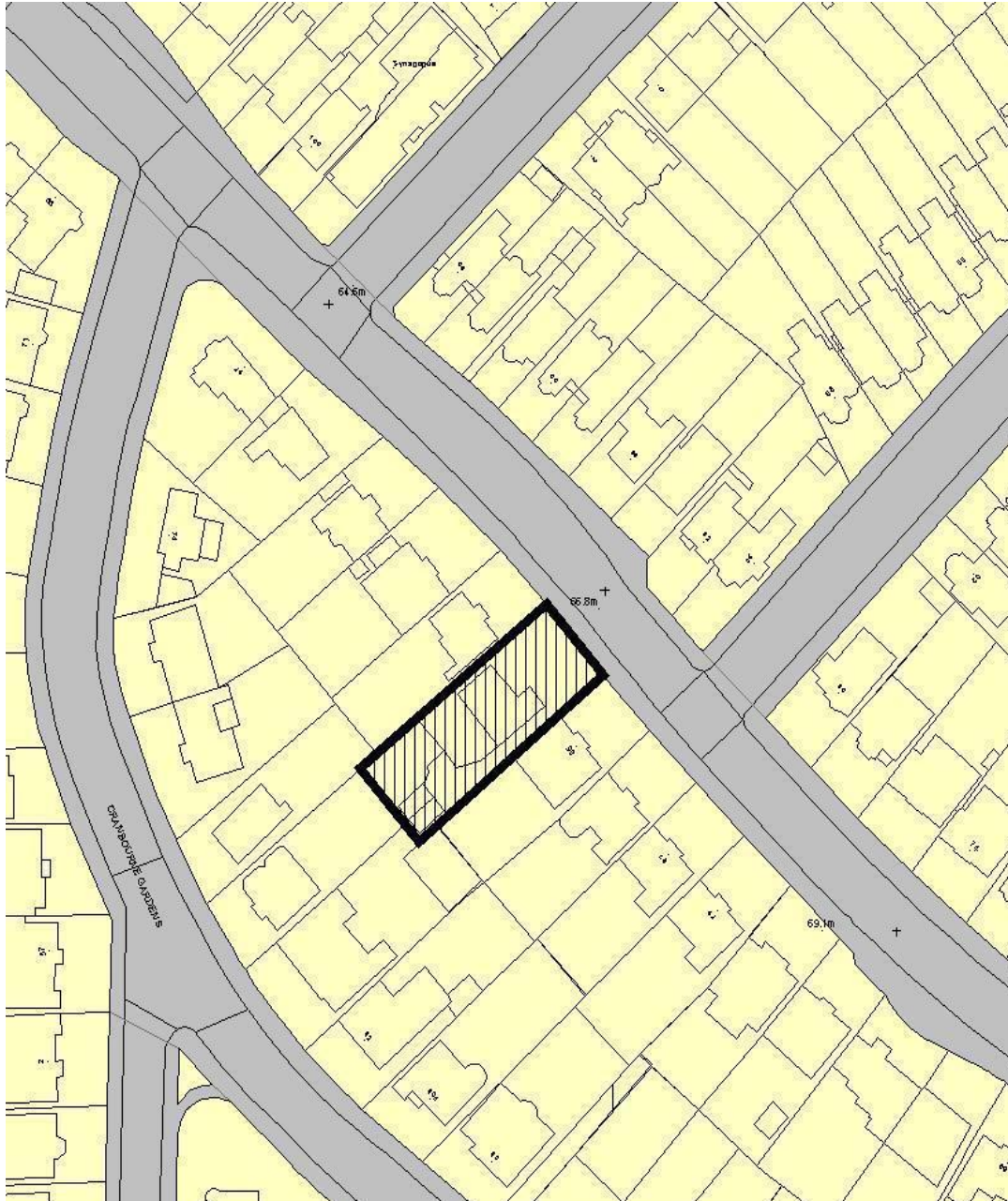
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

As conditioned, the proposal would provide further accommodation without detriment to the residential amenity of neighbouring and future occupiers. The proposal is acceptable on highways grounds. It is recommended the application be **approved** subject to the discharging of attached conditions.

SITE LOCATION PLAN: 87 Bridge Lane, London, NW11 0EE

REFERENCE: F/00534/11



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LOCATION: 71 Highfield Gardens, London, NW11 9HA

REFERENCE: F/00969/11

Received: 07 March 2011

Accepted: 07 March 2011

WARD(S): Golders Green

Expiry: 02 May 2011

Final Revisions:

APPLICANT: Mr & Mrs Shalom

PROPOSAL: Demolition of existing house and erection of new two storey family dwelling with rooms in roofspace.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 06.917.01; 06.917.02; 06.917.03; 06.917.04; 06.917.14 RevB; 06.917.15 RevA; 06.917.16 RevA; 06.917.19 RevA; 06.917.18 RevA; 06.917.17 RevA; 06.917.20 RevA.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

5 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

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

6 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.

- 7 Before the building hereby permitted is occupied the proposed window(s) in the side elevation facing 73 Highfield Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

- 9 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority: The insertion of windows in any part of the approved development.

Reason:

To safeguard the amenities of neighbouring residents.

- 10 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.

- 11 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.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

- 14 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).

- 15 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

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

- 16 Before the development hereby permitted is occupied, parking spaces as per the approved scheme drawing No. 06. 917. 14 shall be retained and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 17 A Construction Management Plan must be submitted to and approved by the Local Planning Authority. This document following approval must be complied with unless previously agreed in writing by the Local Planning Authority.

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006):
Core Strategy (Publication Stage) 2010:
CS5
 - ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers.
- 2 Any development or conversion which necessitates the removal, changing, or

creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

- 3 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Crossover Team in Environment and Operations Directorate. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of any existing street furniture. This would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from the Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

- 3 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process. The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation. Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

- 4 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

- 5 Demolition should be carried out by an approved contractor and residents notified at

least seven days before commencement.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:
PPS1, PPS3.

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H17, H18, H26, H27, M14
Supplementary Planning Document on Sustainable Design and Construction (June 2007).

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:

Relevant Planning History:

Site history for current landparcel :

116390 - 71 Highfield Gardens, London, NW11 9HA

Case Reference: **F/00969/11**

Application:	Planning	Number:	F/00969/11
Validated:	07/03/2011	Type:	APF
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Demolition of existing house and erection of new two storey family dwelling with rooms in roofspace.		

Application:	Planning	Number:	F/04845/10
Validated:	26/11/2010	Type:	APF

Status: WDN
Summary: WIT
Description: Demolition of existing house following erection of new two storey family dwelling with rooms in roofspace.

Date: 19/01/2011
Case Officer: Elizabeth Thomas

Consultations and Views Expressed:

Neighbours Consulted: 51 Replies: 5
Neighbours Wishing To Speak 3

The objections raised may be summarised as follows:

- unsightly extension to the rear.
- loss of light.
- overlooking.
- "Huge" building not suitable for this road and the small front.
- front is very narrow, proposed house is too big and not in line with houses in this road.
- parking problems.

Internal /Other Consultations:

- Traffic & Development - No objections subject to conditions.

Date of Site Notice: 31 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The property has a small frontage but the site opens up at the rear and occupies a large plot of land. The existing house is a two storey detached dwelling. The area is predominately residential in character and does not fall within a conservation area. The property falls within the Golders Green ward.

Proposal:

Demolition of existing house and erection of new two storey family dwelling with rooms in roofspace.

Planning Considerations:

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The main considerations in the case are:

- whether the demolition of the existing house and erection of a new house would harm the character and appearance of the surrounding area;

- the living conditions of neighbouring residents; The provision of on site amenity space;
- parking, Access and Vehicle Movements;

Policy Context

The proposed development is considered to be compliant with national policy of PPS1 and PPS3 and local policy within the UDP. PPS1 advises that Local Planning Authorities should enable the provision of good quality new homes in suitable locations. PPS3 advocates that LPA's should make efficient use of land in particular by the re-use of brown field sites to preserve the greenbelt.

Demolition of Existing Building

The existing property is not considered to be of particular architectural merit and is not located within a conservation to warrant its retention, therefore demolition is considered to be acceptable.

Principle of Redevelopment and Character

The proposed development consists of the demolition of the existing detached property and erection of a two storey replacement dwellinghouse with rooms in the roofspace and extended footprint.

The proposed building line is considered appropriate within the existing street scene. The main front building line of the dwelling is consistent with no.73. The proposed rear building line is considered acceptable when viewed in relation to the adjacent properties, the increased rear projection is considered acceptable on character and amenity grounds.

The bulk, siting, scale and general proportions of the proposed building would be in character with the surroundings and sit comfortably within the site. The site is considered large enough to accommodate the new dwelling without appearing as a cramped form of development or overdevelopment of this site. The proposal is not considered to cause harm to the character and appearance of the street scene or wider area.

The proposed building will have a greater height than the existing property, however, it is still considered to respect the height of the neighbouring properties and would not be detrimental to the pattern of building heights in the street.

PPS1 states that design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted, this is reinforced by Policies D1, D2, D3, D4, D5 and D6 of the Adopted UDP (2006).

The design of the replacement building is considered to reflect the constraints of the site and is considered to be acceptable.

Living Conditions of Neighbouring Occupiers

The proposed dwelling will have an extended footprint at the rear at ground floor level by 4.5m set approximately 2m off the common boundary with no.73. This is considered to be acceptable and would not result in any harm to the residential

amenities of neighbouring occupiers.

An existing detached single storey garage close to the boundary with no.69 will be replaced with a two storey side projection from the main dwellinghouse. This has been designed to ensure it does not impact on the streetscene. There is a distance of 4.8m between the building line of the neighbouring dwellinghouse and the proposed two storey projection. This is considered a sufficient distance to ensure there is no loss of amenity to the neighbouring residential occupiers, particularly the ground and first floor side windows at no.69. at number 69, the ground floor window is for a room which is used as a study/office and at first floor level the window is for a dressing room.

Amenity

Policy H17 of the Adopted Unitary Development Plan (2006) requires a minimum distance of 21 metres in new developments between facing windows to habitable rooms and 10.5 metres to a neighbouring garden, to avoid overlooking - the proposed building accords with this policy.

The window in the first floor side elevation of the rear projection of the proposed dwelling is to be obscure glazed to prevent overlooking to no.73. This will be enforced by condition.

Council Policy H18 refers to amenity space standards. For houses, 85 square metres of space is required for properties consisting of up to seven or more habitable rooms. The emphasis in the UDP is on usable space in the form of private rear gardens. Adequate amenity space is considered to be provided. Details of landscaping are required by condition.

Parking, Access and Vehicle Movements

The traffic and development team have reviewed the application and consider that the parking provision meets the parking standards as set out in the UDP 2006. Approval is recommended on highways grounds.

Sustainability

Sustainable development is a key priority of Central Government and the Council. Any new residential development in Barnet is expected to meet the BREEAM EcoHomes 'Excellent' rating or Code Level 3 of the Sustainable Homes- this is to be enforced by an attached EcoHomes or Code for Sustainable Homes condition.

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted

Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is in keeping with Council Policies and Guidelines and is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 71 Highfield Gardens, London, NW11 9HA

REFERENCE: F/00969/11



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LOCATION: 16 Aylmer Road, London, N2 0BX
REFERENCE: F/01661/11
WARD(S): Garden Suburb
Received: 12 April 2011
Accepted: 12 April 2011
Expiry: 07 June 2011
Final Revisions:

APPLICANT: Hilderton Estates Ltd
PROPOSAL: Material Minor Amendment for the variation of condition 10 (Obscure Glazing) of planning permission C17308/07 dated 08/01/08. Variation to wording of condition to read: Before the building hereby permitted is occupied the proposed windows in the side elevation at first and second floors levels facing 14 Aylmer Road shall be glazed with obscure glass only up to 1.8 metres from the room/floor level and shall only be openable for cleaning and maintenance purposes; and the proposed first floor windows facing 18 Aylmer Road shall be glazed with obscure glass only and shall be permanently fixed shut with only a fanlight opening.

RECOMMENDATION: Approve
INFORMATIVE(S):

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

The determination of planning applications are 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 PPS3 “Housing” (2006), along with other Government housing policy and planning policy statements, provides the context for plan preparation in relation to housing development. Paragraphs 12-19 relate to the achievement of high quality housing. In para. 16 the matters to consider when addressing design quality include the extent to which the proposed development is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access. PPS3 advises at para.

49 that more intensive development is not always appropriate.

The Mayor's London Plan: Consultation Draft Replacement Plan 2009:

The Development Plan for the area comprises the London Plan is a planning document written by the Mayor of London, England in the United Kingdom and published by the Greater London Authority. The plan was first published in final form on 10 February 2004 and has since been amended. The current version was published in February 2008. The latest proposed amendments to the London Plan were published in April 2009 with consultation starting in October 2009 and the replacement plan expected to be published in 2011.

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.

One overall theme that runs through the plan is 'sustainable development'. Policy GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

Relevant policies to this case: D5, H16, H17.

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 (Publication Stage) 2010

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

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

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

Relevant policies: Policy CS5

Relevant Planning History:

16 Aylmer Road, London, N2 0BX

Application:	Planning	Number:	C/17308/07
Validated:	28/09/2007	Type:	APF
Status:	DEC	Date:	11/01/2008
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Demolition of existing house and erection of a detached three-storey block of five flats with associated parking and landscaping. New vehicular access.		

16 Aylmer Road, London, N2 0BX

Application:	Planning	Number:	F/02084/10
Validated:	01/06/2010	Type:	CON
Status:	DEC	Date:	04/08/2010
Summary:	AP	Case Officer:	Junior C. Moka
Description:	Submission of details of Condition 2 (Education / Libraries / Monitoring SPDs), 3 (Materials), 8 (Levels), 11 (Landscaping - Details), 15 (Air Pollution Mitigation), 16 (Noise Mitigation) & 17 (Turning Space/Parking Spaces) pursuant to planning permission reference C17308/07 dated 08/01/08.		

Consultations and Views Expressed:

Neighbours Consulted:	41	Replies:	24
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- oppose the proposed major changes to the glazing conditions;
- ask for the review by the Planning Sub-Committee;
- overlooking concerns;
- visual intrusion into many gardens;
- the applicant should honour the conditions imposed by Barnet Council, rather than endeavour to vary them;
- request that the revised scheme for the driveway, turning and parking spaces be

submitted to planning sub-committed, as promised by Barnet Council as this is a threat to pedestrian safety and emergency access;

- noise, disturbance and air pollution in the rear garden;
- health & safety concerns regarding the development as a whole;
- the development is advertising that there will be terraces and balconies for the units but this hasn't been given consent;
- concerns that the development has been built to plan;
- trees, hedgerow and lawn has been destroyed as a result of the development.

Internal /Other Consultations:

London Borough of Haringey:

No comments received at the time of writing this committee report.

Date of Site Notice: 05 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

This site is situated on the northern side of Aylmer Road, close to its junction with The Bishops Avenue. Aylmer Road is under the jurisdiction of Transport for London (TfL). Properties to the east are within the London Borough of Haringey. There is a large water pipes running through the east of the application site which prevents any development within approximately 10 metres of the side boundary with 18 Aylmer Road (Thames Water was consulted as part of this application and have no objections to the scheme). The site lies at the boundary of Barnet and Haringey with 18 Aylmer Road being in Haringey.

The surrounding area is residential in character with mainly detached single-family houses. There are however examples of purpose built flats to the west of the Bishops Avenue and further east in Haringey. The rear of the site is boarded by residential gardens in Bancroft Avenue and has a good vegetation screen. The site itself is not within a conservation area but close to the Hampstead Garden Suburb Conservation Area.

The original application related to the demolition of the existing single family dwellinghouse and the erection of a detached three-storey block of five flats (1 x 4-bedroom, 2 x 3-bedroom and 2 x 2-bedroom) with associated parking, landscaping and refuse/cycling enclosure. A new vehicular access is also proposed along Aylmer Road.

The external envelope of the building has all been completed.

Proposal:

The proposal relates to a material minor amendment for the variation of condition 10 (Obscure Glazing) of planning permission C17308/07 dated 08/01/08. Variation to wording of condition to read:

Before the building hereby permitted is occupied the proposed windows in the side elevation at first and second floors levels facing 14 Aylmer Road shall be glazed with obscure glass only up to 1.8 metres from the room/floor level and shall only be openable for cleaning and maintenance purposes; and the proposed first floor windows facing 18 Aylmer Road shall be glazed with obscure glass only and shall be permanently fixed shut with only a fanlight opening.

The original condition 10 reads:

Before the building hereby permitted is occupied windows on both elevations 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.

Planning Considerations:

The main issue in this case is whether or not the variation of condition would result in the loss of privacy and overlooking from the application site as perceived from nos 14 & 18 Aylmer Road. As a result this is considered to be covered under the living conditions of neighbouring residents.

The living conditions of neighbouring residents

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

Unitary Development Plan Policies D5 and H16 seek, amongst other things, to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to this issue in each case.

It is the requirement of the UDP to protect and enhance the character of the boroughs built environment and to give a reasonable degree of privacy to properties by requiring a minimum distance of 21 metres between the windows of habitable rooms facing one another; and 10.5 metres to a neighbouring garden.

It is considered that the windows in the side elevation fronting 18 Aylmer Road would comply with the requirement of UDP policy H17 as the distance from this boundary is 10.7 metres and therefore it is considered that retention of the obscure glazed windows in the first floor side elevation fronting no. 18 is acceptable. The remaining windows at ground floor and within the loft area will be clear glazed, and this is also considered acceptable.

It is acknowledged that the majority of windows fronting 14 Aylmer Road are not obscure glazed which was the intention of the original condition 10, however, following the notification of this fact by a neighbour this allowed the Local Planning Authority to re-assess this position.

As the windows within the side elevation fronting no. 14 have already be installed, it is considered that the best solution in this case is to obscure glazed the first floor and roofspace windows only up to 1.8 metres from the room/floor level, and these windows shall only be openable for cleaning and maintenance purposes. It is considered that this would overcome any potential concerns regarding overlooking and the loss of privacy perceived from neighbouring properties including no. 14.

As part of the original approval for the development, the document made reference that there is/will be a 2 metres high boundary fence between the application site and 14 Aylmer Road. In light of this, it is not considered necessary that the ground floor windows fronting should be obscure glazed as the height of the boundary fence negates any potential concerns.

It is considered that the variation of condition is a very enforceable condition unlike the original condition which falls to include the word 'side'. The development is considered to address the concerns of neighbouring occupiers in accordance with adopted policies.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It must be noticed that this application only relates to the variation of condition 10. The application has not be submitted to re-assess the development as a whole and the revisiting of conditions that have already be discharged (Condition 17 - Turning Space/Parking Spaces).

Following a site visit on 22 March 2011 it appears that development has been built to plan increasing external dimensions. And following this same site visit it can be confirmed that the development hasn't implemented terraces and balconies areas.

The points of objections are considered to have addressed in the main body of the report. As a result it is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal following the submission of amendments.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal complies with the requirements of PPS1, which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities

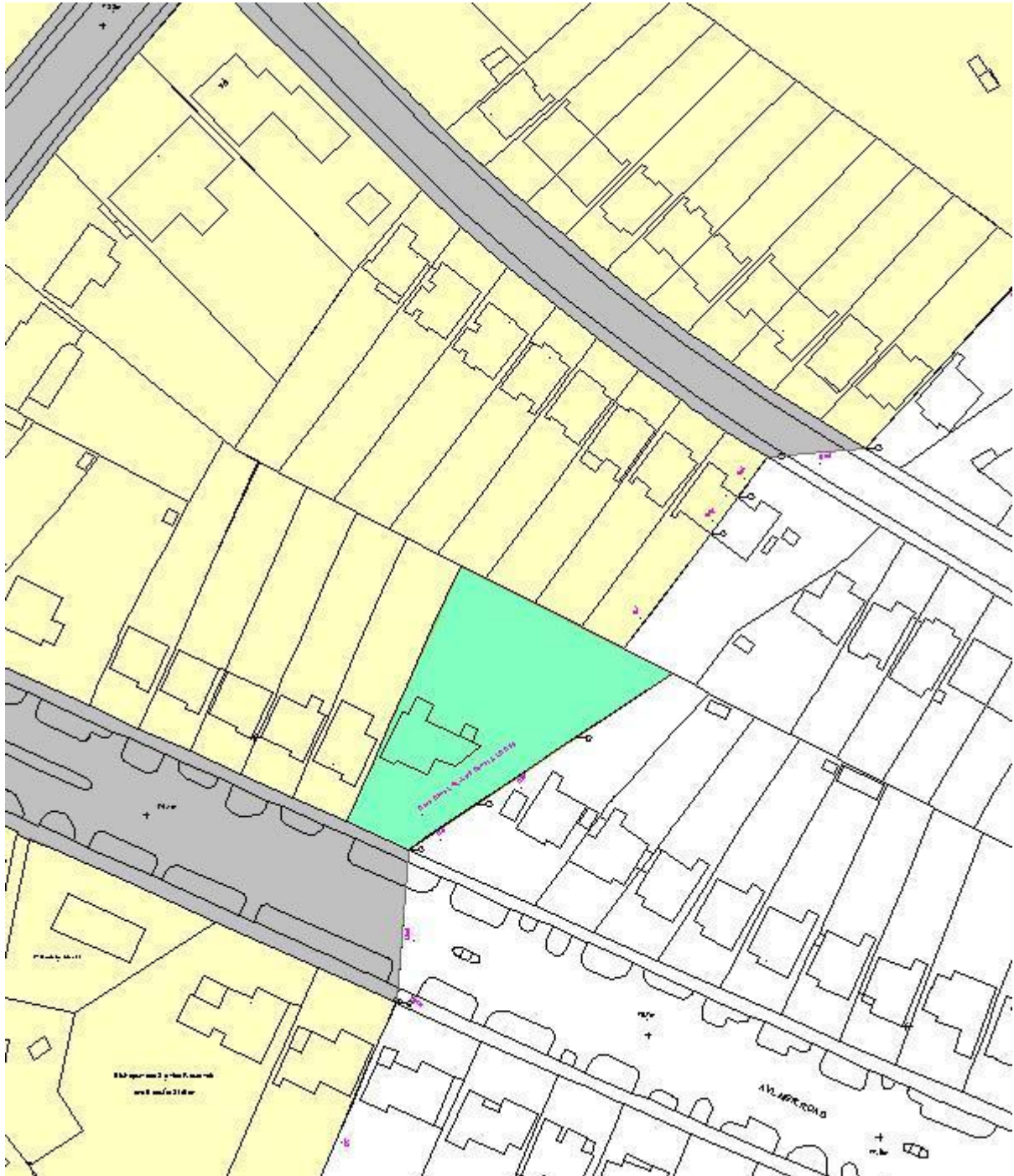
available for improving character and quality of an area and the way it functions, should not be accepted'.

The Local Planning Authority consider that this application has an acceptable impact on the amenities of the neighbouring occupiers.

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

SITE LOCATION PLAN: 16 Aylmer Road, London, N2 0BX

REFERENCE: F/01661/11



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LOCATION: 204 Watford Way, London, NW4 4UA

REFERENCE: H/00829/11

Received: 17 February 2011

Accepted: 17 February 2011

WARD(S): Hendon

Expiry: 14 April 2011

Final Revisions:

APPLICANT: New Way Investment Ltd.

PROPOSAL: Part single part two storey rear extension to facilitate conversion of a single dwelling into 3No. residential units.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, site plan, 204WW-PP-01 revA, 204WW-PP-02 revA and 204WW-PPAM2-03.

Reason:

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

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

Reason:

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

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

Reason:

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

4 Before the 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.

5 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.

6 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 240WW-PP-02 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.

- 7 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 8 No development shall take place until details of the arrangements to meet the obligation for health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

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

- 9 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

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

- 10 The internal layout of the proposed development shall remain as per the approved drawings unless otherwise agreed in writing by the local planning authority.

Reason:

To protect the amenities of the future occupiers of the flats.

- 11 Details of the proposed cycle parking facilities shall be submitted to and approved by the Local Planning Authority before the development commences.

Reason:

To ensure the proposal complies with TfL's Sustainable Transport policies.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): Adopted Barnet Unitary Development Plan 2006: GBEnv1, GBEnv2, D1, D2, D5, M11, M12, M14, H23, H26, H27, CS2, CS13, IMP1 and IMP2.

Supplementary Design Guidance 5: Extensions to Houses

Supplementary Design Guidance 7: Residential Conversions

Supplementary Planning Document: Contributions to Libraries

Supplementary Planning Document: Planning Obligations

Supplementary Planning Document: Sustainable Design and Construction.

Core Strategy (Publication Stage) 2010:CS4 and CS5.

ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the character of the property and the surrounding area. There would be no undue impacts on the amenities of

the neighbouring occupiers and the proposal complies with all relevant council policy and design guidance.

- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended. Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

- 3 The applicant is advised that no vehicles associated with the construction/maintenance shall stop/park/pick up/drop off/load/unload on the Transport for London Road Network without prior consent from Transport for London.
- 4 The applicant is advised that no skip/construction materials shall be kept on the footway or carriageway of A41 Watford Way at all times.
- 5 The applicant is advised that servicing arrangement for the proposed development shall be consistent with the existing development.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Guidance 13: Transport

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

3A.1, 3A.2, 3A.4, 4B.1, 4B.2

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan 2006: GBEnv1, GBEnv2, D1, D2, D5, M11, M12, M14, H23, H26, H27, CS2, CS13, IMP1 and IMP2.

Supplementary Design Guidance 5: Extensions to Houses

Supplementary Design Guidance 7: Residential Conversions

Supplementary Planning Document: Contributions to Libraries

Supplementary Planning Document: Planning Obligations

Supplementary Planning Document: Sustainable Design and Construction.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS4 and CS5

Relevant Planning History:

None

Consultations and Views Expressed:

Neighbours Consulted:	22	Replies: 8
Neighbours Wishing To Speak	0	

The objections raised may be summarised as follows:

- impact on traffic and parking
- noise and disturbance from 3 flats
- potential for the flat roof to be used a balcony and subsequent overlooking
- Extension looks out of place, has affected views
- No more extensions should be allowed to property
- Will there be room to move the refuse bins past the cars at the rear for collection. Refuse collection is from the rear, not the front
- Proposed elevations are the same as the existing elevations
- Overlooking from extension
- Increased congestion in rear access road
- Additional stress on foundations

Internal /Other Consultations:

- Traffic & Development - no objection

Date of Site Notice: 10 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a 2 storey single family semi detached dwelling house located on the East side of Watford Way.

To each side of the site lies a residential property. To the rear of the site lies a service road which leads onto Sherrock Gardens. Due to a lack of parking along Watford Way, most properties along this part of Watford Way have garages at the end of their gardens which lead onto this road.

The property has a hip to gable extension and a rear dormer window which were constructed under permitted development.

The character of the area is residential. Whilst much of the immediate vicinity is single family housing, just to the south of the site lies the flatted development along Alwyn Gardens and Watford Way has many examples of houses which have been converted into self contained flats.

Proposal:

The applicant requests permission for the conversion of the property into 3 self contained flats, involving ground and first floor rear extensions.

The ground floor extension would be 3.5m deep, would extend the full width of the property and would be 3.4m high with a flat roof.

The first floor extension would be 3m deep and would be sited 2.5m from the shared boundary with the adjoining property at number 202. It would have a subordinate pitched roof.

The property would be converted into 3 self contained flats comprising 2x 2 bed flats arranged over ground and first floor and one studio flat in the roof space.

All flats would have access to the communal rear garden area via a side gate.

There would be 1 garage and one additional parking space at the back of the garden.

Policy Context

Policy **GBEnv1** aims to maintain and improve the character and quality of the environment.

Policies **D1** and **D2** aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Policy **D5** requires new development to safeguard outlook, privacy and light to neighbouring residential occupiers.

Policy **M11** advises that the council will ensure that the safety of road users, particularly those at greater risk, is taken fully into account when considering development proposals.

Policy **M12** advises that the council will seek to reduce accidents by refusing development proposals that unacceptably increase conflicting movements on the road network or increase the risk, or perceived risk, to vulnerable road users.

Policy **M14** requires that the council will expect development to provide parking in accordance with the London Plan parking standards, except in the case of residential development, where the standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses;
- ii. 1.5 to 1 spaces per unit for terraced houses and flats; and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats.

Policy **H16** of the Adopted Barnet Development Plan 2006 states that new residential developments should harmonise with and respect the character of the area within which they are situated.

Planning Considerations:

Principle of flats

PPG3 advises that new housing development should be informed by the wider context, having regard to not only to the neighbouring buildings, but the context of the wider area.

Given that the site is located on a busy road and given the established character of the surrounding area, which includes a number of flatted developments and conversions, it is considered that the principle of flats in this location is appropriate.

Character and appearance of the extensions

The extensions are considered to be in keeping with the scale and size of the original house. The roof over the first floor extension is subordinate to the main house. The extensions would not be visible from Watford Way.

As such, the development would have an acceptable impact on the character and appearance of the property, the wider locality and the visual amenities of the

neighbouring occupiers.

Impact on the neighbours

The ground floor rear building line of both adjacent properties lie further into the garden than the subject property. There is a window on the flank elevation at number 206 facing the proposed extension, but there is also a window on the rear elevation serving the same room. As such, the proposed ground floor extension, given its depth and relationship to the neighbouring properties, would cause no undue impacts on the amenities of the neighbouring occupiers.

The first floor rear extension would be sited 2.5m from the boundary with number 202 and as such there would be no undue loss of light to or outlook from the nearest habitable room windows at this property. In terms of the impact on number 206, the proposed extension would come 2m beyond its first floor rear building line with a gap of 2m beyond flank walls. As such there would be no undue impacts on the amenities of the occupiers as a result of this part of the proposal.

Given that the property is semi detached situated on a busy main road and given the appropriate recommended condition to sound proof the property, it is not considered that the proposal would give rise to unacceptable levels of noise and disturbance that would significantly impact on the residential amenities of the neighbouring occupiers.

Other matters

The internal arrangement of the flats, as amended, would be appropriate in terms of stacking.

The internal floor area of the flats meets the residential space standards set out in the adopted SPD Sustainable Design and Construction.

The proposed communal garden area is in accordance with the standards stated in the unitary development plan and is therefore considered acceptable for the use of the future occupiers of the flats.

Provision of 2 parking spaces and the layout has been assessed and considered acceptable by the councils Traffic and Development team. It is therefore considered that the proposal would not impact unduly on the use of the service road. The proposal meets with council standards.

Section 106 Issues

In line with the current adopted supplementary planning documents, the following contributions are necessary as a result of the impacts generated by the development:

- Libraries: £173
- Health: £1, 488

- Monitoring: £83.05

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed above. A condition is recommended to ensure that the flat roof of the proposed extension is not used as a balcony, to protect the privacy of the neighbouring occupiers.

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.

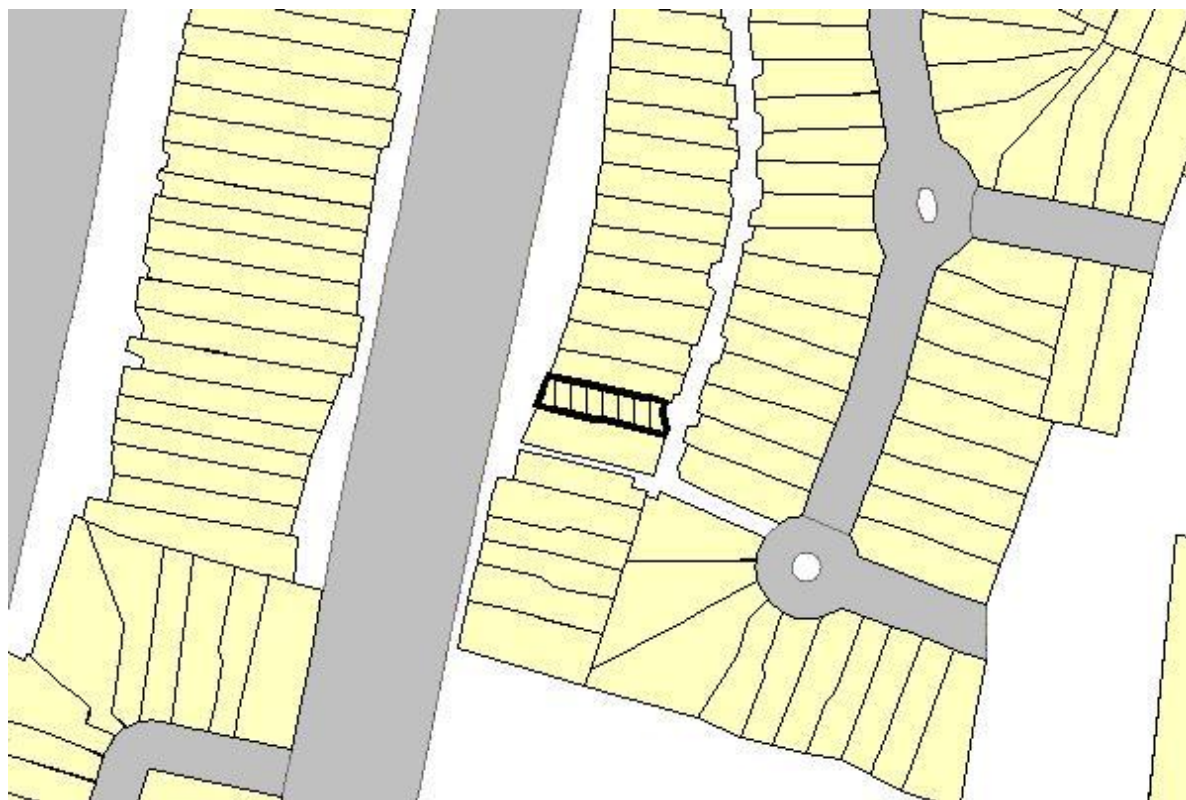
5. CONCLUSION

The proposed development complies with council policy and design guidance.

Approval is recommended.

SITE LOCATION PLAN: 204 Watford Way, London, NW4 4UA

REFERENCE: H/00829/11



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LOCATION: 551 Watford Way, London, NW7 2PU

REFERENCE: H/01721/11

Received: 16 April 2011

Accepted: 18 April 2011

WARD(S): Mill Hill

Expiry: 13 June 2011

Final Revisions:

APPLICANT: Excelsior Properties Ltd

PROPOSAL: Construction of a 3 storey building including rooms in the roofspace to provide 5no. self-contained flats and construction of 3no. two storey plus rooms in the roofspace and 1no. two storey detached dwellinghouses. Associated landscaping and parking spaces.

RECOMMENDATION: Approve following completion of S106

Subject to a Section 106 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) £74,842.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £14,458.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £1,532.00**
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £4,451.00**
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:

H/01721/11 under delegated powers subject to the following conditions: -

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

Design and Access Statement; C5476/CE100; 4957-PL-700; 4957-PL-701; 4957-PL-739; 4957-PL-738; 4957-PL-723 rev B; 4957-PL-737 rev A; 4957-PL-702 rev A; 4957-PL-703 rev B; 4957-PL-704 rev B; 4957-PL-705 rev A; 4957-PL-706 rev B; 4957-PL-707 rev B; 4957-PL-708 rev A; 4957-PL-709; 4957-PL-710; 4957-PL-711; 4957-PL-712; 4957-PL-713; 4957-PL-714; 4957-PL-715; 4957-PL-716; 4957-PL-717; 4957-PL-718; 4957-PL-719; 4957-PL-720; 4957-PL-721; 4957-PL-722; 4957-PL-724; 4957-PL-725; 4957-PL-726; 4957-PL-727; 4957-PL-728; 4957-PL-729; 4957-PL-730; 4957-PL-731; 4957-PL-732; 4957-PL-733; 4957-PL-734; 4957-PL-735; 4957-PL-736.

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

Reason:
To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.
- 5 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To safeguard the visual amenities of the locality.
- 6 Before the development hereby permitted 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 development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.
Reason:
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.
- 8 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days

unless previously approved in writing by the Local Planning Authority.

Reason:

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

- 9 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 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

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

Reason:

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

- 14 The 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).

- 15 Air Quality

Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the LPA. The approved mitigation scheme shall be implemented in its entirety before any of the units are

occupied.

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

16 Scheme for Bunns Lane Access

The development hereby permitted shall not commence until a scheme for restricting the vehicular use of Bunns Lane access to cars has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the commencement of any other construction works.

Reason:

To protect the residential amenities of neighbouring occupiers

17 Scheme for External Lighting

The development shall not commence until details of measures to prevent external lighting affecting light sensitive premises in the vicinity of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be provided before the development is occupied.

Reason:

To ensure that the development does not prejudice the amenities of adjoining occupiers or cause unnecessary light spillage.

18 Construction Management Plan

The construction of the development hereby approved, shall be carried out in accordance with a method statement and Construction Management Plan, which shall have been previously submitted to and approved in writing by, the local planning authority.

Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the method statement shall provide the provision of on-site wheel cleaning, excavation, tree protection, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (excavation, site preparation and construction) and the provision on site of a storage /delivery area for all plant, site huts, site facilities and materials.

Reason:

In the interests of the free flow of traffic, highway safety and to safeguard the health of existing trees

19 No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to trees on the site in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

20 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken to the houses approved as part of the development without the prior specific permission of the Local Planning Authority, under classes A, B, C, D and E.

Reason:

To protect the appearance of the area and amenities of neighbouring occupiers.

INFORMATIVE(S):

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

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

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, GRoadnet, GParking, GH1, O7, GMon, IMP1, IMP2, D1, D2, D3, D5, D9, D11, H16, H17, H18, GCS1, CS2, CS8, ENV6, ENV7, M11, M12, M13, M14.

Supplementary Planning Document - Sustainable Design and Construction

Supplementary Planning Document - Planning Obligations

Supplementary Planning Document - Education Contributions

Supplementary Planning Document - Health Contributions

Supplementary Planning Document - Contributions to Library Services

Core Strategy (Publication Stage) 2010:CS4, CS5, CS8, CS12.

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

The proposed development would not unduly effect the character or appearance of the area or negatively impinge on the visual or residential amenities currently enjoyed by neighbouring occupiers, considered to have an acceptable relationship with Mill Hill Park and would be in accordance to all relevant Council policies and design guidance

2 Air Quality Condition - For information

The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards.

A list of possible options for mitigating poor air quality is as follows:

Use of passive or active air conditioning

Use of acoustic ventilators

Altering lay out – habitable rooms away from source of poor air quality

Non residential usage of lower floors

Altering footprint – setting further away from source of poor air quality

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network.

The report should be written in accordance with the following guidance:

NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control.

Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23:

Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality Local Air Quality Management Technical Guidance LAQM.TG(03)

London Councils Air Quality and Planning Guidance, revised version January 2007.

- 3 Thames Water advise the applicant that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 4 The developer is advised that consent will be required from Transport for London for alterations to the vehicular access to the A41.
- 5 The developer is advised that this permission does not authorise any works to trees within Mill Hill Park and that consent of the Council's Greenspaces Officer will be required for any such work.

RECOMMENDATION III

That if an agreement has not been completed by 30/06/2011, the Assistant Director of Planning and Development Management should REFUSE the application H/01721/11 under delegated powers for the following reason/s:

- The development does not include a formal undertaking to meet education, libraries, health services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8, CS13, IMP1 and IMP2 of the Adopted Barnet Unitary development Plan (2006) and Adopted Supplementary Planning Documents.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Guidance 2: Greenbelts

Planning Policy Statement 3: Housing

Planning Policy Guidance 13: Transport

Planning Policy Guidance 24: Planning and Noise

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

1.1, 3.3, 3.4, 3.5, 3.8, 5.3.

Relevant Unitary Development Plan Policies:

GBCEnv1, GBCEnv2, GRoadnet, GParking, GH1, O7, GMon, IMP1, IMP2, D1, D2, D3, D5, D9, D11, H16, H17, H18, H27, GCS1, CS2, CS8, ENV6, ENV7, M11, M12, M13, M14.

Supplementary Planning Document - Sustainable Design and Construction

Supplementary Planning Document - Planning Obligations
Supplementary Planning Document - Education Contributions
Supplementary Planning Document - Health Contributions
Supplementary Planning Document - Contributions to Library Services

Core Strategy (Publication Stage) 2010

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

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

Relevant Core Strategy Policies: CS4, CS5, CS8, CS12.

Relevant Planning History:

Application:	Planning	Number:	H/00330/08
Validated:	26/03/2008	Type:	APF
Status:	DEC	Date:	09/06/2008
Summary:	REF	Case Officer:	Matthew Corcoran
Description:	Construction of a four-storey building (inclusive of lower ground floor and rooms in roofspace) comprising of 7no. self-contained flats and 2no. detached houses with rooms in roofspace.		

Application:	Planning	Number:	H/03563/08
Validated:	24/09/2008	Type:	APF
Status:	DEC	Date:	16/02/2009
Summary:	REF	Case Officer:	Matthew Corcoran
Description:	Construction of a four-storey building (inclusive of lower ground floor and rooms in roofspace) comprising of 7no. self-contained flats and 2no. detached houses with rooms in roofspace.		

Application:	Planning	Number:	W04897D/01
Validated:	22/11/2001	Type:	APF
Status:	DEC	Date:	12/06/2002
Summary:	REF	Case Officer:	
Description:	Demolition of existing house and construction of 2 detached dwellings.		

Application:	Planning	Number:	W/04897/E/03
Validated:	24/01/2003	Type:	APO
Status:	APD	Date:	17/03/2003
Summary:	DISMISSED	Case Officer:	Lesley Feldman
Description:	Demolition of existing dwelling house and garages and erection of a block of 8no. self-contained flats and 3no. detached houses. Provision of off-street car-parking with access onto Bunns Lane. (OUTLINE)		
Application:	Planning	Number:	W/04897/F/03
Validated:	18/03/2003	Type:	APO
Status:	WDN	Date:	22/10/2003
Summary:	WIT	Case Officer:	Lesley Feldman
Description:	Demolition of existing house and garages and erection of 3 bungalows with garages and access roads.		
Application:	Planning	Number:	W/04897/G/03
Validated:	24/10/2003	Type:	APO
Status:	DEC	Date:	19/12/2003
Summary:	APC	Case Officer:	Lesley Feldman
Description:	Demolition of existing house and garages and erection of 1no. house and 1no. chalet bungalow with associated access from Watford Way. (OUTLINE)		
Application:	Planning	Number:	W/04897/H/04
Validated:	06/10/2004	Type:	APF
Status:	DEC	Date:	01/12/2004
Summary:	REF	Case Officer:	Lesley Feldman
Description:	Demolition of existing house and erection of 2no. detached two-storey houses and 1no. detached chalet bungalow, with associated access from Watford Way.		
Application:	Planning	Number:	W/04897/J/05
Validated:	01/08/2005	Type:	APF
Status:	APD	Date:	27/10/2005
Summary:	APC	Case Officer:	Lesley Feldman
Description:	Demolition of existing house and erection of 2no. detached two-storey houses and 1no. detached chalet bungalow, with associated access from Watford Way.		
Application:	Planning	Number:	W/04897/K/05
Validated:	22/08/2005	Type:	APF
Status:	APD	Date:	17/10/2005
Summary:	APC	Case Officer:	
Description:	Demolition of existing house and erection of 1no. two-storey building with rooms in roofspace to provide 5 self-contained flats. 1no. two-storey detached dwelling house and 1no. detached chalet bungalow.		
Application:	Planning	Number:	W/04897/L/06
Validated:	15/12/2006	Type:	APD
Status:	WDN	Date:	05/03/2007
Summary:	WIT	Case Officer:	Matthew Corcoran
Description:	Submission of details of Reserved Matters of Conditions 1 & 2 (Approval and submission of Design, External Appearance and Landscaping), Condition 3 (Application for approval of Reserved matters to be made prior to expiration of three years from date of permission) pursuant to outline planning permission W04897G/03 dated 19-12-2003 for formation of house and chalet bungalow.		
Application:	Planning	Number:	W/04897/M/07
Validated:	31/08/2007	Type:	APF
Status:	APD	Date:	24/12/2008
Summary:	DISMISSED ON APPEAL 24/12/08	Case Officer:	Matthew Corcoran
Description:	Construction of four storey building (inclusive of lower ground floor and rooms in roofspace) comprising of 7No. self-contained flats, and 2No. detached houses with		

rooms in roofspace following demolition of existing house.

Consultations and Views Expressed:

Neighbours Consulted:	23	Replies: 6
Neighbours Wishing To Speak	2	

The objections raised may be summarised as follows:

- overlooking
- loss of light
- loss of trees
- loss of wildlife
- increase in noise and disturbance
- detrimental to neighbouring greenbelt and open space
- access and egress problems

Mill Hill Preservation Society object for the following reasons -

- this scheme is a variation of a number of proposals for development on this site. This latest one has re-positioned some of the proposed buildings to lessen the impact of the development on the adjacent park and to avoid over-looking problems within the development site. But it fails to meet the basic objections that this Society has always had to the concept of the scheme.
- this is principally that the proposal is gross over-development on the available area. Cramming five buildings into this small area leads to a cluttered development, with no proper garden or amenity space for any of the dwellings.
- the provision of thirteen car parking spaces for nine dwellings is inadequate and will lead to parking on the minimal amount of land not taken up for building.
- a three storey block of flats, wherever positioned on the site, will lead to considerable light pollution for the neighbouring London University observatory, and will be oppressive on the rural nature of the adjacent park.
- the continued proposal for access and egress from the site via the A41 trunk road seems to us to very dangerous.

Internal /Other Consultations:

- Traffic & Development - No objection

Date of Site Notice: 05 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to an irregular triangle shaped piece of land, which previously accommodated one single family dwellinghouse. The site is bounded by the A1 to the east, Mill Hill Park to the west and residential properties on Bunns Lane to the South. The site is accessed from Watford Way.

Proposal:

The proposal seeks planning permission for the following -

- the construction of a three storey building accommodating 5no. 3 bed self contained flats
- 3no. two storey 5 bed detached houses with rooms in roofspace
- 1no two storey 4 bed detached house

The proposed block (plots 3-7) accommodating the 5 self contained units would be sited to the south east corner of the site furthest away from the park and would be 16.8m in depth, 14.4m in width and approx 10m in height to the top of the roof ridge.

The proposed detached houses would be traditionally designed and would have dimensions as follows -

Plot 1 - 8.6m in width, 9.3m in height and 10.5m in depth.

Plot 2 - 8.6m in width, 9.3m in height and 10.5m in depth.

Plot 8 - 8.6m in width, 9.3m in height and 10.5m in depth.

Plot 9 - 8.6m in width, 8m in height and 10.5m in depth.

Planning Considerations:

Background

The application site in question has had a number of planning applications submitted during the course of the last few years. Of note planning permission was initially allowed on appeal for the following development (ref no. W/04897/K/05) -

'Demolition of existing house and erection of 1no. two-storey building with rooms in roofspace to provide 5 self-contained flats. 1no. two-storey detached dwelling house and 1no. detached chalet bungalow.'

Following this permission a revised scheme was submitted (W/04897/M/07) for the following - 'Construction of four storey building (inclusive of lower ground floor and rooms in roofspace) comprising of 7No. self-contained flats, and 2No. detached houses with rooms in roofspace following demolition of existing house.' The application was refused and subsequently dismissed at appeal dated 24/12/08.

In her report the Inspector identified the main issue as the effect of the development on the character and appearance of the area, including the adjoining Green Belt. She stated that the site "has a semi-rural character on the fringe of the built up area.." She considered that "although the overall height of the block would only be slightly greater than the highest part of the previously approved block of flats, the bulk and mass would be significantly increased. Similarly the bulk and mass of the proposed house would be considerably greater than the chalet bungalow approved in the previous schemes. Furthermore a greater area would be taken up within the site for parking and turning, reducing the opportunity for planting." She argued that "the additional bulk and mass of the development now proposed would be very apparent to the detriment of the character and appearance of the area and the views from the Park/Green Belt."

Following this appeal decision two further schemes were submitted, ref. H/00330/08 and H/03563/08 both for the following development -

Construction of a four-storey building (inclusive of lower ground floor and rooms in roofspace) comprising of 7no. self-contained flats and 2no. detached houses with rooms in roofspace.

Both applications were referred to the Hendon Area Planning Committee and were refused due to the relationship the development had with the adjacent Mill Hill Park and wider character of the area. The most recent application (ref H/03563/08) was refused for the following reason -

The proposed development at plot 1, by reason of its size, siting, bulk, design and its relationship with Mill Hill Park would be detrimental to the character and appearance of the area, contrary to policies GBEnv1, GBEnv2, D1, D2, D3, D7, O7 and H16 of the Adopted Unitary Development Plan 2006.

The current application seeks to address this reason for refusal and the previous Inspector concerns by:

- moving the block of apartments away from the Park boundary towards the south east corner of the site
- reducing the height and size of the nearest house to the Park (plot 9)

Design

Council's policies and guidelines require all new residential development to have high quality design and in terms of scale, style and layout be well integrated with existing development. Barnet's Adopted UDP, in general, encourages innovative and interesting designs provided proposals fit well into the setting of the local area and do not negatively impinge on the amenities currently enjoyed by neighbouring residents.

The proposed development seeks to ensure that the design of the houses and apartment blocks consist of a traditional architectural theme. The buildings would have traditional features including dormer windows, pitched roofs, elevations treated with brick and stone quoins. The design of the proposed development is considered to relate well to the surrounding traditional semi detached properties.

The apartment building is designed with accommodation over three levels and would give the appearance of a large two and a half storey dwelling house. The building would have pitched roofs, dormer window features sensitively sited in the slopes to provide rooms in the roof.

The proposed houses would be similar in their appearance, designed with dutch gable roofs, traditional chimneys and material selection. Plot 9 (nearest the park) would be smaller than the other three houses with accommodation over only two floors in order to respect the views from the park within this setting.

Neighbouring Amenity

The nearest neighbouring residential properties are those to the south of the site, no.s 90 - 100 Bunns Lane. The nearest buildings to these properties would be plots

3-7 (block of apartments) and plots 8 and 9. There would be a distance of approx 7m from the corner point of the block to the boundary with Bunns Lane properties, and a distance of 35m to the rear elevation of the nearest property in Bunns Lane. The building has been orientated so that the rear elevation would be at an oblique angle and not directly facing the rear elevations of the Bunns Lane properties, to ensure that no appreciable overlooking would result.

Plots 8 and 9 would be of a lower height than the adjacent block, set approx 10.5m from the boundary and a total distance of 38m in between facing rear wall of properties in Bunns Lane. This would ensure there would be no overlooking from these properties, meeting standards as set out in the adopted Unitary Development Plan.

In the recent Inspectors decision dated 24.12.08, it was acknowledged that earlier planning permissions already exist for access onto Bunns Lane and that there was no evidence to suggest that the additional units would compromise highway safety but was necessary to condition Bunns Lane Access only to egress.

Trees

There are some mature trees on the boundary with Mill Hill Park. Subject to relevant landscaping conditions which would ensure the introduction of improved landscaping on this boundary, the proposed is considered not to unduly impact upon these trees and would relate to an acceptable relationship to the adjoining park. Additional planting is being proposed along the boundary with the properties in Bunns Lane to improve the natural screening. The permission is subject to landscaping conditions to ensure that appropriate scheme is incorporated to the site

Lighting

The applicant has been in consultation with the University of London Observatory and is keen to mitigate any significant amounts of light pollution into the atmosphere. The Inspector noted the importance of potential impacts on the Observatory through light spillage from the development. Plot 9, nearest the park is low scale and has only obscure first floor window within the side elevation. Plots 1 and 2 have two small scaled rear dormer windows and would not generate any appreciable amount of external light.

A lighting condition has been attached to the approval which will be assessed by the Councils lighting engineers and on which the Observatory will be consulted on.

Sustainability

The proposed development incorporates a number of energy efficient measures and sustainable forms of construction, including the following -

- rainwater harvesting for WC purposes and irrigation
- energy efficient LED lights
- locally sourced and re-cycled materials
- high levels of insulation

The proposal is considered to have an acceptable impact on the character of the area, neighbouring park setting and the wider established environment. The bulk and mass of the development when viewed from the park has been reduced and it is considered, that the changes overcome previous objections. There would be no significant undue harm to the visual or residential amenities currently enjoyed by neighbouring residents.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The representations received have been carefully considered and are material considerations to the recommendation.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. SECTION 106 AGREEMENT

The proposal would result in a need to mitigate in the demands placed on public services, including education (£74,842), libraries (£1,532), health (£14,458) and monitoring costs, (£4,451), generated as a result of the development.

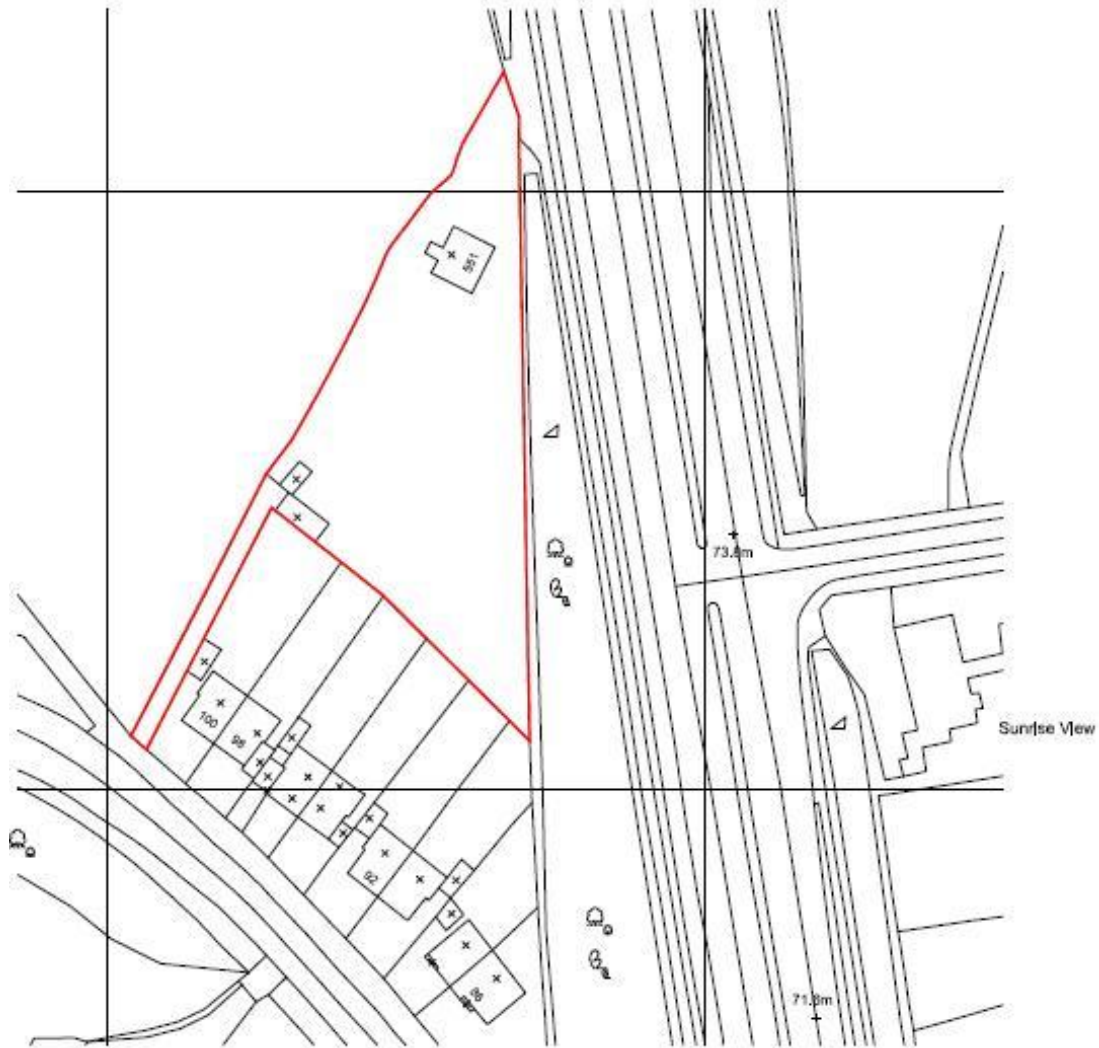
6. CONCLUSION

The proposal would add housing stock to the borough, whilst having an acceptable impact on the character of the area, wider locality and would not unduly harm the visual or residential amenities of any neighbouring occupier.

The item is for **APPROVAL** subject to the completion of the Section 106 agreement.

SITE LOCATION PLAN: 551 Watford Way, London, NW7 2PU

REFERENCE: H/01721/11



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LOCATION: Car park at rear of Raw Spice, 117-125 West Hendon
Broadway, London, NW9 7BP
REFERENCE: H/01348/11 **Received:** 30 March 2011
Accepted: 30 March 2011
WARD(S): West Hendon **Expiry:** 25 May 2011

Final Revisions:

APPLICANT: Luan Hand Car Wash

PROPOSAL: Retention of canopy.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; Design and Access Statement; Site photographs.

Reason:

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

2 The car wash shall only be open to customers between the hours of 8am to 6pm Mondays to Saturdays and 10am to 4pm on Sundays and Bank Holidays.

Reason

To protect the amenities currently enjoyed by neighbouring occupiers

3 The car wash shall only be used for hand wash purposes and no industrial cleaning equipment shall be used at all.

Reason

To protect the amenities currently enjoyed by neighbouring occupiers

4 This permission is granted for a limited period expiring on 24 September 2012 when the structure shall be permanently removed.

Reason:

To protect the amenities of neighbouring residents and to enable the local authority to monitor any impacts of 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 London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, ENV12, ENV13, D1, D2, M11, M12, M13.

Supplementary Planning Design Guidance Note - Sustainable Design and Construction

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

The proposal to retain the canopy for car wash use, is considered to have an acceptable impact on the character and appearance of the property, wider locality and would not significantly harm the visual or residential amenities of any neighbouring occupier

2 The applicant is reminded that the permission does not relate to the use of adverts on and around the application site

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 : Delivering Sustainable Development

Planning Policy Guidance note 13: Transport
Planning Policy Guidance note 24: Planning and Noise

Relevant Unitary Development Plan Policies:

GBEnv1, ENV12, ENV13, D1, D2, M11, M12, M13.

Supplementary Planning Design Guidance Note - Sustainable Design and Construction

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS5.

Relevant Planning History:

Application:	Planning	Number:	W/00017/U/07
Validated:	24/05/2007	Type:	S73
Status:	DEC	Date:	14/08/2007
Summary:	REF	Case Officer:	Matthew Corcoran
Description:	Variation of Condition 2 of planning permission W00017T/07 to allow use of first floor function room to be used until 01.30hrs Sunday to Thursday, and until 02.30 Friday and Saturday.		

Application:	Planning	Number:	W/00017/V/07
Validated:	23/10/2007	Type:	S63
Status:	DEC	Date:	10/01/2008
Summary:	APC	Case Officer:	Matthew Corcoran
Description:	Continued use as hand car wash and valet, open from Monday to Saturday 8:00am to 6:00pm and Sunday 10:00am to 4:00pm.		

Application:	Planning	Number:	H/01170/08
Validated:	17/06/2008	Type:	CON

Status: DEC **Date:** 12/08/2008
Summary: AP **Case Officer:** Matthew Corcoran
Description: Submission of details relating to condition 2 of planning permission W00017V/07 (Continued use of car wash and valet open from Monday to Saturday 8.00am - 6.00pm and Sunday 10.00am - 4.00pm).

Application: Planning **Number:** H/01348/11
Validated: 30/03/2011 **Type:** S63
Status: PDE **Date:**
Summary: APC **Case Officer:** Matthew Corcoran
Description: Retention of canopy.

Application: Planning **Number:** H/02624/09
Validated: 30/07/2009 **Type:** APF
Status: DEC **Date:** 24/09/2009
Summary: APC **Case Officer:** Matthew Corcoran
Description: Continued use of site as car wash.

Application: Planning **Number:** H/04755/10
Validated: 19/11/2010 **Type:** ADV
Status: DEC **Date:** 14/01/2011
Summary: APC **Case Officer:** Graham Robinson
Description: Installation of 2 x no. internally illuminated portrait poster boards within a single structure, to replace two existing freestanding poster advertising structures, with associated landscaping to ground area.

Consultations and Views Expressed:

Neighbours Consulted: 99 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- operating times for car wash
- harm to trees on site
- canopy is too big
- adverts being placed on Cool Oak Lane

Date of Site Notice: 14 April 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

Application site relates to the rear car park area of the Raw Spice restaurant. The car park and car wash operation is accessed from the car park entrance in Cool Oak Lane.

Proposal:

The application is for the retention of the canopy which is used in connection with the car wash. The canopy as built is open-sided on four steel posts and is approx 4m in height and 8m in depth.

The site has temporary planning permission for the use of the site as a hand car wash which expires on 24th September 2012. The proposal seeks permission to retain the canopy structure for this amount of time.

Planning Considerations:

The proposal is considered to be acceptable and would comply with aforementioned planning policy and design guidance.

Proposal is to retain the canopy serving the car wash to the rear of the Raw Spice public house / restaurant. The car wash has been in operation since September 2007 and has temporary planning permission for this use until 24th September 2012. Permission relates only to hand car wash and no high powered jet wash or other machinery is being used at the site. Since this temporary permission there have been no complaints made to the council's environmental health department for noise or nuisance issues.

The canopy in question was installed in November 2010 and replaced a previously enclosed structure used for hand car wash. The canopy on site, mindful that it is opensided and against the backdrop of the trees and car park beyond is not considered to harm the appearance of the site and wider character of the area.

The permission has a planning condition attached restricting the use to hand wash only and no mechanical equipment shall be used. The applicant is also reminded that the permission does not relate to any signage or advertising. There are no protected trees on the site and the installation of the canopy has not resulted in any tree removal or harm to the trees.

The proposal to retain the canopy, is considered to have an acceptable impact on the character and appearance of the site, wider locality and would not significantly harm the visual or residential amenities of any neighbouring occupier

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections received have been carefully considered and addressed within the body of the main report.

4. EQUALITIES AND DIVERSITY ISSUES

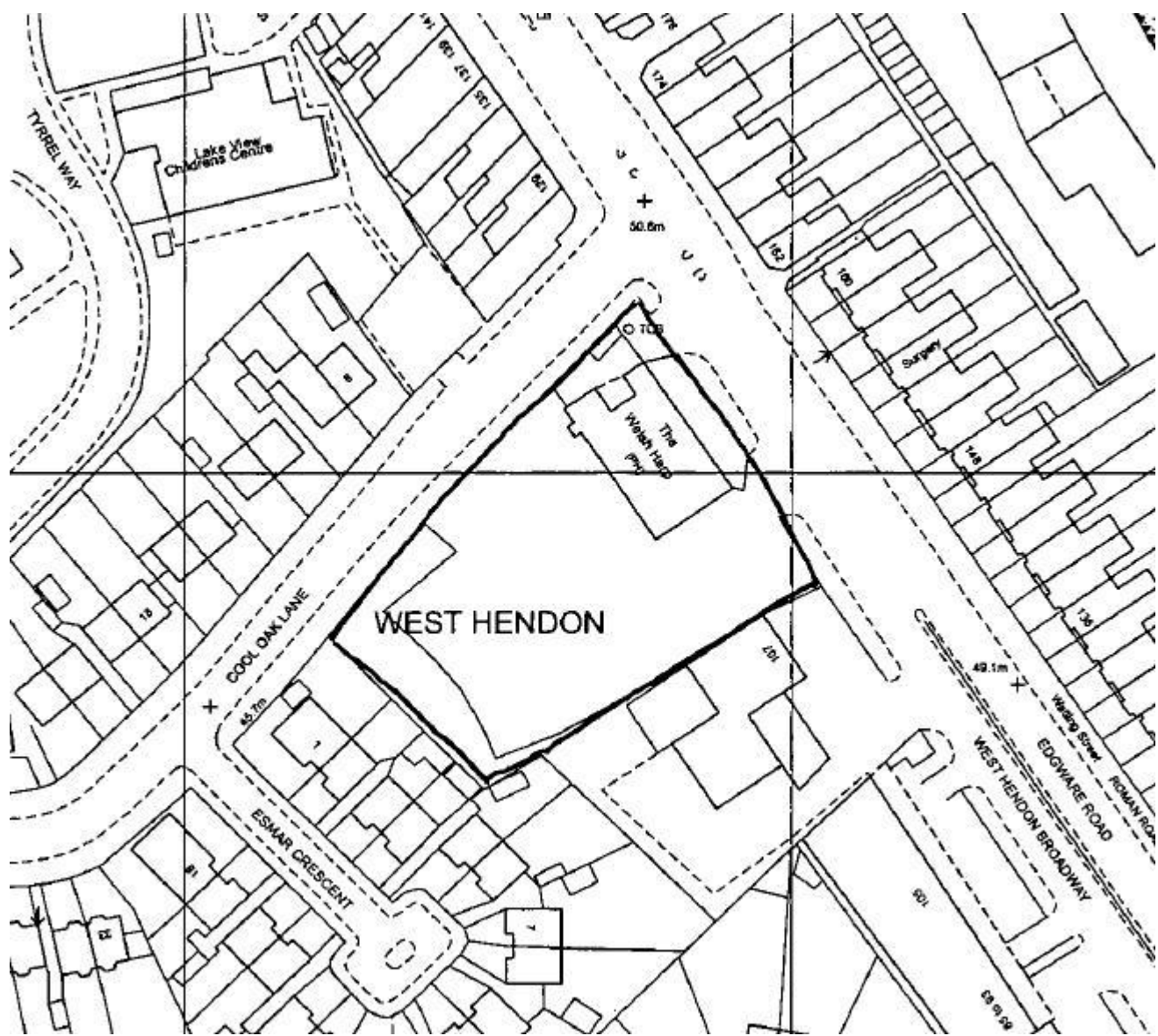
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Approval is recommended

SITE LOCATION PLAN: Car park at rear of Raw Spice, 117-125 West Hendon Broadway, London, NW9 7BP

REFERENCE: H/01348/11



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- LOCATION:** 27 and LAND ADJACENT TO 27 – 47 WILLIFIELD WAY, LONDON, NW11
- REFERENCE:** TPO/CA/402
- WARD:** Hampstead Garden Suburb
- PROPOSAL:** To seek authority for confirmation of Tree Preservation Order, without modification.
- RECOMMENDATION:**
1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on 27 and Land adjacent to 27 – 47 Willifield Way, NW11 without modification.
 2. That the objectors be advised of the reasons.

1.MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 21st March 2011
- TCA/00119/11/F – Notice of Intent to fell 1 x Oak (T3 of Applicant’s Plan) standing at 27 Willifield Way, London NW11 7XU, submitted by OCA UK Ltd, registered 22nd February 2011

Background Information/Officers Comments

A Tree Preservation Order was made on 31st March 2011 on the basis that it was expedient to do so in the interests of amenity in the light of a s211 Notice of Intent for the proposed felling of an Oak standing at 27 Willifield Way, London NW11 7XU (TCA/00119/11/F) which was registered on 22nd February 2011.

In accordance with the planning legislation, before undertaking works to a tree in a Conservation Area it is necessary to give a Local Planning Authority (LPA) written notice of intended treeworks (a s211 Notice of Intent). This is a notification, rather than a consent, procedure - if the LPA wishes to modify or prevent the works being undertaken, it must make a Tree Preservation Order and use the powers of control therein – otherwise the relevant works can be undertaken within a two year period commencing six weeks after the notification has been given to the LPA.

It is alleged by OCA UK Ltd that both the Oak in 27’s garden and another Oak standing on the grassed area adjacent are implicated in subsidence damage to 29 Willifield Way. There are three Oaks growing on the grassed area in front of 29 – 45 Willifield Way, this grassed area is owned by Hampstead Garden Suburb Trust. Several objections to the proposed removal were received from local residents and the Hampstead Garden Suburb Trust together with requests that the tree(s) be included in a Tree Preservation Order.

The Oaks appear to be former field boundary trees that pre-date the development of

the Suburb. The trees were retained and influenced the design and layout of this part of Willifield Way, with 29 – 45 Willifield Way being set back in an arc with very small front gardens to allow for the retention of trees in a grassed area in front of the properties. The last Oak of the row is in the corner of the somewhat larger front garden of 27 Willifield Way, which slopes up to the road from the house. It is believed that the trees are marked on an old Suburb map drawn by Parker and Unwin.

All four trees are very prominent in the streetscene – being very clearly visible from Willifield Way and parts of Temple Fortune Hill. The mature Oak at 27 Willifield Way is approximately 17 - 18m in height, it has been previously lifted and thinned. It appears to be in reasonable condition with no major faults apparent. The three mature Oaks in the grassed area have received less treatment in the past, having slightly denser crowns, and also appear to be in reasonable condition.

Given their considerable amenity value and historical significance in the layout of the Suburb, it was considered appropriate to include these trees in a Tree Preservation Order (TPO). The inclusion of the trees in an Order necessitates a full TPO application for consent for their treatment, and hence the submission of mandatory supporting documentation in accordance with statutory requirements. The application procedure allows for more detailed consideration of evidence than would be possible for a Notice of Intent and would allow the Council the option to refuse consent for treatment, if appropriate (subject to the compensation and appeal provisions within the tree preservation legislation).

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 3 of the Town and Country Planning (Trees) Regulations 1999 (as amended).

Objections have been received from:-

Owner/Occupier, 27 Willifield Way, London, NW11 7XU

Owner/Occupier, 39 Willifield Way, London, NW11 7XU

OCA UK Ltd – consulting arboriculturist on behalf of Cunningham Lindsey (loss adjusters for building insurer), who submitted Notice of Intent TCA/00119/11/F

A representation has been received from:-

Owner/Occupier, 46 Willifield Way, London, NW11 7XT

The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

The objections of the owners / occupiers of 27 and 39 Willifield Way can be summarised as:

- concern about restricting their ability to take action to prevent or rectify any subsidence issues affecting their own or neighbouring properties.

- wish to hold Council liable for any potential damage or loss arising from restrictions imposed by TPO

In response the Council's Tree and Landscaping Officer comments as follows:

- (i) Confirmation of the Order would not preclude an application for consent to prune / fell a tree included in a Tree Preservation Order being submitted to the Council, in accordance with the planning legislation. Such application would be considered on its merits on the basis of the information submitted at the time. However, failure to confirm the Order would mean that the Local Planning Authority would have no control over treatment of the tree(s), and any treeworks including felling of the Oak(s) would be within the control of the land owner (albeit subject to separate Hampstead Garden Suburb Trust contractual controls).
- (ii) The Tree Preservation Order includes compensation provisions – subject to provisions detailed in the Order, if a person establishes that loss or damage has been caused or incurred in consequence of the refusal of any consent required under the TPO or the grant of any such consent subject to conditions, s/he would be entitled to compensation from the authority.

The objections of the OCA UK Ltd can be summarised as:

- Objection on the grounds that they believe that the reasons for making the Order are not explained. OCA cite paragraph 3.3 of the Government guidance “Tree Preservation Orders: A Guide to the Law and Good Practice 2000” (as amended) which states that:

LPA's should be able to explain to landowners why their trees or woodlands have been protected by a TPO. They are advised to develop ways of assessing the ‘amenity value’ of trees in a structured and consistent way, taking into account the following key criteria [(i) visibility; (ii) individual impact; (iii) wider impact; and (iv) expediency].

OCA suggest that the Council has not provided any evidence nor indicated that it has in fact assessed the ‘amenity’ of the trees; and, if it has made such an assessment, it has not provided the evidence to support the making of the Order.

- ‘The Oak trees subject of the Conservation Area notification are located in sufficient proximity [to be allegedly implicated in property damage] which is being investigated by Chartered Engineers as tree root related subsidence. The service of the Tree Preservation Order has added a significant additional layer complexity for the Engineers in relation to requirements for mandatory levels of evidence if they wish to apply for consent to carry out works to the trees.’

In response the Council's Tree and Landscaping Officer comments as follows:

- (iii) Neither the legislation nor the Guidance prescribe exactly the method for assessing amenity (in fact the preceding paragraph, 3.2, of the Guidance notes “The Act does not define ‘amenity’, nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO.” The ‘amenity value’ of the trees has been assessed using the relevant criteria at the time of making the TPO and is also highlighted in this report. The LPA is well able to explain to landowners why their trees have been protected by a TPO and, indeed, the Hampstead Garden Suburb Trust (who own the three Oaks in the grassed area, group G1 of the Order), is supportive of the making of the TPO.
- (iv) If the TPO is confirmed, an application for consent to treat would need to be accompanied by mandatory supporting documentation (as set out on the relevant statutory application form and guidance notes) - given the importance of trees and landscaping in general, and these Oaks in particular, to the character and appearance of the Hampstead Garden Suburb Conservation Area (e.g. see Hampstead Garden Suburb Character Appraisal Statement), it is considered important to ensure that appropriate evidence is available on which base any decision about their future treatment.

The representations of the owner / occupier of 46 Willifield Way can be summarised as:

- concern about the amount of paper and use of resources in making / consulting on the Order – and consequent implications for tax-payer.

In response the Council's Tree and Landscaping Officer comments as follows:

- (v) The procedure for making and confirming a Tree Preservation Order is set out in the Town and Country Planning (Trees) Regulations 1999 (as amended) and associated government guidance. The validity of the Order could be subject of legal challenge if it is not properly made.

2. CONCLUSION

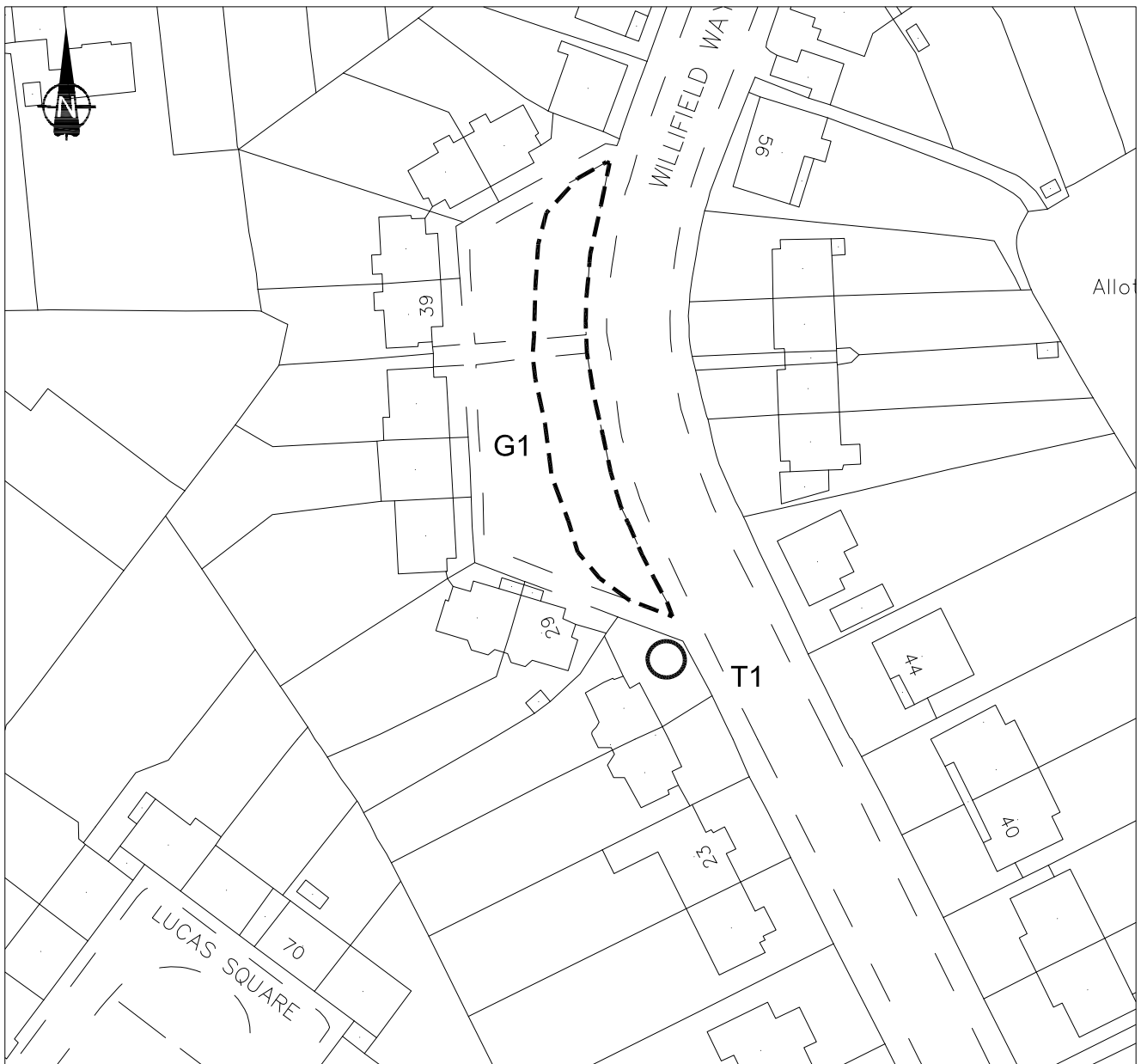
The inclusion of the four Oak trees in a Tree Preservation Order is considered appropriate given their considerable amenity value and historical significance in the layout of the Suburb. The inclusion of the trees in an Order necessitates a full TPO application for consent for their treatment, and hence the submission of mandatory supporting documentation in accordance with statutory requirements. The application procedure allows for more detailed consideration of evidence and would allow the Council the option to refuse consent for treatment, if appropriate. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/402

LONDON BOROUGH OF BARNET

This is the map referred to in the Tree
 Preservation Order made by the Council of the
 LONDON BOROUGH OF BARNET on _____

For Assistant Director Planning & Development Management



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Initiated by AC	SCHEME: 27, AND LAND ADJACENT TO 27-47, WILLIFIELD WAY LONDON, NW11	Assistant Director of Planning and Development Management	
Drawn by JC			
Checked by AC	TITLE: TREE PRESERVATION ORDER	London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	DRAWING No.
Date 15/03/11	Scales 1:1250		24242