

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

TO: MEMBERS OF THE COMMITTEE (Quorum 3)

Chairman: Councillor Maureen Braun
Vice Chairman: Councillor Eva Greenspan

Councillors:

Jack Cohen	Melvin Cohen	Claire Farrier	Sury Khatri
John Marshall	Hugh Rayner	Gill Sergeant	Agnes Slocombe
Darrel Yawitch			

Ward Substitute Members:

Alex Brodkin	Tom Davey	Andrew Harper	Helena Hart
Geoffrey Johnson	Julie Johnson	Graham Old	Lord Palmer
Brian Schama	Mark Shooter	Reuben Thompstone	

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

Governance Services contact: Paul Frost 020 8359 2205
Media Relations contact: Sue Cocker 020 8359 7039

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

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

Item No.	Title of Report	Pages
1.	ABSENCE OF MEMBERS	-
2.	DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS	-
3.	PUBLIC QUESTION TIME (If any)	-
4.	MEMBERS' ITEMS (If any)	-
5.	Applications for Planning Permission and Consent under the Advertisements Regulations	1 – 224
6.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	

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LONDON BOROUGH OF BARNET

West Area Planning Sub-Committee

Wednesday 07 September 2011

Agenda Item No. 5

Report of the Assistant Director of Planning & Development Management

BACKGROUND PAPERS – GENERAL STATEMENT

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

Hendon Area Planning Team
North London Business Park
Oakleigh Road South
London
N11 1NP

Contact Officer: Mrs V Bell, 020 8359 4672

F/02015/11

Childs Hill

Page 1 – 4

100 Golders Green Road, London, NW11 8HB

Change of use from A2 use to Restaurant (A3 use).

Approve Subject to Conditions

F/02462/11

Childs Hill

Page 5 – 11

Durrisdeer House and Ballantrae House, Lyndale, London, NW2 2PA/2PB

Provision of new parking bays, traffic calming raised platforms, road markings. New retaining wall with a guardrail.

Approve Subject to Conditions

F/02610/11

Childs Hill

Page 12 – 18

600 Finchley Road, London, NW11 7RX

Retention of single storey rear outbuilding for use as a gym ancillary to the main property.

Approve Subject to Conditions

F/03019/11

Childs Hill

Page 19 – 26

29 Beechcroft Avenue, London, NW11 8BJ

Two storey front, side and rear extension including new front porch and demolition of existing garage and new integral garage. New roof including 1no rear dormer with juliet balcony, 2no dormers at both sides (totalling 4no) to facilitate a loft conversion.

Approve Subject to Conditions

F/02823/11

Childs Hill

Page 27 – 32

2A Lyndale Avenue, London, NW2 2PY

The erection of a side/rear wooden outbuilding.

Approve Subject to Conditions

H/02672/11

Edgware

Page 33 – 41

269 Hale Lane, Edgware, Middx, HA8 8NW

Extension to the time limit for implementing planning permission reference W03424/08 dated 27-10-2008 for erection of a three storey building comprising 5 self contained flats with basement parking and associated landscaping.

Approve Subject to S106

Former 261 Hale Lane, Edgware, Middx, HA8 8NX

Demolition of existing building and erection of part single, part two storey single form entry primary school and nursery. Variation to approved scheme to include enlarged playground, amended materials, landscaping, means of enclosure and environmental standard (Conditions 4,5,8,11,12,13, 16 and 30 pursuant to planning permission H/03150/08)

Approve Subject to Conditions

55 Stanhope Avenue, London, N3 3LY

New mansard roof to create a first floor extension over the existing garage. Conversion of existing garage into a habitable room with insertion of windows and a door (to be used ancillary to the main dwellinghouse).

Approve Subject to Conditions

127 Lichfield Grove, London, N3 2JL

First floor rear extension.

Approve Subject to Conditions

72 Lichfield Grove, London, N3 2JP

Conversion of property into 3no self-contained units and associated off-street parking spaces for 3no cars. Partial demolition of garage and erection of a 2 storey side extension including amendments to fenestration at side elevation. Extension to roof including 1no side dormer and 1no rear dormer to facilitate a loft conversion. Partial demolition of front boundary wall.

Approve Subject to Conditions

11 Grass Park, London, N3 1UB

Extensions to roof including, side and rear dormer windows to facilitate a loft conversion with the insertion of velux windows. First floor rear extension.

Approve Subject to Conditions

F/0225/11

Finchley Church End

Page 83 – 96

Chessington Court, Charter Way, London, N3 3DT

Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.

Approve Subject to S106

F/02524/11

Finchley Church End

Page 97 – 107

19 Dollis Avenue, London, N3 1DA

Conversion of existing detached dwelling into 3No. self contained flats.

Approve Subject to Conditions

F/02888/11

Finchley Church End

Page 108 – 116

Allandale, 174 Regents Park Road, London, N3 3HR

Conversion of single dwelling into four self-contained flats. Provision of two front off-street parking spaces. Associated alterations.

Approve Subject to Conditions

F/03075/11

Finchley Church End

Page 117 – 122

Finchley Manor Club, Lyndhurst Gardens, London, N3 1TD

Erection of a single storey timber building.

Approve Subject to Conditions

F/02602/11

Garden Suburb

Page 123 – 127

7 Bigwood Road, London, NW11 7BB

Construction of a basement beneath the existing paved terrace at the rear of the house, Single storey side extension following demolition of existing boiler enclosure.

Approve Subject to Conditions

F/02825/11

Garden Suburb

Page 128 – 134

16 Aylmer Road, London, N2 0BX

Submission of details of conditions 11 (Landscaping) & 17 (Turning Spaces and Car Parking) pursuant to planning permission C17308/07 dated 08/01/08.

Approve

H/01489/11

Hale

Page 135 – 139

131 Farm Road, Edgware, Middx, HA8 9LR

Disabled access ramp and lift to the front of the property.

Approve Subject to Conditions

H/02691/11

Hale

Page 140 – 146

48 Glengall Road, Edgware, Middx, HA8 8SX

Change of use from A1 to Sandwich Bar (A1) and Minicab office (Sui-generis) including division of shop to create 2no units and new shop front.

Approve Subject to Conditions

H/01957/11

Hendon

Page 147 – 156

8 Green Walk, London, NW4 2AJ

Demolition of existing detached bungalow and construction of a pair of two storey semi-detached dwellinghouses with rooms in the roofspace.

Approve Subject to Conditions

H/01410/11

Hendon

Page 157 – 161

10 St Marys Crescent, London, NW4 4LH

Single storey side and rear extensions.

Approve Subject to Conditions

H/02486/11

Hendon

Page 162 – 167

64 Wykeham Road, London, NW4 2ST

Part single, part two storey rear extension. Roof extension including two rear dormer windows, one side dormer and rooflights on both sides and front elevation to accommodate loft conversion.

Approve Subject to Conditions

H/02966/11

Mill Hill

Page 168 – 179

Tudor Cottage, 64 Marsh Lane, London, NW7 4NT

Erection of two new four-bedroom detached dwellings with rooms in the roof space and basements in the grounds of an existing detached dwelling accessed from Austell Gardens.

Approve Subject to S106

H/00273/11

West Hendon

Page 180 – 187

Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU

Retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.

Approve Subject to Conditions

H/02203/11

West Hendon

Page 188 – 200

Peacehaven Hotel, 94 Audley Road, London, NW4 3HB

Two storey side extension from basement to ground floor level and three storey rear extension from basement to first floor level to facilitate conversion of No. 94 into 3no. self contained maisonettes and 4no. self-contained flats, following demolition of the existing side structure. Formation of parking for 2 spaces.

Approve Subject to S106

H/02478/11

West Hendon

Page 201 – 206

Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)

Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

Approve Subject to Conditions

H/02470/11

West Hendon

Page 207 – 212

Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)

Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

LISTED BUILDING CONSENT

Approve Subject to Conditions

H/02750/11

West Hendon

Page 213 – 216

63 Shirehall Park, London, NW4 2QN

Extension to roof, including rear dormer window to facilitate a loft conversion.

Approve Subject to Conditions

TPO/CA/406

Edgware

Page 217 – 219

Yeshuran Synagogue, Fernhurst Gardens, Edgware, Middx HA8 7PH

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

1. That the Council, under Regulation 5 of the Town and Country Planning (Trees) Regulations 1999 (as amended) confirm the Tree Preservation Order on Yeshurun Synagogue, Fernhurst Gardens, Edgware, Middx HA8 7PH without modification.

H/02939/11

West Hendon

Page 220 – 224

18 Allington Road, London, NW4 3DJ

Retention of raised timber decking, steps to garden level and raised boundary fences.

Approve Subject to Conditions

LOCATION: 100 Golders Green Road, London, NW11 8HB
REFERENCE: F/02015/11 **Received:** 11 May 2011
Accepted: 20 May 2011
WARD(S): Childs Hill **Expiry:** 15 July 2011
Final Revisions:

APPLICANT: Meatos Limited t/a PIZAZA
PROPOSAL: Change of use from A2 use to Restaurant (A3 use).
RECOMMENDATION: **Approve Subject to Conditions**

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 100/100B

Reason:

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

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

Reason:

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):GBEnv1, D2 and GCS1
Core Strategy (Publication Stage) 2010:
CS5, DM09.

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

Relevant Unitary Development Plan Policies:

GBEnv1, D2 and GCS1

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
DM09

Relevant Planning History:

Site history for current landparcel :

100371 - 100 Golders Green Road, London, NW11 8HB
Case Reference: **F/02015/11**

Consultations and Views Expressed:

Neighbours Consulted:	76	Replies:	4
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- This shop was used as A1 retail use for over 5 years.
- Too many restaurants in this area.
- This shop was used as A1 use for the past 6 years as kitchen showroom and furniture showroom. This 'application' should not be 'approved' as A1 use in the area is way below the 75% required. There are too many A3 uses in Golders Green Road.
- Too many restaurants in this part of Golders Green Road. it is causing difficulties to the restaurant trade.

Date of Site Notice: 02 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a terrace property located on Golders Green Road within the secondary retail frontage. The property does not fall within a conservation area and is not a listed building. The property was formerly used as a design studio falling under class A2 of the use class order.

Proposal:

The application relates to the change of use of the property from A2 to A3 (restaurant)

Planning Considerations:

The proposed use is not considered to be harmful to the vitality and viability of the town centre. Whilst the property is in the secondary retail frontage of Golders Green, the last use of the property was a non A1 (retail) use and therefore policies to protect retail uses in such areas do not apply for this property. The area is commercial at street level with a number of retail and restaurant uses. The conversion of the property into a restaurant is not considered to be harmful. The change of use would have a relatively minimal impact on the local area and adjoining properties.

The extractor flue that was originally applied for has been removed from this application and will be dealt with as a separate application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Business rates documentation has been provided demonstrating that the property was paying rates as an A2 unit, the documentation is dated July 2011 and therefore the established use of the property is considered to be A2.

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: 100 Golders Green Road, London, NW11 8HB

REFERENCE: F/02015/11



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LOCATION: Durrisdeer House and Ballantrae House, Lyndale, London, NW2 2PA/2PB

REFERENCE: F/02462/11

Received: 13 June 2011

Accepted: 17 June 2011

WARD(S): Childs Hill

Expiry: 12 August 2011

Final Revisions:

APPLICANT: Barnet Homes Limited

PROPOSAL: Provision of new parking bays, traffic calming raised platforms, road markings. New retaining wall with a guardrail.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - EA4624/LOC/01; Design & Access Statement; Plan No's: EA4624/02H; EA4624/03; J451-R-001; J451-EX-151 Rev C3; J451-EX-150 Rev C3; J451-EX-151 Rev C3.

Reason:

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

2 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.

3 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.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

6 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, M10, M11, M12.
Core Strategy (Publication Stage) 2010: CS5, DM01
 - ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, this application is in keeping with Council Policies and Guidelines.
- 2 For the avoidance of doubt the permission granted relates solely to the provision of new parking bays, traffic calming raised platforms, road markings, and a new retaining wall with a guardrail.
It does not grant advertisement consent for the following:
 1. A new estate sign is proposed where indicated on Drawing No EA4624/02/H adjacent to the site entrance from Lyndale;
 2. The signs proposed will be steel anti-vandal with anti-graffiti coating approximately 1200mm long with black lettering on silver background. Sign fixed to existing boundary wall;
 3. New flat number signs to be fixed over each communal entrance. Steel anti-vandal with anti-graffiti coating approximately 185mm x 1400mm.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

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

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

design....” Further comment regarding “Design” is made at para’s 33-39.

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 July 2011:

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

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

Relevant Unitary Development Plan Policies:

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

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

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

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, M10, M11, M12.

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
Development Plan Policy DM01

Relevant Planning History:

1 - 18 Durrisdeer House, Lyndale, London, NW2 2PA
Application: Planning **Number:** C/07970/C/07
Validated: 30/10/2007 **Type:** APF
Status: DEC **Date:** 21/12/2007
Summary: APC **Case Officer:** Claire Thorley
Description: Replacement of existing windows with new UPVC windows.

Consultations and Views Expressed:

Neighbours Consulted: 103 Replies: 9
Neighbours Wishing To Speak 4

Please note that one of the replies is a petition with 30 signages.

The objections raised may be summarised as follows:

- No need for extra spaces
- The proposal will come at a great cost for the occupants of the buildings and inconvenience to current home/car owners;
- The works will mean that children will not be able to play on the grass during the constructions;
- The proposal will result in the loss of green space;
- The additional car parking spaces will prevent garage owners having easy access to their garages;
- The speed bumps will cause noise and damage to cars;
- The proposal isn't cost effective;
- Impacts the character of the estate;
- Misleading information introduced in the deign & access statement about the consultation process;
- Too close to the building;
- Effect on the conservation area;

- Increase in pollution;
- Overlooking and loss of privacy;
- Not accessible for an ambulance through the driveway.

Internal /Other Consultations:

Traffic & Development -

No objections to the proposed amendments to the parking layout and the resulting small increase in parking spaces and the highway works.

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

Durisdeer House is a purpose built three storey block consisting of 18 flats, the block is located off Lyndale within Childs Hill Ward. To the rear of the site and sharing the same access is Ballantrae House, a block of flats of similar design. The site slopes from south east to North West. The site isn't in a conservation area.

The existing estate road is in very poor condition and according to the applicant's engineer investigations have shown it to be of an unsuitable construction for heavy vehicles, such as refuse trucks and for current general traffic volumes.

Parking provision on site is limited to the garages to the North East end and informal parking on the roadside. The informal parking gives rise to the access becoming restricted with resulting over running of kerbs and grassed areas.

Proposal:

It is proposed to rebuild the road for its entire length to the engineer's details and specification. A retaining wall is proposed to the northern corner to eliminate over running of the kerbs and grassed area which has previously become badly damaged. A guardrail is to be fitted at the top of the wall. This involves cutting into part of the grassed area within the center of the site but introduce 'dense hedge' planting to screen headlights from the cars.

Whilst carrying out re-construction of the road, it is proposed to provide formal parking spaces, including 2 No disability parking spaces. The spaces will be located within the presently grassed areas, as indicated on Drawing No EA4624/02/H.

Designated parking spaces will also be marked out on the roadside at its widest point opposite the existing garages and on the eastern section of access road adjacent to Vernon Court.

Double yellow line markings will be included to the roadside to discourage restriction of the access by parked vehicles.

Traffic calming "speed bumps" are to be provided in the two locations shown on

Drawing No EA4624/02/H.

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.

The proposal would result very small alterations to the access road and car parking provision which is considered to be designed in a manner to ensure pedestrian and highway safety and wouldn't harm the appearance of the surroundings. It is not considered that the changes proposed would harm the character of the site or the area. It is also not considered that the proposals will have a detrimental impact on the amenities of the residents or users of the site.

As such the proposal would not cause any significant harm to the street scene. In that respect, it would not conflict with relevant saved policies of the Barnet Unitary Development Plan (UDP). It would comply with policy GBEnv1, which seeks to protect and enhance the quality and character of the built environment, and with the aims of UDP policies GBEnv2 and D1 with respect to high quality design. In the terms of UDP policy D2, local character would be preserved, and the appearance, scale, bulk, height and pattern of surrounding buildings, and the overall character and quality of the area, would be respected.

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

Having taken all material considerations into account, this application is in keeping with Council Policies and Guidelines and is therefore recommended for **APPROVAL**.

LOCATION: 600 Finchley Road, London, NW11 7RX
REFERENCE: F/02610/11 **Received:** 20 June 2011
Accepted: 24 June 2011
WARD(S): Childs Hill **Expiry:** 19 August 2011
Final Revisions:
APPLICANT: Mr & Mrs Sahakian
PROPOSAL: Retention of single storey rear outbuilding for use as a gym ancillary to the main property.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 281-E00 Rev: A, 281-E01 Rev: A, 281-E02 Rev: B, a design and access statement and a site plan .
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The use of the outbuilding 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 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant: PPS1
Adopted Barnet Unitary Development Plan (2006): GBEnv1 (Character), GBEnv2 (Design), D1 (Design), D2 (Built Environment / Character), D5 (Outlook) and H27 (Extensions to Houses and Detached Buildings). Design Guidance Note 5 - Extensions to houses is also relevant here.
Core Strategy (Publication Stage) 2010: CS5, DM01, DM02
 - ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the main building or the amenities of any neighbouring property.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D5 and ENV12.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS5, DM01, DM02

Relevant Planning History:

Application:	Planning	Number:	C/03503/A/04
Validated:	05/11/2004	Type:	APF
Status:	DEC	Date:	23/12/2004
Summary:	APC	Case Officer:	Laura Knight
Description:	Ground floor rear extension, first floor rear extension in existing catslide roof, addition of ramp to front entrance. Enlargement of existing rear dormer windows and addition of 1 no. side dormer. Conversion of existing residential dwellinghouse (C3) to bed and breakfast accommodation (C1).		

Application:	Planning	Number:	C/03503/B/05
Validated:	01/04/2005	Type:	APF
Status:	DEC	Date:	15/06/2005
Summary:	APC	Case Officer:	Laura Knight
Description:	Conversion of existing dwelling (C3) to bed and breakfast (C1). Enlargement of existing rear dormer and repositioning and enlargement of separate rear dormer. New side dormer window and flat solar collectors to side roof slope. new first floor rear dormer. Single storey rear extension . Insertion of new windows. New boundary wall and bin storage. New front porch. (AMENDED DESCRIPTION)		

Application:	Planning	Number:	C/03503/C/05
Validated:	01/08/2005	Type:	APF
Status:	DEC	Date:	30/09/2005
Summary:	APC	Case Officer:	Laura Knight
Description:	Conversion of existing dwelling (C3) to bed and breakfast (C1). Enlargement of existing rear dormer and repositioning and enlargement of a separate rear dormer. New side dormer window and flat solar collectors to side roof slope. New first floor rear dormer. Single storey rear extension. Insertion of new windows. Insertion of canopy and a 2.4m high fence. New boundary wall and bin storage. New front porch.		

Application: Planning
Validated: 15/02/2006
Status: DEC
Summary: APC
Description: Conversion of existing dwelling (C3) to bed and breakfast (C1). Enlargement of existing rear dormer and repositioning and enlargement of a separate rear dormer. New side dormer window and flat solar collectors to side roofslope. New first floor rear dormer. Single storey rear extension. Insertion of new windows. Insertion of canopy and a 2.4m high fence. New boundary wall and bin storage. New front porch. (Variation of planning permission C03503C/05 dated 29.09.05) involving additional rooflight above stairwell.

Number: C/03503/D/06
Type: APF
Date: 05/04/2006
Case Officer: Karina Sissman

Application: Planning
Validated: 26/09/2008
Status: DEC
Summary: REF
Description: Single storey rear extension. Single storey extension to storage shed to provide breakfast space for the bed and breakfast facility. Extension to covered walkway.

Number: F/03379/08
Type: APF
Date: 21/11/2008
Case Officer: Neil Goldberg

Application: Planning
Validated: 24/06/2011
Status: PDE
Summary: APC
Description: Retention of single storey rear outbuilding ancillary to the main house.

Number: F/02610/11
Type: APF
Date:
Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 66
Neighbours Wishing To 1
Speak

Replies: 7

The objections raised may be summarised as follows:

- The outbuilding is a dwelling.
- fumes from the boiler discharge into neighbouring properties.
- Impact on neighbouring properties.
- a gym would need ventilation equipment.
- The property has previously been subject to enforcement action
- The garden should be re-instated.
- The outbuilding appears obtrusive.
- Finchley Road is loosing its greenery which could give rise to flooding in the future.
- Increase in density
- The application has been previously refused.

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings: The application site is a former semi-detached residential dwelling house with lawful use as a bed and breakfast. The site is in the Child's Hill Ward and is not within a conservation area.

Proposal: The application seeks consent for the retention of single storey rear outbuilding ancillary to the main house.

Planning Considerations:

The policy context of the application is as follows:

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

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

Policy D3 says the size, shape, position and detailing of spaces created within or around new buildings should enhance the development of which they are part and should be in keeping with the overall character and quality of the area.

Part of Policy D5 requires new development to safeguard the outlook and light of neighbouring residential occupiers.

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

In considering this application the Local Planning Authority considered that the main issues in that case to be:

- Whether harm would be caused to the character and appearance of the area, having regard to the size and siting of the proposal;
- The living conditions of neighbouring residents;

Character and appearance

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of 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 outbuilding is not visible from the road and as such does not have an impact on the streetscene. The council previously refused a similar outbuilding on the grounds of insufficient information (a site visit could not be carried out) and as such there were concerns regarding its size appearance and impact on neighbours. An

enforcement notice has also been issued against the building as well. Since the enforcement notice, the overhang on the building has been reduced and the drainage has been tidied up. A site visit has also been carried out. The council also lost an appeal against a similar outbuilding on 189 Golders Green Road in 2010 since the previous decisions were issued. This was a particularly large outbuilding. It is also noted that outbuildings have been approved at 592 Finchley Road recently. It is therefore considered that given the events which have occurred since the refusal was last issued the outbuilding is acceptable. It is considered that if the application was refused, the council could not defend its decision successfully at appeal.

The living conditions of neighbouring residents

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported.

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.

As a result this proposal is not considered to result in a loss of outlook which would comply with policy D5. It is considered that the windows are largely below the fence line and would therefore not result in overlooking. Concerns have been raised regarding the soil vent pipe on the side of the building, however, due to its position at the end of the garden it is not considered that this is a reason for refusal.

As the building is to be used as a gym for the occupants of the main house, the shower and sink in the outbuilding are considered to be acceptable. A condition has been placed on the application to ensure that the use remains ancillary to the main use of the building.

It is considered that the application will not give rise to any loss of amenity to any neighbouring property, or harm the appearance of the building, the surrounding conservation area and the character of the street scene.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The main grounds of objection are covered in the main report; others have been addressed below:

- The outbuilding is not to be used as a dwelling. This would require a separate application.
- Ventilation equipment would need consent if they are to be installed
- The garden should be re-instated is not a planning reason for refusal.
- Finchley Road is loosing its greenery which could give rise to flooding in the future is also not a planning reason for refusal..
- It is not considered that the application could be refused on the increase in

density

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building or the amenities of any neighbouring property.

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

SITE LOCATION PLAN: 600 Finchley Road, London, NW11 7RX

REFERENCE: F/02610/11



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LOCATION: 29 Beechcroft Avenue, London, NW11 8BJ
REFERENCE: F/03019/11 **Received:** 18 July 2011
WARD(S): Childs Hill **Accepted:** 18 July 2011
APPLICANT: Mr M Murari **Expiry:** 12 September 2011
PROPOSAL: Two storey front, side and rear extension including new front porch and demolition of existing garage and new integral garage. New roof including 1no rear dormer with juliet balcony, 2no dormers at both sides (totalling 4no) to facilitate a loft conversion.
Final Revisions:

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: 2010/0422 Rev 1; 2010/0422 Rev 1; Email from agent (Mr McGahon), dated 24/06/11.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The use of the 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.
- 5 Before the building hereby permitted is occupied the proposed window(s) as shown on Drawing No. 2010/0422 Rev 1 on first floor shall be glazed with obscure glass, 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 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 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, D4, D5, H18, H27 and Barnet Design Guidance Note No. 5 – Extensions to Houses.
Local Development Framework: Core Strategy (Publication Stage, September 2010): Policy CS5.
 - ii) The proposal is acceptable for the following reason(s): -
The proposal would comply with the Council policies that seek to preserve the characters of areas and individual properties. Consideration has been given to the impact of the extension on neighbouring occupiers and it is considered that this extension will not harm the amenity of neighbouring occupiers. **Approval** is recommended.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies:

Adopted UDP (2006): GBEnv1, GBEnv2, D1, D2, D4, D5, H18 and H27.

Supplementary Planning Guidance:

Barnet Design Guidance Note 5 – Extensions.

Core Strategy (Publication Stage) 2010:

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

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

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

the street

- Concerns that the property will be converted into flats, HMO or a guest house will cause parking problems and localised congestion
- Attach a condition / obligations (S106) to prevent the property from being converted into self contained flats
- Overdevelopment of application site
- Development does not comply with policies D2 – Character, H27 – Extensions, H17 – Residential development privacy standards, M14 – Parking from Barnet’s Unitary Development Plan
- Roof extensions will have a detrimental impact on the streetscene
- From the plans a car will not fit into the driveway – no provision has been made for storage of bikes
- Proposed skylights – loss of privacy from neighbouring properties
- Windows on side elevation should be of obscure glass
- Previous applications have been withdrawn with an explanation – application is pushing bounds of ‘reasonable size, mass, design and scale’
- Application should be refused
- Inappropriate development in a quiet residential area
- Loss of amenity including overlooking, noise and disturbance, sense of enclosure
- Possible future enforcement problems / Current works carried out without permission
- Development contrary to adopted policies and Design Guidance
- Development out of character with neighbouring properties

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a large detached dwelling located on Beechcroft Avenue within the ward of Childs Hill. Beechcroft Avenue is part of a residential street where a number of properties have had alterations. The surroundings are predominantly suburban in character and are characterised by both large semi detached and detached single family dwelling houses.

Proposal:

There has been a previous approval (F/03671/10) at the application site for *part single, part two storey side / front extension; two storey rear extension; extension to crown roof with side and rear dormers, and front rooflight to facilitate a loft conversion* in November 2010 approved at the Finchley and Golders Green planning sub committee.

This application proposes the following changes to the previously approved planning application:

- The single storey rear extension has been brought back by 0.2 metres from the previously approved planning application (F/03671/10) and the first floor will now sit flush with the ground floor element.

- There is to be the repositioning of a window on the side elevation at first floor level, this will be of obscured glass.
- Replacement of a window to a door on the ground floor side elevation.

Planning Considerations:

The proposed development would comply with Council policies that seek to preserve the character of areas and individual properties as its impact is minimal due to the fact that there are numerous examples of similar developments along Beechcroft Avenue.

It should be noted that the single storey rear extension has been brought back by 0.2 metres in depth from the previously approved planning application (F/03671/10) and this application proposes the first floor to sit flush with the ground floor extension. As a consequence, the appearance and design of the proposed extension has changed with the first floor sitting flush, thus the need for this new planning application. It is not considered that this change will cause harm to the character of the property nor will it harm the amenities of neighbouring occupiers.

The repositioning of the window on the side elevation at first floor is not considered to cause harm as it will be of obscured glass and the insertion of door on the ground floor side elevation will not harm the character of the building.

The proposed two storey front extension would accord with Council policies that seek to maintain the character of areas and individual properties and there are other examples of properties on Beechcroft Avenue 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 2.1 metres 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.

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 the side extensions should be 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.

The single storey rear extension does comply with Council policies that seek to preserve the amenities of neighbouring occupiers. The design, size and rearward projection of the extension is such that it does 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 detached houses projecting up to a maximum of 3.5 metres in depth along the boundary with a property will normally be acceptable. Thus, this extension is in accordance with Council guidance, as the extension measures 2.5 meters in depth.

As a result of the shape and location of the application site, the proposed first floor rear extension is considered acceptable. The property is a detached with sufficient

distance between the neighbouring properties (1m at the sides) and the rear of the properties fronting Elmcroft Avenue and the application site. The fairly modest 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.

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.

When the previous application was submitted and a site visit undertaken, it became evident that the roof of the property had actually been removed and therefore a new application for this roof with the dormer windows has been submitted. The application proposes the roof and dormers to be the same as those approved as part of the previous application.

The side dormers accord with Council Guidance (Note No.5 – Extensions to Houses) which indicates that dormers should be subordinate features, not more than half the width or height of the roof slope. The rear dormer is not considered to be out of character with the immediate area and the Juliet balcony is not considered to present any detriment to the original dwellinghouse, the area in general and the amenities of the neighbouring residential occupiers shall be preserved. The side and rear dormers remain the same as previously approved under planning application F/03671/10.

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.

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 would comply with Council policies that seek to preserve the character of areas and individual properties. The design and sitting of the extension is such that it would not have a detrimental impact on the amenity of neighbouring properties. The application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 29 Beechcroft Avenue, London, NW11 8BJ

REFERENCE: F/03019/11



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LOCATION: 2A Lyndale Avenue, London, NW2 2PY
REFERENCE: F/02823/11 **Received:** 06 July 2011
Accepted: 19 July 2011
WARD(S): Childs Hill **Expiry:** 13 September 2011
Final Revisions:

APPLICANT: Mr Morris
PROPOSAL: The erection of a side/rear wooden outbuilding.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Plan dimensions (Henley Garden Offices); Specification sheet; Block Plan, sheet 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 use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.
Reason:
To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, H27.
Supplementary Planning Guidance:
Barnet Design Guidance Note 5 - Extensions
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5
 - ii) The proposal is acceptable for the following reason(s): -
The proposal would comply with council policies that seek to preserve the character of areas and individual properties. The size, sitting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers. **Approval** is recommended.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D5, H27.

Supplementary Planning Guidance:
Barnet Design Guidance Note 5 - Extensions

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:

CS5
DM01

Relevant Planning History:

Site history for current landparcel :

206582 - 2A Lyndale Avenue, London, NW2 2PY

Case Reference: **F/02823/11**

78457 - 308 Cricklewood Lane, London, NW2 2PX

Application:	Planning	Number:	C/17018/B/07
Validated:	14/09/2007	Type:	APF
Status:	DEC	Date:	26/10/2007
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Construction of a new two storey (plus rooms in the roofspace) residential property to provide two 2-bedroom flats and one 1-bedroom flat along with associated car parking and ancillary works. (The application is externally unchanged from the drawings contained in planning approval reference C17018/07 prior to demolition with the exception of minor alterations to electric and gas meters, porch, roof ridge and type of windows).		

78457 - 308 Cricklewood Lane, London, NW2 2PX

Application:	Planning	Number:	C/17018/C/07
Validated:	06/11/2007	Type:	CON
Status:	DEC	Date:	30/11/2007
Summary:	AP	Case Officer:	Fabien Gaudin
Description:	Submission of details of Conditions 2 (Materials), 3 (Levels), 4 (Refuse), 6 (Access), 7 (Parking), 10 (Means of Enclosure) and 14 (Hard & Soft Landscaping) pursuant to		

Planning Permission dated 23-10-2007 for Construction of a new two storey (plus rooms in the roofspace) residential property to provide two 2-bedroom flats and one 1-bedroom flat along with associated car parking and ancillary works.

78457 - 308 Cricklewood Lane, London, NW2 2PX

Application:	Planning	Number:	C/17018/07
Validated:	08/03/2007	Type:	APF
Status:	DEC	Date:	06/06/2007
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Conversion of house to 3 No. flats and associated alterations.		

Consultations and Views Expressed:

Neighbours Consulted:	21	Replies:	12
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- *Spoil view towards gardens*
- *Planning approval was granted on the basis that the parking and landscaping would be used for no other purpose*
- *Unreasonable height, bulk and disproportionate to the original garden size*
- *The drawing is incorrectly scaled*
- *The sight would be irritating and would set a precedent*

Out of the 12 replies, 5 letters of support were received.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a self contained flat located on the ground floor of 2 Lyndale Avenue. The property has had previous planning history where a development containing three self contained flats were granted planning permission. This planning application was under the address '308 Cricklewood Lane'. A subsequent planning application to retain the 'as built' scheme at 2A Lyndale Avenue was approved in 2008.

The rear garden of the property has been split into separate amenity space areas. The amenity area closest to the property is for the use of occupiers within the ground floor flat at 2A Lyndale Avenue.

Proposal:

The applicant proposes an outbuilding to be located in the far rear corner of the garden. This outbuilding has a height of 2.5m, a depth of 3.5m and a width of 4.5m.

Planning Considerations:

The proposed outbuilding is to be located to the far rear corner of the garden. The floor area of the outbuilding totals 15.75m². The construction of the outbuilding would leave approximately 64m² of garden space remaining in the garden of flat 2A

Lyndale Avenue. This space is significantly larger than the amenity space that is required for a flat under policy H18 of the Barnet Unitary Development Plan (2006).

The outbuilding takes up approximately 18% of the total garden area and is not considered to be significantly disproportionate. The outbuilding is set back from the boundary of the property by a distance of 4.2m and 6m from the boundary with Lyndale Avenue. Due to the set back and boundary treatment that is located in this area, it is likely that the outbuilding would not be highly visible from the street.

This height of the flat roof would be in keeping with the neighbouring outbuildings and would appear less dominant and inconspicuous. The timber cladding and general materials that are proposed are considered to be consistent with the general character of the area. It is not considered that the proposal would appear dominant or disproportionate in relation to the surroundings.

The outbuilding is considered to be acceptable as ancillary living accommodation and a condition will be put in place to ensure that the outbuilding is used in conjunction with the main dwelling. The use of the outbuilding as an office is considered acceptable as an ancillary operation in relation to the main dwelling. It is not considered that this would result in a material change of use.

3. COMMENTS ON GROUNDS OF OBJECTIONS

- Spoil view towards gardens
- The sight would be irritating and would set a precedent
- Unreasonable height, bulk and disproportionate to the original garden size
- These comments have been dealt with in the officer report

Planning approval was originally granted on the basis that the parking and landscaping would be used for no other purpose

Particular reference has been made to condition 10 of planning permission F/01633/08. this states

'Before the development hereby permitted is occupied, details of hard and soft landscaping shown on the approved plan 'O' L A shall be implemented in full. The area shall not thereafter be used for any other purposes other than those shown on the approved plan unless approved in writing by the Local Planning Authority.'

The proposal within this application is not considered to alter the use of the area as a residential garden. An outbuilding is considered to be an appropriate use for the amenity space. It is also considered that this application supersedes this condition by approving this application as it will be 'Approved in writing by the local planning authority'.

A condition relating to parking has also been referred to The parking is located to the front and would not have an impact on this application.

- *The drawing is incorrectly scaled*

A further plan has been received from the application that provides a block plan of the garden at a scale of 1:200

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal complies with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers. **Approval** is recommended.

SITE LOCATION PLAN: 2A Lyndale Avenue, London, NW2 2PY

REFERENCE: F/02823/11



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LOCATION: 269 Hale Lane, Edgware, Middx, HA8 8NW
REFERENCE: H/02672/11 **Received:** 27 June 2011
WARD(S): Edgware **Accepted:** 27 June 2011
APPLICANT: Mrs E Kaufmann **Expiry:** 22 August 2011
PROPOSAL: Extension to the time limit for implementing planning permission reference W03424/08 dated 27-10-2008 for erection of a three storey building comprising 5 self contained flats with basement parking and associated landscaping.

Final Revisions:

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) £6,486.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £451.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £4,402.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Open Spaces (boroughwide) £3,000.00**
A contribution towards the improvement of Open Spaces in the London Borough of Barnet.
- 7 **Monitoring of the Agreement £716.95**
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: H/02672/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 305/1/A; 305/2/B;305/3/A; 305/4/A; 305/5; 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 305/2/B 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 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage of Hale Lane from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 5 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.

- 6 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.

- 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 Before the development hereby permitted commences details of the proposed boundary treatments shall be submitted to and approved by the Local Planning Authority, and implemented in accordance with those details.

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.

- 13 Before the building hereby permitted is occupied the proposed windows in the flank elevation facing 267 Hale Lane shall be glazed with obscure glass only and non-openable below a point 1.7m above internal floor level, and shall be permanently retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

- 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).

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; GBEnv3; GParking; GH1, D1, D2, D3, D4, D5, D6, D11, L12, M11, M12, M13, M14, H2, H16, H17, H18, H20, H21 CS2, CS8, CS13, IMP1 and IMP2.

Supplementary Planning Documents;

- Sustainable Design and Construction
- Planning Obligations
- Education Contributions
- Contributions to Library Services
- Contributions to Health Services

Core Strategy (Publication Stage) 2010: CS5, CS15

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

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. The proposal would not have a significant impact on highway safety, the character and appearance of the area or the visual and residential amenities of occupiers of surrounding properties.

2 If the development is carried out, it will be necessary for the existing crossover to be modified by the Highway Authority, at the applicant's expense. You may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

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 telephone: 0208 359 7294

4 The applicant will be liable for any costs associated with removal or relocation of any street furniture to facilitate construction of the crossover.

That if an agreement has not been completed by 07/12/2011, that unless otherwise agreed in writing, the Head of Planning and Development Management should REFUSE the application H/04987/10 under delegated powers for the following reasons:

1. The development does not include a formal undertaking to meet the extra parks and open space, education, libraries, health services costs, together with associated monitoring costs arising as a result of the development, contrary to Policies H20, CS2, CS8, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan 2006, and Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries, Supplementary Planning Document -

Contributions to Health.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1: Delivering Sustainable Development
PPS3: Housing
PPG13: Transport

The Mayor's London Plan: 3.5, 3.10, 5.4, 7.6

Relevant Unitary Development Plan Policies: GBEnv1; GBEnv2; GBEnv3; GParking; GH1, D1, D2, D3, D4, D5, D6, D11, L12, M11, M12, M13, M14, H2, H16, H17, H18, H20, H21 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: CS5, CS15

Relevant Development Management Policies: DM01, DM02, DM08

Relevant Planning History:

Site Address:	269 Hale Lane Edware Middlesex HA8 8NW
Application Number:	W00591E/02
Application Type:	Full Application
Decision:	Refuse
Decision Date:	26/07/2002
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Demolition of existing property and redevelopment with a four storey (including basement) building to provide 5 flats, 9 surface and basement parking spaces, associated landscaping.
Case Officer:	Lesley Feldman

Site Address: 269 Hale Lane Edgware Middlesex HA8 8NW
Application Number: W00591F/03
Application Type: Full Application
Decision: Refuse
Decision Date: 03/06/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of part three and part four storey block of five flats including basement parking.**
Case Officer: Lesley Feldman

Site Address: 269 Hale Lane Edgware Middlesex HA8 8NW
Application Number: W00591G/03
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 18/03/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a three storey building comprising 5 self contained flats with basement parking and associated landscaping. (Renewal of planning permission W00591G/03.)**
Case Officer: Lesley Feldman

Site Address: 269 HALE LANE, EDGWARE, MIDDX, HA8 8NW
Application Number: 03424/08
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 30/10/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a three storey building comprising 5 self contained flats with basement parking and associated landscaping. (Renewal of planning permission W00591G/03 dated 18-03-2004).**
Case Officer: Deirdre Jackman

Consultations and Views Expressed:

Neighbours Consulted: 45 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- More than enough flats in the area
- Overdevelopment
- Overlooking
- Loss of light

Internal /Other Consultations:

- Traffic & Development - No highway objections are raised to the renewal under the same Conditions as previously attached.

Date of Site Notice: 07 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site comprises a detached property on the south east side of Hale Lane, just south of the junction with Heather Walk.

The character of the area is mixed and comprises detached and semi detached dwellings, a synagogue and a number of purpose built blocks of flats.

Proposal:

The application is an extension to time limit to approved application H/03424/08, itself a renewal of planning permission W00591G/03 approved 18.3.04. It is proposed to demolish the existing house and erect a block of 5 flats. The block would be 3 storeys in height although the top storey would be incorporated within the roof slope. A basement level would comprise a parking and service area. Six car parking spaces would be provided at this level with a further space on the forecourt.

Planning Considerations:

Since the approval in 2004, the mixed streetscene in the vicinity of the site is largely unaltered. Given the wide variety of buildings in the immediate locality, it is considered that the proposed building would not be out of character, overbearing or unduly prominent.

The proposal would project further rearward than the existing building, although the corner of the building nearest to no. 267 Hale Lane would not. The eaves height adjoining no. 267 would align with the neighbouring house's eaves level and the use of sloping roofs helps to reduce any overbearing impact.

Two kitchen windows are proposed on the side elevation facing 267 Hale Lane. A condition is proposed to ensure that these are obscure glazed.

To the rear there is a minimum distance of 13m from the building to the boundary. One terrace is proposed at roof level but is designed so that oblique overlooking is not possible. Overlooking from the rear would only be over the rear of the garden of 4 Heather Walk. This was not considered a sufficient reason to justify refusal of planning permission in 2004. In the light of no material change in circumstances since this date, no objection is raised to this relationship. Further, the block would have a satisfactory relationship to the flats to the south.

The principle of flats has been accepted on the site, the site is located on a busy road close to Edgware town centre and this is still considered acceptable. The scheme is unchanged from that approved in 2008. The Core Strategy and Development Management Policies are currently at publication and submission stage and can be given limited weight, however it is not considered that these would warrant the refusal of the application, and it is not considered that there have been any material changes in policy or circumstances at the site that warrant refusal of the application. In view of the above, the extant permission and the lack of a material change in policy or site circumstances since the previous approval, it is recommended that planning permission be granted.

Section 106 Contributions:

Since the 2008 approval the Council has adopted the Supplementary Planning Document: Contributions to Health Facilities, and this is now a material consideration.

The application would require the following planning obligations:

- £6,486.00 towards education facilities
- £451.00 towards libraries facilities
- £4,402.00 towards health facilities
- £3,000.00 towards parks and open spaces
- £716.95 towards associated monitoring costs

An undertaking is required to ensure that these obligations would be provided in the event the application is approved.

The contributions would be appropriate in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed in main report.

4. EQUALITIES AND DIVERSITY ISSUES

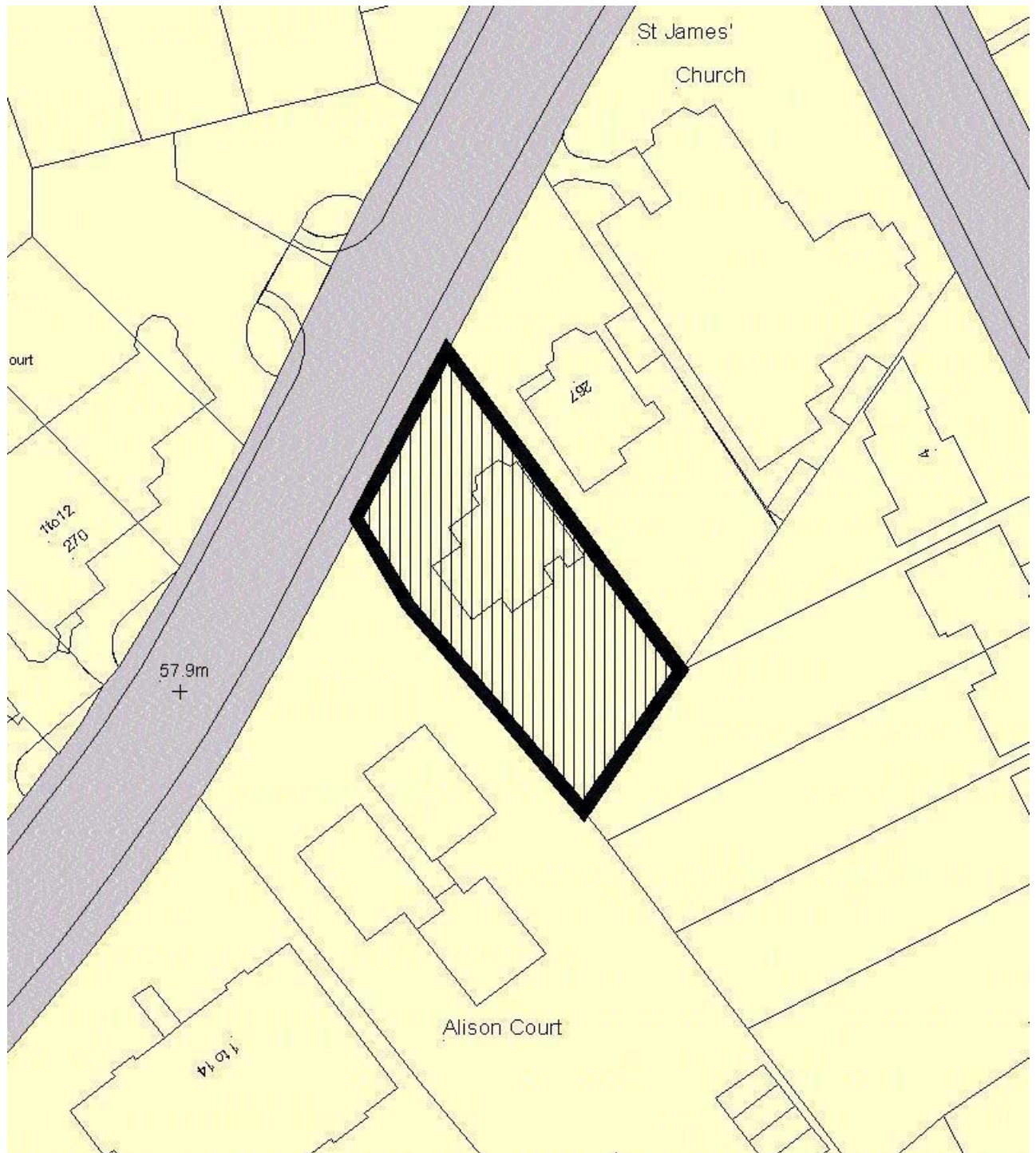
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 269 Hale Lane, Edgware, Middx, HA8 8NW

REFERENCE: H/02672/11



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LOCATION: Former 261 Hale Lane, Edgware, Middx, HA8 8NX
REFERENCE: H/02291/11 **Received:** 31 May 2011
WARD(S): Edgware **Accepted:** 28 June 2011
Final Revisions: **Expiry:** 27 September 2011

APPLICANT: Jewish Secondary Schools Movement
PROPOSAL: Demolition of existing building and erection of part single, part two storey single form entry primary school and nursery. Variation to approved scheme to include enlarged playground, amended materials, landscaping, means of enclosure and environmental standard (Conditions 4,5,8,11,12,13, 16 and 30 pursuant to planning permission H/03150/08)

RECOMMENDATION: Approve Subject to Conditions

- 1 This development must be begun before 27/10/2011.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Before the development hereby permitted is occupied the parking spaces shown on Plan HL.673.07 (submitted with application H/03150/08) 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.
- 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 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.
- 5 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.

- 6 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.
- 7 The non-residential development is required to meet 'Very good' generic environmental standard (BREEAM). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.
Reason:
To ensure that the development is sustainable and complies with Strategic and Local Policies.
- 8 Before the development hereby permitted commences on site details of all extraction and ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.
Reason: To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties
- 9 The development shall be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise.
Before development commences, a report should be carried out by a approved acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the development. 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 the use commences.
Reason: To ensure that the amenities of neighbouring premises are protected from noise from the development.
- 10 The proposed renewable energy systems shown on the approved plans shall be installed within 6 months of the occupation of development and thereafter permanently maintained.
Reason: To ensure a sustainable form of development and to comply with the requirements of the London Plan.
- 11 Other than those shown on the approved plans, no additional external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the buildings, or placed / erected within the site without the prior written consent of the local planning authority pursuant to a planning application.
Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.
- 12 Other than the details shown on the approved plans, no CCTV cameras or equipment shall be affixed to the external elevations of the buildings, or placed/ erected within the site without the prior written consent of the local planning authority pursuant to a planning application. Any CCTV cameras or equipment shall be installed and thereafter retained in full accordance with the proposed

details,

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.

- 13 Notwithstanding the provisions of Part 32, Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

Reason: To enable the Local Planning Authority to retain control over these matters in the interests of controlling the intensity of use.

- 14 The hours of work for all contractors (including sub-contractors) for the duration of work, shall unless otherwise agreed in writing by the Local Planning Authority be limited to 8am to 6pm on Monday to Fridays, 9am to 1pm on Saturdays, and no work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of neighbouring residents.

- 15 The development hereby permitted shall be carried out in full accordance with the details shown on the approved plans.

Reason: To ensure the permission is implemented as approved.

- 16 The development hereby permitted shall be carried out in accordance with the following approved plans: HL.673.12.01D, HL.673.12.02A, HL.673.12.03, HL.673.12.04, HL.673.12.05, HL.673.12.06A, HL.673.12.07C, HL.673.12.08A, 3584/TR/05, Noise impact assessment, Noise impact assessment addendum report 5194/NIA2, Arboricultural report AR/1704a/ap, Design and Access Statement, Habitat and Protected Species Assessment, BREEAM Pre-Assessment, Transport Assessment, Transport Assessment Addendum Report, 280/000, AS/SD/HA68/08/ROL Daylight and Sunlight Report. HL.673.12.7 (phasing plan).

HL.673.86K, Letter from Matt Sugden dated 24/06/2011, Design and Access Statement, Site Plan, 282/900 HL.673.27D, HL.673.26B, HL.673.25B, HL.673.24A, HL.673.28C, HL.673.81A, HL.673.89A.

Reason:

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

- 17 The use of the premises for the purposes hereby permitted shall only take place between the hours of 7.30am and 10.00pm Mondays to Fridays, 9.00am and 6.00pm on Saturdays, 9.00am and 3.00pm on Sundays and Public Holidays, except on up to 30 occasions in total in any one calendar year when the premises can be used up until 11.00pm on a Friday, Saturday or Sunday.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

- 18 The acoustic fencing shall be implemented in accordance with the details approved under this application and H/03409/10 in their entirety before the use commences.

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

- 19 The premises shall be used as a primary school and associated ancillary community uses and for 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 ensure the Local Planning Authority has control of the use of the site, in the interests of neighbouring amenity.

- 20 The number of pupils attending the school and nursery shall not exceed 296.

Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 21 The outdoor play areas shall not be used before 8.00am or after 4.30pm Monday to Friday or at any time on a Saturday, Sunday, Public Holiday or during school holidays, except on up to a total of 12 occasions in any calendar year when the play areas can be used up until 6pm on a weekday, Saturday or Sunday.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

- 22 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any neighbouring property which existed at the time of this decision notice.

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 any existing neighbouring property at the time of this decision notice.

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

- 23 No development shall take place until details of the arrangements to meet the obligation for travel plan monitoring contributions and contributions towards measures to mitigate the impact of parking stress arising from the development by review of parking restrictions on surrounding streets have been submitted to and approved in writing by the local planning authority.

Reason: To ensure the impacts of the development on traffic generation and demand for on-street parking can be mitigated, in the interests of highway safety, the free flow of traffic and to protect the residential amenities of neighbouring residents.

- 24 A School Travel Plan shall be submitted to and approved in writing by the local planning authority no later than 6 months from occupation of the development.

Reason: To ensure a sustainable form of development and ensure the impacts of the development on traffic generation and demand for on-street parking can be mitigated, in the interests of highway safety, the free flow of traffic and to protect the residential amenities of neighbouring residents.

- 25 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.

- 26 No site works or works on this development shall be commenced before temporary fencing has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature.
- 27 No siteworks or works on this development shall be commenced before a method statement expanding on the principles set out in the Quaipe Woodlands' Arboricultural Report and Tree Protection Methods (October 2008) detailing precautions to minimise damage to trees 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.
- 28 Other than those approved under application reference H/03409/10, No development or other operations shall commence on site in connection with the [demolition and] development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 1989 *Recommendation for Tree Works* (or as amended).
Reason: To safeguard the health of existing trees which represent an important amenity feature.
- 29 Before the development is commenced details of the materials, foundations and construction of the security hut shall be 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.
- 30 The details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas including playground surfaces shall be as approved under this application and H/03409/10.
Reason:
To safeguard the visual amenities of the locality.
- 31 The southern access to Peshurst Gardens shall not be used at any time apart from in emergencies.
Reason: To safeguard the amenities of occupiers of neighbouring residential properties.

INFORMATIVE(S):

- 1 The additional information accompanying this application are:- Cobalt LED Circular Luminaries, VAN-2601VFHWH, Probe-XL LED, XPS036.
- 2 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:

National Planning Policy Guidance/ Statements:
PPS1 Delivering Sustainable Development
PPG13 Transport
PPG24 Planning and Noise

The Mayor's London Plan 2011: 3.18, 5.4, 7.6

Relevant Unitary Development Plan Policies: GSD, GEnergy, GLand, GBEEnv1, GBEEnv2, GBEEnv3, GBEEnv5, GParking, GCS1, ENV2, ENV12, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, M1, M2, M3, M11, M12, M13, M14, CS1, CS3, CS4, CS5, CS6.

Relevant Core Strategy Policies: CS5

Relevant Development Management Policies: DM01, DM03, DM13.

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

The proposal would provide a new educational facility that would provide community benefit in accordance with Council Unitary Development Plan Policy. The proposal complies with relevant Unitary Development Plan Policies. It would not unduly impact the amenities of the occupiers of neighbouring properties.

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

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

The details of acoustic consultants can be obtained from the following contacts:

a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

- 4 If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 Delivering Sustainable Development
PPG13 Transport
PPG24 Planning and Noise

The Mayor's London Plan 2011: 3.18, 5.4, 7.6

Relevant Unitary Development Plan Policies: GSD, GEnergy, GLand, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, GCS1, ENV2, ENV12, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, M1, M2, M3, M11, M12, M13, M14, CS1, CS3, CS4, CS5, CS6.

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 Development Management Policies: DM01, DM03, DM13.

Relevant Planning History:

Site Address:	261 Hale Lane, Edgware, Middx, HA8 8NX
Application Number:	H/02498/10
Application Type:	Non-Material Amendment
Decision:	Approve with conditions
Decision Date:	19/07/2010
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Non-material minor amendment to planning permission H/03150/08 granted 27/10/08 to include reduction in size of the nursery building; reduction of depth of front block (Elevation E-E); omission of single storey lean-to to east side, central section and addition of single storey lean-to to internal courtyard (Elevation E-E); reduction in and

alterations to glazing on elevations; omission of external playground WCs.

Case Officer: Graham Robinson

Site Address: 261 Hale Lane, Edgware, Middx, HA8 8NX

Application Number: 03409/10

Application Type: Conditions Application

Decision: Approve

Decision Date: 01/10/2010

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Submission of details of conditions (18) (Acoustic Fencing), Partial Discharge of Condition (25) (Services in Relation to Trees) in relation to foul and surface water drainage only, Condition (26) (Trees - Protective Fencing), Partial Discharge of Condition (27) (Method Statement-Trees) in relation to demolition of building only, Condition (28) (Tree Works-Detailed Specification), Condition (30) (Materials), pursuant planning permission (H/03150/08) dated (27th October 2008).**

Case Officer: Graham Robinson

Site Address: 261 Hale Lane, Edgware, Middx, HA8 8NX

Application Number: H/03514/10

Application Type: Conditions Application

Decision: Approve

Decision Date: 01/10/2010

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Submission of details of condition (5) (Hard & Soft Landscaping), and partial discharge of condition (10) (Acoustic Report) in relation to main school only, not the nursery building, pursuant to planning permission (H/03150/10) dated (27th October 2008)**

Case Officer: Graham Robinson

Site Address: 261 HALE LANE, EDGWARE, MIDDX, HA8 8NX

Application Number: 01969/08

Application Type: Full Application

Decision: Withdrawn

Decision Date: 14/08/2008

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Demolition of existing buildings and erection of part single, part two storey single form entry primary school and nursery.**

Case Officer: Graham Robinson

Site Address: 261 HALE LANE, EDGWARE, MIDDX, HA8 8NX

Application Number: 03150/08

Application Type: Full Application

Decision: Approved with conditions

Decision Date: 27/10/2008

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Demolition of existing buildings and erection of part single, part two storey single form entry primary school and nursery.**

Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 92
Neighbours Wishing To Speak 2

Replies: 18

7 Letters of objection have been received.

The objections raised may be summarised as follows:

- Nature Trail
- Level of Playground
- Depth, Density and height of trees
- Enlarged Playground
- Noise impact
- Noise report cannot be sure as it is hypothetical
- Security issues
- Visual impact from increased height of playground and fencing
- 12 Letters of support have been received, comments can be summarised as follows:
 - Neighbours amenity is protected by acoustic fencing
 - Playground needs to be bigger for educational purposes
 - Sound would not be harmful
 - School would need new CCTV
 - BREEAM rating of Very good is equivalent to other schools
 - Amendments are only minor in nature

Internal /Other Consultations:

- Traffic & Development - No objection. Comments are contained within the main report.
- Director of Children's Services - No comments were received.
- Environmental Health - No objection. Comments are contained within the main report.

Date of Site Notice: 07 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is situated on the south side of Hale Lane between the junctions of Golders Close and Heather Walk. The site abuts the rear gardens of residential properties in Golders Close, Penshurst Gardens and Heather Walk and adjoins the boundaries with Kenlor Court and Hunters Lodge on Hale Lane. The site slopes upwards from east to west and also from south to north.

The site has an area of approximately 0.4 hectares and formerly consisted of a two-storey building and several large single storey buildings all of which are located to the front of the site. The rear of the site is open and trees have previously been removed from this area. Although these trees were not protected under the Tree Preservation Order, they provided a natural suburban green setting and some limited ecology value plus screening for the residents of the properties whose houses back onto the site.

A planning application for Demolition of existing buildings and erection of part single,

part two storey single form entry primary school and nursery was approved on 27/10/2008.

Proposal:

The proposal is for Demolition of existing building and erection of part single, part two storey single form entry primary school and nursery. Variation to approved scheme to include enlarged playground, amended materials, landscaping, means of enclosure and environmental standard (Conditions 4,5,8,11,12,13, 16 and 30 pursuant to planning permission H/03150/08).

Planning permission was granted for redevelopment of the site for a new school and nursery on 27/10/2008. Construction of the school has begun however not all of the conditions which needed to be were discharged. Also, the playground under construction is sited closer to the boundary with properties to the east on Golders Close, and at a higher level than approved. The application is a variation to the approved scheme.

In summary the following conditions are proposed to be varied:

Condition 4 - Details of Means of Enclosure

Condition 5 - Details of Landscaping

Condition 8 - Environmental Standard

Condition 11 - Details of renewable energy sources

Condition 12 - Details of lighting

Condition 13 - Details of CCTV

Condition 16 - Amendment to the approved plans in terms of the position and height of the playground

Condition 30 - Details of materials

Planning Considerations:

Policy context

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

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

Policy CS1 states that '*Development proposals for community and religious facilities will be permitted where they:*

- *Are easily accessible by public transport, walking and cycling;*
- *If in a town centre location, would not be sited within the primary retail frontage;*
- *Would not have a demonstrably harmful impact on the character of the surrounding area and the amenities of nearby residential properties and other uses; and*

- *Are designed to be accessible to people with disabilities.'*

Policy CS4 states 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.'*

Condition 16 - Amendments to the proposed plans

The biggest change to the proposal is the increased size of the playground area and the increase to the height of the playground. These are shown on drawings 673.86K and 673.89A.

Impact on residential amenity

It was acknowledged at the time of the previous report that the use of the playground would have some impact in that children in the playground will be heard clearly in the gardens of the surrounding houses. It was considered that this was outweighed by the benefits of the school and that this impact was not harmful enough to warrant refusal. Reports were supplied from the applicant and residents as part of this assessment.

The playground under construction is sited closer to the boundary with properties on Golders Close and Hunters Lodge/ Orion Court than previously approved. This is approximately 2m closer than approved. It is also at a higher level than previously approved. Environmental Health officers have assessed the new report submitted against the previous scheme and its likely impacts. Whilst this can be hard to predict due to noise from children not being at one consistent level, It is considered that the change in distance should not have a noticeable impact on the residents at Golders Close. The reduced distance does not appear to have any more than a +1dB(A) impact on the overall noise levels. We usually only perceive a change of +3dB(A). The 2m reduction in distance between the playground and residential properties would not significantly increase the noise levels from the original predictions in the report dated 20th August 2008. The attenuation provided by the acoustic fence is demonstrated as being sufficient.

It is considered that the proposals would not have a materially greater impact than the approved scheme on the residential amenities of neighbouring residents on Golders Close or Penshurst Gardens.

The proposed fence would be at a higher level than previously approved. Plan 673.89A indicates that the land has been raised between 0.3m and 0.5m on the side nearest Golders Close as well as being levelled to create a flat area. It is considered that at a height of 1.8m the fence and raised land would not appear overbearing as perceived from the rear gardens or windows of properties on Golders Close.

Condition 4 - Access

The amended proposals show that the brick screen wall to the left of the entrance gates has been replaced with a timber fence.

These details are considered acceptable in terms of their appearance and impact on the access.

Condition 5 - Landscaping

Details of landscaping were previously approved. However these now need to be changed given the revised siting of the playground.

The amended landscaping details are shown on plan 282/900. These show a different arrangement than the previously approved scheme with denser planting particularly to the eastern boundary with properties on Golders Close. The plans also show that the nursery area would now be soft and hard landscaped, given that this part of the scheme is not to be implemented at this time.

The landscaping arrangement is considered acceptable.

Condition 8 - Environmental Standard

The applicant seeks to vary condition 8, relating to the environmental standard that the development would achieve. The previously approved scheme required that the scheme would meet 'excellent' standard. The applicant has now advised that they would only be able to meet 'very good' standard.

The applicant has submitted a statement in support of the application. This advises that it has been more difficult to raise funds than anticipated, that the site has a number of constraints in terms of the size of the site and its external areas, and that the nursery and sedum roof have had to be removed from the proposals,

In the circumstances it is considered that the variation of condition so that the scheme would meet 'very good' standard is acceptable.

Condition 11 - Details of Renewable energy sources

Plan 673.24A shows the location of proposed photovoltaic panels. These will be located on the first floor lower roof area.

These details are considered acceptable.

Condition 12 - Details of lighting

Details of lighting have been provided, showing Probe-XL LED bollards around the playground and COBALT LED circular luminaries, hooded on the elevation to Hunters Lodge. These are considered acceptable.

Condition 13 - Details of CCTV cameras

Details of CCTV cameras have been provided (VAN-2601VFHWH) and XPS036 Speed Dome cameras. These are considered acceptable.

Condition 30 - Materials

The application plans show the omission of the previously approved sedum roof. It is not considered that the removal of this feature would warrant the refusal of this scheme.

Summary

In summary, there will still be some impact on neighbouring residents, from the impact from the use of the playground, but that this would not be materially worse than the scheme previously approved. The impacts of these would be minimised as much as possible. These impacts must be weighed against the positive benefits of a new school for the local area, on a site with an established community use, for which there is known demand. The application is recommended for approval subject to conditions.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Nature Trail - *This has been removed from the scheme.*

Level of Playground - *This has been raised and is addressed above.*

Depth, density and height of trees - *This is noted, however the landscaping scheme is considered acceptable*

Enlarged Playground - *This is increased from the previously approved scheme but is considered acceptable.*

Noise impact - *This is assessed in the main report.*

Noise report cannot be sure as it is hypothetical - *This would apply to any noise report. This is assessed in the main report.*

Security issues - *It is not considered that the proposals would materially impact the security of neighbouring residents.*

4. EQUALITIES AND DIVERSITY ISSUES

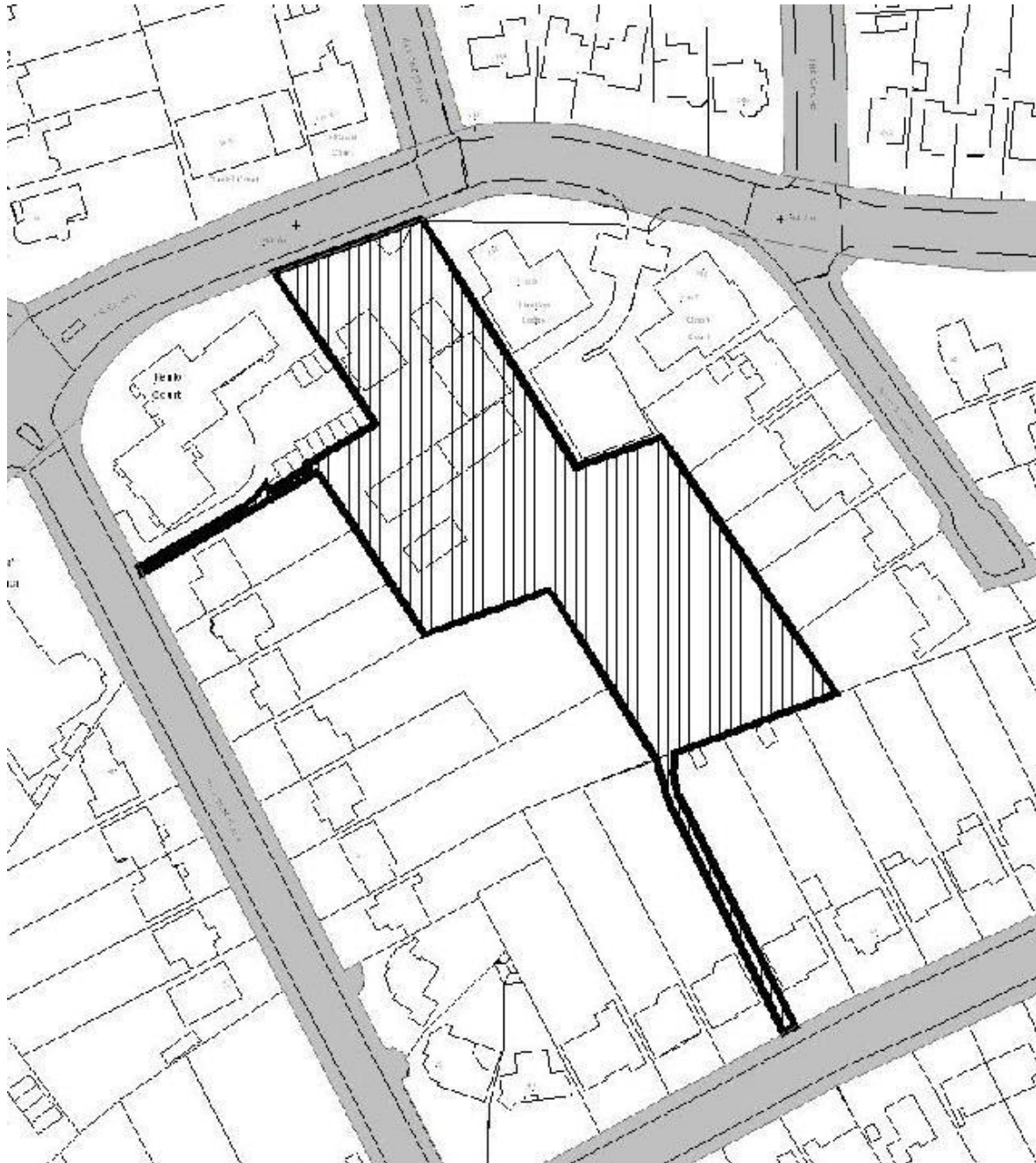
The application seeks to redevelop the existing site to provide a single form entry primary school and nursery. This would provide additional community benefit for the local area and would comply with national and local policy. Whilst there may be some impact on neighbouring residents it is not considered that any harm caused would be harmful enough to outweigh this.

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Former 261 Hale Lane, Edgware, Middx, HA8 8NX

REFERENCE: H/02291/11



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LOCATION: 55 Stanhope Avenue, London, N3 3LY
REFERENCE: F/01443/11 **Received:** 05 April 2011
WARD(S): Finchley Church End **Accepted:** 04 May 2011
Final Revisions: **Expiry:** 29 June 2011

APPLICANT: Dr & Mrs Yiallourous
PROPOSAL: New mansard roof to create a first floor extension over the existing garage. Conversion of existing garage into a habitable room with insertion of windows and a door (to be used ancillary to the main dwellinghouse).

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: 1209.OS; Design & Access Statement; 1876.01; 1876.02; 1876.02A.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The use of the extension and garage 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, D5, D6, H27 and Barnet Design Guidance Note No. 5 – Extensions to Houses.
Local Development Framework: Core Strategy (Publication Stage, September 2010): Policy CS5.
 - 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 siting 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

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

Adopted Barnet UDP (2006): GBEnv1, GBEnv2, D1, D2, D5, D6 and H27.

Supplementary Planning Guidance:

Barnet Design Guidance Note 5 – Extensions.

Core Strategy (Publication Stage) 2010:

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

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

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

Relevant Core Strategy Policies:

Policy CS5.

DM policy – DM01.

Relevant Planning History:

Site Address:	55 Stanhope Avenue LONDON N3
Application Number:	C04427A
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	27/07/1988
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Use of ground floor as a doctors surgery and first floor as a self-contained flat

Case Officer:

Site Address: 55 Stanhope Avenue N3
Application Number: C04427
Application Type: Full Application
Decision: Refuse
Decision Date: 18/07/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of single-storey extension to rear and side.**
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 46 Replies: 12
Neighbours Wishing To Speak 3

The objections raised may be summarised as follows:

- Effects on traffic, access and parking. Most households in the Avenue have at least two cars or other vehicles. Access for trade vehicles, including council refuse and recycling is very difficult.
- Proposal will exacerbate the increasing parking problem on the road.
- The scale and appearance of the work is not in keeping with original Edwardian design.
- The scale and height of construction
- Loss of light.
- The rear windows in the mansard roof will cause issues of overlooking.
- First floor extension – overdevelopment.
- Mansard roof – inappropriate intrusion to the existing pattern of pitched roof and gables in the area.
- The proposal for mansard roof side extension sounds as if it would be out of character with the other properties in the street and out of keeping with the period of the property. There would be a loss of a notional parking space in the existing garage.
- The application is incorrect in saying that there is no alteration to vehicle access, as an existing crossover should be extinguished if the proposal for the extension goes ahead
- Welcome the withdrawal of the proposal to use this extension as a doctors surgery, but remain concerned that the space created with the independent access may be used for commercial activity or for a separate dwelling - suggest that a condition is put on any permission to make it clear that such uses are not permitted.

The following objections are in regard to the doctors surgery which has been omitted from the proposal:

- Any extra pressure created by patients visiting in their vehicles would add to this pressure this in turn then creates a safety issue for emergency vehicles access to gate (which is also on a tight bend in road) and also gives council refuse vehicles and delivery trucks problems negotiating bend.
- Patients/visitors to doctor cannot be compelled to walk or use public transport and property does not have space to provide enough off street parking for

- patients etc.
- It would be tantamount to having a business sited in the middle of a suburban area, which cannot be right and which would completely change the character of both the house and the street, notwithstanding the fact that presumably drugs, syringes etc would be kept on the premises.
 - Noise would increase – again something totally inappropriate for a residential street and which would undoubtedly have a knock-on effect on the prices of adjacent properties.
 - The proposal to use the new building and the existing garage as a Doctors office and consulting room is change of use. The area is residential and with the best will in the world this is a commercial undertaking , the area is not short of Doctors surgeries.
 - The proposal to run a doctors' surgery is unacceptable to local residents.
 - The introduction of a 'commercial use' into a solely residential street will again result in excessive comings and goings and the resulting disturbance, and in particular, demand for car parking in a street already under pressure from existing residents and from recently approved residential developments, where extra parking has not been provided.

Date of Site Notice: 12 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

Stanhope Avenue is a mainly residential road in the Finchley Church End Ward. 55 Stanhope Avenue is a semi-detached dwellinghouse that has benefited from a garage at the side.

Proposal:

The proposal is for a new mansard roof to create a first floor extension over the existing garage and conversion of existing garage into a habitable room with insertion of windows and a door (to be used ancillary to the main dwellinghouse).

Planning Considerations:

The application originally was submitted for '*new mansard roof to create a first floor extension over the existing garage. Conversion of existing garage into a habitable room with insertion of windows and a door (to be used as a doctors consultancy room)*' the plans have since been amended to remove the doctors consultancy room and the proposal is now for a games room and study to be as ancillary to the main dwellinghouse.

The mansard roof to accommodate the first floor extension has also been amended to be set back from the front by 1.1 metres, the rear dormer has been reduced and the front dormer has been replaced by a velux. In light of the amendments, the application is considered to be acceptable. A number of the objections received were in relation to the doctors consultancy room which has been omitted from the plans. A condition is attached to the consent that means the extension and garage 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. Thus, the concerns of the objectors have been addressed in relation to this matter.

The proposed mansard roof would comply with Council policies that seek to preserve the character of individual areas and properties. The design, size and positioning of the proposed roof extension is such that it would not be harmful to the character of the property or area. The proposed mansard roof would also comply with Council policies that seek to preserve the amenities of the neighbouring occupiers. The design, size and siting of the roof is such that it would not result in a loss of residential or visual amenity at the neighbouring properties. The proposed rear dormer situated within the mansard roof would comply with Council Design Guidance in that it would be a subordinate feature in the roof. The mansard roof is set a considerable distance from the ground floor and thus will not have a demonstrable harm when viewed from the streetscene,

The conversion of the garage into a habitable room with the insertion of a window and a door will not result in a demonstrable harm to the property and will be in character with the neighbouring properties in the immediate area. The proposed window and door would result in a subordinate addition to the application site, in keeping with the character and appearance of the property, street scene and wider area. Following the garage conversion the property would still comply with Council policies in respect of off-street parking. The proposed conversion of the garage is to provide ancillary accommodation and as the footprint of the proposed conversion will remain the same, it is not considered to cause harm. The door allows for access to the bins which are stored at the rear of the property.

In addition, No. 50 Stanhope Road was granted planning permission (C/13487/A/05) for *Conversion of the garage into habitable room* with other associated extensions in 29/06/2005, thus the conversion of garage into a habitable room is not considered out of character with the immediate area.

It should be noted that by virtue of section 55(2), paragraph (d) of the Town and Country Planning Act (1990) the conversion of the garage into a habitable room is not considered to constitute 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.

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 would comply with Council policies that seek to preserve the character of areas and individual properties. The design and sitting of the extension is such that it would not have a detrimental impact on the amenity of neighbouring properties. The application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 55 Stanhope Avenue, London, N3 3LY

REFERENCE: F/01443/11



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LOCATION: 127 Lichfield Grove, London, N3 2JL
REFERENCE: F/01732/11 **Received:** 20 April 2011
Accepted: 09 May 2011
WARD(S): Finchley Church End **Expiry:** 04 July 2011
Final Revisions:

APPLICANT: Mr J Singh
PROPOSAL: First floor rear extension.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans and Elevations - 01A; 1511-02C;
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 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.
- 4 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, H27.
Supplementary Planning Guidance:
Barnet Design Guidance Note 5 - Extensions
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5, DM01
 - ii) The proposal is acceptable for the following reason(s): -
The proposed single storey rear extension would comply with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the extension is such that it would not have a detrimental impact on the amenity of neighbouring occupiers.

1. MATERIAL CONSIDERATIONS

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D5, H27.

Supplementary Planning Guidance:
Barnet Design Guidance Note 5 - Extensions

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:
CS5, DM01

Relevant Planning History:
None

Consultations and Views Expressed:

Neighbours Consulted:	12	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- Out of character
- Loss of light
- privacy issues
- Noise and disturbance
- Overdevelopment of the site
- An outbuilding has already been constructed on the site

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a detached property located on Lichfield Grove in Finchley Church End. The property has a different footprint to other properties in the area and has previously been extended at ground floor level by a distance of 3m.

Proposal:

The application relates to a first floor rear extension to be located on a previous ground floor addition. The extension projects 3m from the original property, and is set in from both side boundaries of the property.

Planning Considerations:

The first floor extension projects a maximum distance of 3m and a minimum distance of 2.2m, above the existing ground floor element of the property.

The extension has been reduced in width in order to protect the amenity of neighbouring residents and to provide subordination to the proposal. The extension is located a distance of 2.7m from the boundary with number 129 Lichfield Grove and approximately 3.7m from the flank wall of this property. Given the distance between the flank walls, it is considered that the projection would not cause significant harm to the rear facing windows at number 129.

The proposal is set off the shared boundary with number 125 by a distance of 2m. The flank wall of this property is detached and set away from the boundary by a further 3m and it is not considered that any significant harm would be caused this neighbouring property.

The extension aligns with the projection of the ground floor element and is considered to be in keeping with the proportions of the property. The roof of the extension is set down from the ridge level of the main property by 0.9m, which provides an element of subordination to the proposal.

The extensions are in proportion with the extent of the property and site; the proposal is not considered to be out of character with the bulk or appearance of surrounding properties.

The proposed extension respects the constraints of the site to accommodate development and is not considered to significantly harm the character of the area or have a significant impact on the amenities of neighbouring occupiers, thus complying with Barnet Design Guidance Note 5 – Extensions to Houses and policies that are set out within the Barnet UDP such as D1, D2, D4, D5 and H27.

It should be noted that an outbuilding has recently been constructed to the rear of the property. This is not the subject of this planning application and it is likely that the applicant is aiming to use their permitted development rights under the requirements of Class E.

3. COMMENTS ON GROUNDS OF OBJECTIONS

- *Out of character*
- *Loss of light*
- *Privacy issues*
- *Overdevelopment of the site*

The proposal has been amended since the first submission, and it is considered that the amended plans address the concerns that were initially raised.

- *Noise and disturbance*

The construction of the extension is not considered to significantly cause an increase in noise generation at the property.

- *An outbuilding has already been constructed on the site*

This has been mentioned within the report and is subject to the requirements of the permitted development criteria.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposal would comply with council policies that seek to preserve the character of areas and individual properties. The size, siting and design of the proposal is such that it would not have a detrimental impact on the amenity of neighbouring occupiers. The proposal is therefore recommended for **Approval**.

SITE LOCATION PLAN: 127 Lichfield Grove, London, N3 2JL

REFERENCE: F/01732/11



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LOCATION: 72 Lichfield Grove, London, N3 2JP
REFERENCE: F/01839/11 **Received:** 27 April 2011
Accepted: 07 June 2011
WARD(S): Finchley Church End **Expiry:** 02 August 2011
Final Revisions:

APPLICANT: Mr C Butt
PROPOSAL: Conversion of property into 3no self-contained units and associated off-street parking spaces for 3no cars. Partial demolition of garage and erection of a 2 storey side extension including amendments to fenestration at side elevation. Extension to roof including 1no side dormer and 1no rear dormer to facilitate a loft conversion. Partial demolition of front boundary wall.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan; Plan No's: F/01839/11VDC/P1; F/01839/11VDC/P2.2; F/01839/11VDC/P3; F/01839/11VDC/P4.3b; F/01839/11VDC/P5.2; F/01839/11VDC/P6; F/01839/11VDC/E1; F/01839/11VDC/E2.2; F/01839/11VDC/E3; F/01839/11VDC/E4.2; F/01839/11VDC/E5; F/01839/11VDC/E6.2; F/01839/11VDC/P7.2a; F/01839/11VDC/P7.2b; Design & Access Statement, dated 20/05/11; Letter from agent (Mr C Butt), dated 17/08/11, F/01839/11VDC.

Reason:

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

2 Before the development hereby permitted is occupied, existing parking spaces as proposed shall be retained in accordance with the proposed planning application. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with 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.

3 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.

4 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.

5 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:

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

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

- 8 To protect the amenities of future and neighbouring residential occupiers. 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:

- 9 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". 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:

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

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

- 12 Before the building hereby permitted is occupied the proposed window(s) on the side elevations of both neighbouring properties 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.

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, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27, M11, M13 and M14.

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 CS5.

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 Finchley Church End 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.

- 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.

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: July 2011

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 policy includes 3.5.

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H26, H27, M11, M13 and M14.

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 CS5.

DM Policy – DM 06.

Relevant Planning History:

None Relevant.

Consultations and Views Expressed:

Neighbours Consulted:	58	Replies:	4
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- Needs to be significant s106 contributions before consideration of this application.
- Further parking problems due to loss of on-street parking space.
- Projecting rear bay will create overshadowing and is out of keeping. Proposed scale is too large making it visually uncomfortable and obstrutive.
- Rear elevation drawing has poor/no alignment of windows between 1st and 2nd floor.
- Doubts that three cars will be able to be accommodated on the drive.

Internal /Other Consultations:

Traffic & Development: The proposal is for the conversion of 4 bedroom property into 3 no self-contained flats comprising 2 x 2bedroom and 1 x 1bedroom units. 3 parking spaces are proposed.

The parking provision is in accordance wit the parking standards as set out in the UDP 2006.

Recommendation: Recommend approval subject to condition and an informative being attached.

Date of Site Notice: 16 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a residential semi-detached property on Lichfield Grove. The site falls within the Finchley Church End ward and is outside any of the Borough's Conservation Areas. Lichfield Grove is part of a residential street where a number of properties have had alterations.

Proposal:

The proposal is for the conversion of property into 3no self-contained units and associated off-street parking spaces for 3no cars. There will be partial demolition of the garage and erection of a 2 storey side extension including amendments to fenestration at side elevation. The proposal also consists of extensions to roof including 1no side dormer and 1no rear dormer to facilitate a loft conversion and partial demolition of front boundary wall.

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 semi detached dwellings and flats 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 The London Plan encourages proposals that encourage the highest possible intensity of land that is appropriate for the area.

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

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 access to the rear garden which is for private amenity space for the ground floor flat which provides sufficient amenity space to comply with policy H18. There is no access provided for the first floor and second flats, however the area is not in deficiency of local parks and thus the occupants will have access to local parks.

The highways department have deemed the proposal as acceptable, there will be the provision of 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.

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. The flats exceed Barnet's minimum size of 30m² and the minimum space standards within The London Plan, policy 3.5.

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. The applicant has not submitted this information and it will therefore be enforced through an appropriate condition attached to the decision. 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 information that shows this insulation of acoustic separation for the proposed new units. 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.

In accordance with the Council's 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 side and rear dormer matches that of the adjoining neighbouring property No. 70 Lichfield Grove and thus they are in keeping with the character of the area. 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. The rear and side dormer accord with Council Guidance (Note No.5 – Extensions to Houses) which indicates that dormers should be subordinate features, not more than half the width or height of the roof slope.

The proposed two storey side extension would accord with Council policies that seek to maintain the character of areas and individual properties. 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 by 5.8 metres 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.

The proposed part single, part two storey side extension accords with Council Design Guidance Note 5 – Extensions to Houses which indicates that at first floor

level, side extensions should be set down. This ensures that the extension appears subordinate to the existing house when viewed from the streetscene.

As a result of the shape and location of the application site, the proposed first floor side extension is considered acceptable. The side extension will not be seen from the rear principle windows at the adjoining neighbouring property No. 70 Lichfield Grove as the footprint remains in-line with the 'L' Shape two storey element. In regard to No. 74 Lichfield Grove, there will be a distance of 1 metre with the shared boundary and the extension will not project further rearward than the two storey element.

The partial demolition of the front boundary wall is to allow access for off street parking, the demolition of the wall is not considered to cause a detrimental harm to the streetscene.

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 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: 72 Lichfield Grove, London, N3 2JP

REFERENCE: F/01839/11



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LOCATION: 11 Grass Park, London, N3 1UB
REFERENCE: F/02443/11 **Received:** 10 June 2011
WARD(S): Finchley Church End **Accepted:** 10 June 2011
APPLICANT: Mr A Mesforoush **Expiry:** 05 August 2011
PROPOSAL: Extensions to roof including, side and rear dormer windows to facilitate a loft conversion with the insertion of velux windows. First floor rear extension. **Final Revisions:**

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: GRPP 1-2B; GRPP 2-2B.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The use of the 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.
- 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 elevation of the extension hereby approved facing No's. 10 and 12 Grass Park, unless agreed in writing by the Local Planning Authority.
Reason: To safeguard the privacy and amenities of the occupiers of the adjoining properties.
No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature.

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, D5, D6, H27 and Barnet's Design Guidance Note No. 5 – Extensions to Houses. Core Strategy (Publication Stage) 2010: Relevant policies: CS5.

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

It is considered that the proposal would not detract from the amenity of neighbouring properties. The design and siting 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

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

Adopted Barnet UDP (2006): GBEnv1, GBEnv2, D1, D2, D5, D6 and H27.

Supplementary Planning Guidance:

Barnet's Design Guidance Note 5 – Extensions.

Core Strategy (Publication Stage) 2010:

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

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

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

- roof facing the front.
- The side dormer adjacent to number 10 unbalances the house and appears extremely odd.
- Affect the quality of life on neighbouring properties.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a semi-detached dwelling located on Grass Park within the Finchley Church End ward. Grass Park is part of a residential street where a number of properties have had alterations. The property has an 'L' Shape footprint.

Proposal:

The proposal is related to extensions to roof including, side and rear dormer windows to facilitate a loft conversion with the insertion of velux windows.

There will also be a proposed first floor rear extension, which will measure 3 metres in depth closest to the boundary with No. 12 Grass Park and 3.5 metres along the boundary with No. 10 Grass Park. The extension will continue the 'L' Shape footprint.

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 first floor rear extension is considered acceptable. There are numerous examples of properties along Grass Park where this type of development has been constructed. Thus, the proposal would not appear out of character.

As a result of the shape and location of the application site, the proposed extension is considered acceptable. The property is detached with sufficient distance between the neighbouring properties and the rear of the property backs onto Finchley Manor Club. The proposed extension is set more than a metre from both boundaries due to it being a detached property. The extension is to be set 1.7m from the flank wall with number 10 and 2.4m from the flank wall with number 12. The first floor rear extension does not project further rearward than No. 10 Grass Park and thus will not be seen from their rear windows.

The first floor rear extension has a pitched roof that merges with the existing property, it is considered that the extension would be within the character of the existing property and the area in general.

The depth of the proposed extension would, in itself, ensure that there was no unduly oppressive sense of enclosure that was overbearing, or create an

unacceptable loss of daylight or sunlight. For these reasons, the living conditions of the neighbouring properties would not be harmed. The depth of the proposed extension is considered to be acceptable given the specific circumstances of the site.

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. The rear and side dormers accord with Council Guidance (Note No.5 – Extensions to Houses) which indicates that dormers should be subordinate features, not more than half the width or height of the roof slope. The rear and side dormers is not considered to be out of character with the immediate area. The neighbouring property at number 12 has a substantial dormer window.

There are protected trees within the curtilage of the application, however the proposed extensions are not within the root protection area and it is not considered that there will be any harm caused to these trees by the nature of works being carried out. In addition, the proposed works sit above the existing footprint of the house and thus there will be no harm caused to the protected trees. A protective fencing condition has however been placed on the application to ensure that TPO trees are not harmed during construction.

The proposed extensions are considered to be subordinate addition to the house and in character with the area. The proposal would not result in unacceptable loss of light to neighbouring windows. It would not impact detrimentally on the residential amenity of neighbouring occupiers and is therefore recommended for **approval**.

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: 11 Grass Park, London, N3 1UB

REFERENCE: F/02443/11



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LOCATION: Chessington Court, Charter Way, London, N3 3DT
REFERENCE: F/02295/11 **Received:** 28 May 2011
WARD(S): Finchley Church End **Accepted:** 13 June 2011
Final Revisions: **Expiry:** 08 August 2011

APPLICANT: Grainger PLC
PROPOSAL: Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.

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) £36,692.00**
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 £10,966.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £2,738.50**
Contribution towards the Council's costs in monitoring the obligations of the agreement.
- 7 **Open Spaces (boroughwide) £6,000.00**
A contribution towards the improvement of Open Spaces in the London Borough of Barnet.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/02295/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: GE.00, GE.02, GE.03, GE.04, GE.05, GS.00, GS.01, GS.02, DT.00, GA.00, GA.01, GA.02, GA.03, GA.04, GA.05, EX.00, EX.01, EX.02, EX.03, EX.04, GA.00, GA.01, GA.02, GA.03, GA.04, GA.05, Mechanical, Public Health and Electrical Services Installations from Kut, a Sustainability Statement by Metropolis Green REf: 5053/SDCS-1105MP.01 and an Energy Statement by Metropolis Green Ref: 5053/RES-1105MP.01, Summary of Structural Design from Hurst Peirce and Malcolm and a 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 proposed Vehicular and bicycle parking spaces as shown in Drawing No. GA00 submitted with the 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 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 on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

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

- 7 A Construction Management Plan (Including demolition works) 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.

- 8 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.

- 9 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.

- 10 The level of noise emitted from the any plant machinery to be used on the development 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.

- 11 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.

- 12 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).

- 13 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.

- 14 Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the (units are occupied / the use commences).

Reason:

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

- 15 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.

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

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before the use commences.

Reason:

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

- 17 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.

- 18 The rear windows in the Type A flat that is directly adjacent to the Type B flat and which overlooks 1 Chessington Avenue shall be glazed with obscure glass to eye level, 1.7m above the finished floor level, and retained as such thereafter.

Reason:

To preserve the amenities of adjoining 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 London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant: PPS1 and PPS3

Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, D1, D2, D3, D4, D5, D6, D9, D11, M11, M12, M13, M14, H16, H17, H18, H21, H23, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Publication Stage) 2010: CS1, CS3, CS4, CS5, CS13, DM01, DM02, DM03, DM06, DM14.

ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building, the amenities of any neighbouring property and would not prejudice highway safety or convenience.

- 2 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 Crossover Team in Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 3 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.
- 4 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.

- 5 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.

- 6 The report submitted to the LPA should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control Planning for Air Quality and the Planning Policy; 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; 5) The report should also 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.

RECOMMENDATION III

That if an agreement has not been completed by 01/12/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/02295/11 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, open space 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 H18, CS8, CS2, CS13, IMP1, IMP2 of the Adopted Unitary Development Plan (2006).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1 and PPS3

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, D1, D2, D3, D4, D5, D6, D9, D11, M11, M12, M13, M14, H16, H17, H18, H21, H23, 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:

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

Relevant Development Management Policies:

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

Barnet's Supplementary Planning Guidelines

- Design Guidance Note No.7- Residential Conversions
- Planning Obligations (2006)
- SPD: Sustainable Design and Construction (2007)
- SPD: Contributions towards Education (2008)

- SPD: Contributions towards Libraries (2008)
- SPD: Contributions towards Healthcare (2009)

Relevant Planning History:

Application: Planning
Validated: 13/06/2011
Status: PDE
Summary: APC
Description: Construction of a roof extension at Chessington Court to create 8No. new self-contained residential units. Installation of solar panels at new roof level. Formation of 4 garages. Provision of 45 parking spaces following alterations to front landscape. Replacement of existing bin store with new Refuse & Recycling store. New bicycle store to accommodate 56 Bikes.

Number: F/02295/11
Type: APF
Date:
Case Officer: David Campbell

Application: Planning
Validated: 20/12/2010
Status: WDN
Summary: WIT
Description: Construction of a 1no storey roof extension at Chessington Court to create 8no self-contained residential units. Provision of 50 parking spaces following alterations to front landscape, and removal of 24 existing garages. Replacement of existing bin store with new Refuse & Recycling store. New bike store to accommodate 22 bikes. Installation of solar panels at new roof level.

Number: F/04924/10
Type: APF
Date: 14/02/2011
Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 140 Replies: 8
 Neighbours Wishing To Speak 5

The objections raised may be summarised as follows:

- Overdevelopment
- Out of keeping
- Visual appearance/ Design
- The height of the building
- The hotel was limited to four storeys
- What will happen to the lift, TV aerials and satellite dishes?
- The trees screening the development are not under the applicant's control.
- Financial viability for the two ends is not a reason to grant permission.
- Access
- Increase in traffic
- Insufficient parking
- Reduction in green space
- Health and safety issues concerning access to the roof
- Waste disposal
- Increased overlooking
- Loss of light
- Light pollution
- Loss of a view
- Removal of the garages
- Increased noise and disturbance
- Views of the synagogue will be blocked.
- The extension is not compatible with the existing building

A petition with 38 signatures on it has also been received.

Internal /Other Consultations:

- Traffic & Development - No objections.

Date of Site Notice: 23 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings: The application site is located directly off Regents Park Road close to the A406 North Circular within the Finchley Church End ward. The site is separated from Regents Park Road by a small grassed area and the surrounding area contains other flatted developments such as Chessington Lodge and Beechwood Hall, a synagogue, the Holiday Inn Hotel and numerous single family residential dwelling houses.

The existing building has higher elements on the 'ends' of the building where there is an additional storey of accommodation. The central part of the building is therefore set at a lower level.

Proposal: The application seeks consent for the construction of a roof extension at Chessington Court to create 8 new self-contained residential units, the installation of solar panels at new roof level, formation of 4 garages, provision of 45 parking spaces following alterations to front landscape, replacement of existing bin store with a new refuse & recycling store and new bicycle store to accommodate 56 Bikes.

The additional 8 units would comprise of 5 x 2 bedroom units and 3 x 3 bedroom units. There are 45 existing units and 24 garage parking spaces and 10 undefined parking spaces.

Planning Considerations:

Due to the existing developments in the surrounding area it is considered that the principle of new flatted development is acceptable. National, regional and local guidance have policies that seek to promote the redevelopment of Brownfield sites for residential use providing they are acceptable in terms of character and would not harm the amenities of future occupants or any of the adjoining uses. Policies such as H2, H16, H17 and H18 relate to this in the Unitary development Plan and indicate that the Council will seek to provide additional homes providing that certain criteria has been conformed to.

Design

The design of the building will be discussed in two parts, the 'central element' and the 'ends' of the building where the building is a storey higher.

The principle of 'infilling' the central area is considered to be acceptable. The design of the proposals has been altered since the scheme was last submitted, in that the amount of glazing has been significantly reduced and the materials have been altered. There is also a much stronger correlation between the proposed windows

and the windows on the floors below than the previous scheme.

The 'ends' of the building have been set in to reduce the bulk and massing of the new structure as a whole. The council is satisfied that this part of the application is acceptable also.

The council are now satisfied that the proposals are acceptable and will not harm the character and appearance of the existing building and the surrounding area. It is also noted that the Holiday Inn hotel has a timber panelled top floor, and as such it is considered that a similar approach at Chessington Court is also acceptable. There are other examples of tall blocks of flats in the immediate area and as such there are no objections to the principle of adding an additional storey with regards to overdevelopment or being out of character.

It is therefore considered that the proposals are acceptable in terms of design and visual appearance and therefore there are no objections on these grounds.

Amenity and Layout

The Adopted Unitary Development Plan contains a number of policies which seek to protect the amenities of future occupiers of the proposed flats and the existing occupiers of the flats already in the building. A condition has therefore been attached to ensure that the sound proofing of the walls and floors of the proposed units will be 3 decibels above normal building regulations standards. This is considered to be particularly important as the layout of the proposed units would be unlikely to be 'like above like' in terms of the rooms. It is therefore considered this is required to demonstrate that the proposals will not cause unacceptable harm to the amenities of adjoining occupiers.

In terms of the impact on neighbouring properties, the proposed units would be a minimum of 14.5m away from neighbouring boundaries to the rear. There would also be a gap of 40m between the new flats and properties in Kinloss Gardens which is considered to be acceptable. The rear facing windows of flat B are to be obscured glazed and as such are not considered to cause loss of privacy either. The A- type flats which back on to properties in Kinloss Gardens are not considered to give rise to significant increases in loss of amenity, particularly given the amount of overlooking that exists from the existing flats. The flat which gives rise to some concern is the A-Type flat which is next to the B-Type flat on the corner and which would be the closest to 1 Chessington Avenue. A condition requiring these windows to be obscure glazed to eye level has been attached to ensure that no overlooking is caused.

The other flats are considered to be far enough away, and at an angle to 1 and 3 Chessington Court, not to cause loss of amenity through overlooking or loss of light. It is also considered that the trees along the boundary will provide some screening as they do at the moment.

It is also considered that the terraces are acceptable as they would largely overlook the main road and other public areas and provide the flats with amenity space. It is not considered that they would give rise to any loss of amenity.

It is therefore considered that the application is acceptable on these grounds and would not give rise to increased overlooking or loss of light.

Amenity Space

Policy H18 of the Council's Adopted Unitary Development Plan (2006) requires new residential schemes to provide a minimum level of amenity space for new residential units. From the information provided in the design and access statement, the following information can be concluded:

Flat Type	No. of Habitable Rooms*	Amount of Amenity Space Provided (sqm)	Amount of Amenity Space Needed (sqm)
A	4	12.8	20
B	6	11.3	30
C	4	88.5	20

* As defined in the adopted Barnet Unitary Development Plan 2006.

Flat types A and B provide less than the required amount of amenity space. It is acknowledged that the site is not within an area of open space deficiency, is close to a small local park and is within close proximity to shops and services on Regents Park Road. However it is considered to address this shortfall; the council would require a contribution towards the provision of open space within the borough. As can be seen from the above table, Flat type C provides more than the required amenity space needed and therefore is considered to be acceptable on these grounds.

As the scheme stands a contribution towards open space provision has been requested for flat types A and B. It is acknowledged that this is not an area of open space deficiency, but given the shortfall below policy requirements, it is likely that residents will put pressure on local amenity space and therefore a contribution through the section 106 is sought.

Density

The eight additional units which are proposed are considered to be acceptable in terms of density, providing that adequate parking and refuse collection are included with any application which is submitted.

Parking/ Access

It is proposed that the existing 24 garages will be demolished and replaced with 4 garages and 25 parking spaces and the existing undefined parking in the front of Chessington Court will be formalised to provide 20 parking spaces. In total 49 parking spaces are proposed for 53 units compared to 34 spaces at the moment.

The revised parking provision is an improvement on the parking provision available at present and almost 1:1 parking and therefore meets the highway approval. There are no objections to the removal of the garages on planning grounds.

The vehicular and pedestrian access to the site is to be maintained as per the existing access points, however the vehicular access is being widened to 5.5 metres. There are no objections to this.

The council's Traffic and Development Team have viewed the proposals and have no objections. There are no objections with this part of the application.

Refuse and Recycling

The proposals show the location of a refuse store on the submitted plans but it has been conditioned for further details. There are no objections on this part of the application at this stage.

Section 106 Requirements

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 £36,692 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. A contribution of £36,692 is sought to address this requirement.

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 £10,966 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.

As explained above, a contribution towards open space provision will be required. £6,000 is requested, £1,000 for each unit that falls below the required amount.

The payment of a financial obligation of £2738.50 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

The planning grounds of objection have been covered in the main report. The other have been addressed below:

- The concerns over the lifts, TV aerials and satellite dishes are not planning matters.
- The principle of developing the two 'ends' has been assessed on their planning merits and found to be acceptable.
- There is not considered to be a detrimental reduction in green space
- Health and safety issues concerning access to the roof is not a planning matter.

- Increased light pollution or loss of a view are not considered to warrant a reason for refusal.
- There is not considered to be a detrimental increase in the level of noise and disturbance as a result of the development.
- Views of the synagogue being blocked is not considered to be a justifiable 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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building or the amenities of any neighbouring property.

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

**SITE LOCATION PLAN:
3DT**

Chessington Court, Charter Way, London, N3

REFERENCE:

F/02295/11



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LOCATION: 19 Dollis Avenue, London, N3 1DA
REFERENCE: F/02524/11 **Received:** 17 June 2011
Accepted: 17 June 2011
WARD(S): Finchley Church End **Expiry:** 12 August 2011
Final Revisions:
APPLICANT: c/o Daniel Ford Co. Ltd.
PROPOSAL: Conversion of existing detached dwelling into 3No. self contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Design & Access Statement; Email from Michael Burnand dated 22 August 2011; Plan No's: 2105/1; 2105/2; 2105/3; 2105/4; 2105/5; 2105/6; 2105/7; 2105/8; 2105/9A.
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, parking spaces shall be provided in accordance with drawing No. 2105/9A 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.
- 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 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".

- 7 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.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

INFORMATIVE(S):

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

- i) The proposed development accords with strategic planning guidance and policies as set out in the London Plan 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, M11, M13, M14, H2, H16, H17, H18, H26, GEMP4, EMP2, H18, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Publication Stage) 2010:

Relevant policies: CS4, CS5 & DM01, DM06, DM14

- 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. The proposed development as amended 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 Any 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 and would be carried out at the applicant's expense. An estimate for this work 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 is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

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

Planning Policy Statement 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 July 2011:

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

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

Relevant Unitary Development Plan Policies:

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

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

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: CS4, CS5 & DM01, DM06, DM14

Relevant Planning History:

None

Consultations and Views Expressed:

Neighbours Consulted:	22	Replies:	6
Neighbours Wishing To Speak	3		

The objections raised may be summarised as follows:

- Effects of the scale and appearance of the proposal and impact on the surrounding area;
- Out of character;
- Increased traffic in the area
- Dollis Avenue should be part of a conservation zone;
- Increased noise, pollution and disturbance;
- Loss of privacy to neighbouring properties;
- No Section 106 agreement included with this proposal.

Internal /Other Consultations:

Traffic & Development

The proposal is acceptable on highways grounds subject to a highway condition and informative.

Date of Site Notice: 23 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a traditional single family detached dwelling set on Dollis Avenue. The rear garden is secluded, mainly laid to lawn but with mature trees, shrubs and bushes. The property also has the benefit of an carriage driveway to the front of the site.

The surrounding area is characterised by large detached residential single family dwellings and large converted dwellings/developments (including Georgian Court, Laxi Court, Brunswick House, The Lintons, no's. 13, 23, 33, 52) with the majority of properties of a similar architectural style. The three flats are not considered to be out of character given the other flats that are present in the area.

It is not considered that the conversion of the property from a single family dwelling house to three self contained flats would harm the amenities of the neighbouring occupiers. It is not considered that the two additional units would result in levels of noise and disturbance that would be detrimental to neighbouring occupiers. It is not considered that the change to two additional units would materially change the character of the area.

Proposal:

The application seeks permission for conversion of existing detached dwelling into 3 No. self contained flats. The first flat will occupy both the ground and lower ground floors, the second flat occupying the first floor, with the third occupying the loft space. Flat A & B are proposed to consist of three bedrooms and the Flat C will consist of one bedroom. The ground floor flat will have access to the rear garden.

Flat A will be approximately 197.9 msq; Flat B will be approximately 98.70 msq; and Flat C will be approximately 51.39 msq.

The proposal will include the provision of 5no off-street car parking spaces.

Planning Considerations:

The immediate surroundings are characterised by houses converted into residential units, purpose built blocks of flats and 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 three bed flats.

The Council recognises that flatted developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land.

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 3 flats would not detrimentally impact on the character of the area or the amenity of neighbouring occupiers.

The proposal doesn't ensure 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. However, to address this problem, there is a condition that is attached to the decision to resolve this issue.

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 proposed units would provide adequate internal space and therefore comply with policies H16 and H26 of the Adopted UDP (2006) as well as the Policy 3.5 (table 3.3) of the London Plan July 2011.

The application shows that proposed refuse facilities will be located to the front of the site but not how the refuse is to be kept; as a result a condition for refuse would be attached to the permission.

Amenity of existing/future occupiers:

The proposed development provides sufficient amounts of usable outdoor space for the enjoyment of all future occupiers to all flats. The current scheme proposes a communal garden area which is in line with policy. This provision would provide acceptable quality of outdoor amenity space with access using the side passage by the boundary with no. 21.

Parking, Access and Vehicle Movements:

The proposal includes the provision of 5 parking spaces. The parking provision considered to be in accordance with the parking standards set out in the UDP 2006. The provision would include parking space number 1 causing obstruction to garage parking space number 2 but these are proposed to both be used by Flat A which will mean that the two spaces would not be independently accessible.

In view of several factors including the location of the site and the following:

- The proposal is for a conversion.
- The site is close to Town Centre amenities.
- The site is within a walking distance of public transport accessibility area

Therefore, the proposal with 5 parking spaces would not have any detrimental impact on public highway.

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 3 residential units (one 1-bed flat and two 3-bed flat) would require a contribution of £4,390 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 £173 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 £2,150 and a monitoring fee of 5%.

The education, library services & health facilities contributions are to be secured by condition.

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.

In reference to objection point 6, it is considered that the proposal will not result in increased overlooking compared to the existing situation.

The remaining points of objection are considered to have been covered in the report 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

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area. 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: 19 Dollis Avenue, London, N3 1DA

REFERENCE: F/02524/11



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LOCATION: Allandale, 174 Regents Park Road, London, N3 3HR
REFERENCE: F/02888/11 **Received:** 11 July 2011
WARD(S): Finchley Church End **Accepted:** 11 July 2011
APPLICANT: Mr A Amin **Expiry:** 05 September 2011
PROPOSAL: Conversion of single dwelling into four self-contained flats.
 Provision of two front off-street parking spaces. Associated alterations.
Final Revisions:

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 -11-681-06; Plan No's: 11-681-01; 11-681-03 Rev B; 11-681-05; Design & Access Statement – 11-681; Email from agent (Mr Paul Sohi), dated 17/08/2011, stating that the external rear first floor stair case will be removed.
 Reason:
 For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
 Reason:
 To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.
 Reason:
 To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".
- 4 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.
- 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), 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.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, 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.

- 7 Before the development hereby permitted is occupied parking spaces shall be provided in accordance with the approved planning application 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 M8 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 200

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, CS2, CS8, CS13, IMP1, IMP2, GMon, M8, M14, H2, H16, H18, H26, GH1.

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 CS5.

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

The conversion of the property into four self contained flats is considered acceptable, in character with the surrounding area. The proposal would protect the character of this part of Finchley Church End. 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.

- 3 Any amendments to the existing crossover will be subject to detailed survey by the Crossover Team in Environment, Planning and Regeneration Directorate as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Environment, Planning and

Regeneration Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

- 4 The applicant is advised that all new crossover applicants will be required to enter into an agreement prepared by the borough Solicitor. The agreement will state that a vehicle must not over hang onto the public footway. The crossover applicant needs to demonstrate to the council that his or her vehicle(s) can park at 90 degrees to the kerb without overhanging onto the public highway. The agreement will be a local land charge. The legal agreement fee of £150.00 will be payable together with payment for the crossover and any other associated works.

The applicant is advised vehicle crossover applicant guidance notes are provided to help you in understanding the procedure and guidelines which will need to be followed to obtain formal approval from the council for construction of a vehicle crossover across a public footway or footpath and/or verge. The formal approval is not part of the planning application process but is required under Section 184 (11) of the Highways Act 1980.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 3: Housing.

The Mayor's London Plan: July 2011:

Policy 3.5.

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, CS2, CS8, CS13, IMP1, IMP2, GMon, M8, M14, H2, H16, H18, H26, GH1.

Supplementary Planning Guidance:

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.

Core Strategy (Publication Stage, September 2010): Policy CS5.

DM Policy: DM 06.

Relevant Planning History:

Application:	Planning	Number:	C/03037/D/02
Validated:	16/04/2002	Type:	APF
Status:	DEC	Date:	11/06/2002
Summary:	REF	Case Officer:	
Description:	Conversion of existing residential care home into five self contained flats. Parking for 3 cars and access onto Regents Park Road.		

Application:	Planning	Number:	C/03037/E/02
Validated:	12/12/2002	Type:	APF
Status:	DEC	Date:	06/02/2003
Summary:	APC	Case Officer:	
Description:	Change of use from residential care home to three flats.		

Application:	Planning	Number:	C/03037/F/04
Validated:	10/02/2004	Type:	APF
Status:	DEC	Date:	05/04/2004
Summary:	REF	Case Officer:	
Description:	Second floor rear extension.		

Consultations and Views Expressed:

Neighbours Consulted:	66	Replies:	3
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- The application in its present form should be refused because its design - with some bedrooms above or below the living space of another flat - is unacceptable, and contrary to the provisions of Design Guidance Note 7 : "Room arrangement: . . . You should ensure that the layout of each unit means that bedrooms are not located above or below living rooms of another unit. . . "
- The proposed flats fail to meet the Council's design guidance with regard to the

location of living rooms over bedrooms and such is the extent of overlapping and potential disturbance in the proposed conversion that enhanced sound proofing by condition would not mitigate the nuisance, to the detriment of the living conditions of future occupiers.

- The proposed forecourt parking for three cars would detrimentally impede means of escape from the property and should be limited to 2 spaces, which would not comply with UDP Policy M14. Additionally, the proposed three spaces would result in vehicles overhanging the footway, to the detriment of highway safety.
- It is proposed to provide space to park three cars in what is now the front garden. In houses adjacent to the proposed site with similar parking provision it is noted that some of the cars are unable to park at a right-angle to the pavement without extending over the pavement area. This is contrary to requirements.
- An existing street tree on the footway close to the property would affect the provision of a drop kerb for vehicular access for three cars as proposed. In addition to this only shorter cars would be able to park in the required manner without over-hanging the pavement. For these reasons I believe that even the provision of two car parking places is not possible without contravening the free flow of traffic on the highway and pedestrian safety.
- If it is accepted that only one car parking space is possible the application does not include a formal undertaking to exempt future residents from purchasing residents parking permits for parking in the Controlled Parking Zone, and without such an undertaking, the development could result in overspill parking on the public highway, which would be detrimental to highway and pedestrian safety and the free flow of traffic, contrary to Policies GParking and M14 of the London Borough of Barnet Adopted Barnet Unitary Development Plan (2006).
- The proposed development does not include a formal undertaking to meet the costs of extra education and libraries.

Internal /Other Consultations:

Traffic & Development: The proposal is for the conversion of a single 4 bedroom dwelling into 4 self-contained flats comprising into 1x2bedroom, 2studios and 1x1bedroom units. 2 car parking spaces are proposed.

A new vehicular access is proposed. However, there is an existing street tree on footway close to the property which is likely to affect the provision of a drop kerb for vehicular access. The applicant is advised that a maximum of 4.8 metres wide crossover is allowed of the public highway which allows access to 2 car parking spaces.

The proposed conversion in this location with 2 parking spaces would be acceptable as at present no parking spaces are provided for the existing 4 bedroom dwelling.

Recommendation: Proposed conversion of the property is acceptable subject to the above comments and the following condition and an informative.

Date of Site Notice: 21 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a residential semi-detached property on Regents Park Road. The site falls within the Finchley Church End ward and is outside any of the Borough's Conservation Areas. Regents Park Road is part of a residential street where a number of properties have had alterations.

Proposal:

The proposal is for the conversion of a single dwelling into four self-contained flats with the provision of front off-street parking spaces and associated alterations.

Planning Considerations:

It is not considered that the redevelopment of the site into four 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 terrace, semi detached dwellings and flats which provide both single family dwellings and self contained flats.

It should be acknowledged that the planning permission (C/03037/E/02) has been granted for *change of use from residential care home to three flats* in 2002 and thus the principle of flats at the application site has been established and therefore the conversion into four flats is not considered to cause a detrimental harm to the character of the area.

As the area is characterised with self contained flats, it is not considered that the principle of converting the premises into four self contained flat would harm the residential character of the area. PPS3 encourages developments that make the most efficient use of land, whilst The London Plan encourages proposals that encourage the highest possible intensity of land that is appropriate for the area.

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

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 private and communal 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 rear of the property.

The highways department have deemed the proposal as acceptable, there will be the provision of 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.

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. The flats exceed Barnet's minimum size of 30m² and the minimum space standards within The London Plan, policy 3.5.

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. The applicant has not submitted this information and it will therefore be enforced through an appropriate condition attached to the decision. 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 information that shows this insulation of acoustic separation for the proposed new units. 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.

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:
3HR**

Allandale, 174 Regents Park Road, London, N3

REFERENCE:

F/02888/11



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LOCATION: Finchley Manor Club, Lyndhurst Gardens, London, N3 1TD
REFERENCE: F/03075/11 **Received:** 20 July 2011
Accepted: 27 July 2011
WARD(S): Finchley Church End **Expiry:** 21 September 2011
Final Revisions:

APPLICANT:

PROPOSAL: Erection of a single storey timber building.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Plan No's: Garden Building Range; Design & Access Statement; Photos to show site of the proposed shelter.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D5, GCS1.
Core Strategy (Publication Stage) 2010: CS5, DM01
 - ii) The proposal is acceptable for the following reason(s): -
The proposal as conditioned would comply with Council Policies that seek to preserve the character of areas and individual properties. The design and siting of the timber shelter is such that it would not have a detrimental impact on the character of either the original property or the area.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development.

Planning Policy Statement 1 (PPS1) says that good design ensures attractive usable, durable and adaptable places. Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see

paragraph 33, 34 and 35 of PPS1).

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

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

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

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

Part of Policy D5 requires new development to safeguard the outlook and light of neighbouring residential occupiers.

Core Strategy (Publication Stage) 2010:

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

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

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

Relevant Core Strategy Policies: CS5, DM01

Relevant Planning History:

Application:	Planning	Number:	C/00171/X/05
Validated:	17/02/2005	Type:	APF
Status:	DEC	Date:	13/04/2005

Summary: APC **Case Officer:**
Description: Increased height of existing tennis practice wall.

Application: Planning **Number:** C/00171/Y/05
Validated: 29/07/2005 **Type:** APF
Status: WDN **Date:** 08/09/2005
Summary: WIT **Case Officer:** Kevin Waters
Description: Installation of 9no. 6.95m high floodlighting columns around tennis courts numbered 7 and 8.

Application: Planning **Number:** F/03075/11
Validated: 27/07/2011 **Type:** APF
Status: PDE **Date:**
Summary: APC **Case Officer:** Neetal Rajput
Description: Erection of a single storey timber building.

Consultations and Views Expressed:

Neighbours Consulted: 86 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Obstructing view when sitting in the garden or even looking from kitchen windows.
- A lot of waste and noise from the building works.
- Cannot see anything from my first floor in summer because of the trees but in winter it would clearly be visible – reduce the height to make the structure less visible.
- It is stated in the notes accompanying the planning application that the proposed building is replacing an older building which was demolished in 2009 - the proposed structure is significantly larger than the previous one. It is important that the neighbours are not misled.
- The previous structure was a simple shelter without any enclosed space.
- No reason why it should be kept open after daylight hours and after 10.00 p.m. when the floodlights are required to be switched off.
- Concerned that the proposed building might be used for social purposes with the potential of extending the noise footprint across a much wider area, with a consequent negative effect on the neighbours. – due to opening and closing hours.
- Social events are sometimes held at the club and often result in excessive noise which can continue after midnight.
- If the club can give assurances that the proposed building will not be used after 10.00 p.m. then I have no objections.
- Would also like the club to show more consideration to its neighbours when running/allowing social events to take place on its premises.

Internal /Other Consultations:

- Green Spaces (inc Allotments) - No comments.

Date of Site Notice: 04 August 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The Finchley Manor Club lays to the rear of residential properties on Grass Park and Lyndhurst Gardens. From undertaking the site visit there appears to be one possible access points on to the application site from Lyndhurst Gardens.

The Finchley Manor Club operates as a tennis club to local residents and the wider community.

Proposal:

The proposal relates to the erection of a new timber shelter following demolition of a previous shelter at the application site. No details have been provided in regard to the previous shelter, it was demolished as it was in a state of disrepair and dilapidation a few years ago.

The single storey timber shelter will be located along the rear boundary of the site, closest to the properties fronting Grass Park. It will measure 3 metres in height with a pitched roof, 7.3 metres in width and 3.5 metres in depth.

A section of the shelter will be enclosed for the storage of tennis equipment and the shelter will be used for members of the tennis club as a viewing area.

Planning Considerations:

Planning Policy Statement 1 (PPS1) says that good design ensures attractive usable, durable and adaptable places. Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see paragraph 33, 34 and 35 of PPS1).

Policy D5 says new development should be designed to allow for adequate privacy and outlook for adjoining and potential occupiers and users.

It is considered that the single storey timber shelter will not have a significant impact on the character of the area and residential amenity of neighbouring properties that back onto the site.

The size, location and design would not cause unduly over shadowing to gardens of these neighbouring properties. There is a considerably high boundary fence along the rear of the properties fronting Grass Park and thus the shelter would not be visible as the height of the shelter does not exceed the height of the fence.

The Council acknowledges the need for the timber shelter for the storage of tennis equipment and an area where members can use the shelter as a viewing point. The shelter will ensure that the tennis club has sufficient facilities to operate its function without causing a detrimental harm to the amenities 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 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

The proposal as conditioned would comply with Council Policies that seek to preserve the character of areas and individual properties. The design and siting of the outbuilding 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**.

SITE LOCATION PLAN:
London, N3 1TD

Finchley Manor Club, Lyndhurst Gardens,

REFERENCE:

F/03075/11



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LOCATION: 7 Bigwood Road, London, NW11 7BB
REFERENCE: F/02602/11 **Received:** 17 June 2011
Accepted: 21 June 2011
WARD(S): Garden Suburb **Expiry:** 16 August 2011
Final Revisions:
APPLICANT: Ms C Hayes
PROPOSAL: Construction of a basement beneath the existing paved terrace at the rear of the house, Single storey side extension following demolition of existing boiler enclosure.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: EX01, EX02, EX03, PL01A, PL02A, PL03, PL04, SP01 and a 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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.

Reason:

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the London Plan 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant: PPS1 and PPS5.
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GBEnv4, D1, D2, D4, D5, HC1, HC5, H27.
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5, DM01, DM02
 - ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, the existing building or the amenities of any neighbouring property.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements: PPS1 and PPS5

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, D4, D5, HC1, HC5 and H27.

Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies: CS5, DM01, DM02

Relevant Planning History:

Application:	Planning	Number:	F/02602/11
Validated:	21/06/2011	Type:	HSE
Status:	PDE	Date:	
Summary:	APC	Case Officer:	David Campbell
Description:	Construction of a basement beneath the existing paved terrace at the rear of the house, Single storey side extension following demolition of existing boiler enclosure.		

Application:	Planning	Number:	F/02603/11
Validated:		Type:	CAC
Status:	REC	Date:	
Summary:	UNK	Case Officer:	
Description:	1. Construction of a basement beneath the existing paved terrace at the rear of the house, to contain a gym, jacuzzi and shower. 2. Demolition of existing boiler enclosure to the side of the house, and partial demolition of walls and roof of store room at rear corner of the house. 3. Construction of a side extension to the same footprint as the existing boiler enclosure, to provide basement access.		

Consultations and Views Expressed:

Neighbours Consulted:	7	Replies:	4
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- Out of character and not in accordance with the design guidance.
- Structural impact/ subsidence to neighbouring properties.
- Noise disturbance and light pollution to neighbouring properties

- Rooflights are not in keeping with the area
- Conditions should be imposed on the application should consent be granted.

Internal /Other Consultations:

The HGS CAAC have no objections to the application.

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings: The application site is a semi-detached, single family dwellinghouse in a residential street in the Hampstead Garden Suburb conservation Area.

Proposal: The application seeks consent for the construction of a basement beneath the existing paved terrace at the rear of the house and a single storey side extension following demolition of existing boiler enclosure.

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

The main issues in this case are whether or not the alterations would be visually obtrusive forms of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area or have an adverse and visually obtrusive impact upon the amenity of the occupiers of the neighbouring property.

The supplementary planning guidance for the Suburb is the Hampstead Garden Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:-

It is worth remembering that the rear of houses were as carefully designed as the front and can often be viewed from public places such as footpaths.

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an "Area of Special Character of Metropolitan Importance". The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder, was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the

various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 – 1939.

The proposed basement would not be visible from any neighbouring property and as such will not have a negative impact on the character and appearance of the conservation area or on the amenities of neighbouring properties. The proposal for the basement including the walk on rooflights is considered to be an acceptable addition. It is considered that in many cases within the borough basements are not acceptable. However, given the arrangement of the proposed basement which would be 1.5m away from the closest neighbour, it is considered to be acceptable. Objections concerning subsidence and structural impact on neighbouring properties are noted, but do not fall within the remit of planning.

The side extension is also considered to be acceptable, and will not give rise to any loss of amenity to any neighbouring property and would be in keeping with the character and appearance of the host property.

It is considered that the application will not give rise to any loss of amenity to any neighbouring property, or harm the appearance of the building, the surrounding conservation area and the character of the street scene. It is also not considered to give rise to any additional noise or disturbance.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning grounds of objection have been covered in 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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the conservation area, the existing building or the amenities of any neighbouring property.

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

SITE LOCATION PLAN: 7 Bigwood Road, London, NW11 7BB

REFERENCE: F/02602/11



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LOCATION: 16 Aylmer Road, London, N2 0BX
REFERENCE: F/02825/11 **Received:** 06 July 2011
Accepted: 08 July 2011
WARD(S): Garden Suburb **Expiry:** 02 September 2011
Final Revisions:
APPLICANT: Hilderton Estates
PROPOSAL: Submission of details of conditions 11 (Landscaping) & 17 (Turning Spaces and Car Parking) pursuant to planning permission C17308/07 dated 08/01/08.

RECOMMENDATION: Approve

INFORMATIVE(S):

- 1 The plans accompanying this application are:- Location Plan - 1769.OS Map; Blu205/01 Rev A; 1769.502 Rev A; 1769.507 Rev E (Date Stamped 16 August 2011); 'Bodpave r85' System Specification Details.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

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

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

Planning Policy Statement 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 July 2011:

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

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

Relevant Unitary Development Plan Policies:

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

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

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: D1, D2, M8, M10, M11, M12, M13.

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: Policies CS5, DM01, DM14

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.		

16 Aylmer Road, London, N2 0BX

Application:	Planning	Number:	F/01661/11
Validated:	12/04/2011	Type:	S73
Status:	DEC	Date:	16/06/2011
Summary:	AP	Case Officer:	Junior C. Moka
Description:	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.

Consultations and Views Expressed:

Neighbours Consulted: 0 Replies: 16
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- The application runs contrary to the decision and conditions decided by the FGG Planning Committee on 8 January 2008;
- The car parking provision would be extremely close to the adjoining house and rear gardens of several adjoining neighbours;
- Noise, disturbance and air pollution;
- Environmental issues including the effect on trees;
- The driveway is too narrow causing a danger to pedestrian;
- No disabled bay parking
- The development will result in cars reversing on to the busy A1;
- Lowering the decision level to 'Delegated' has contradicted and undermined the authority of the FGG Planning Committee.
- Loss of amenity to neighbouring occupiers
- No reserved areas for fire and ambulances
- Should expand the number of cycle spaces not cars.

Internal /Other Consultations:

Transport for London, Road Network Development -
No objections

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 developer has now implemented the external envelope of the building.

Proposal:

The application relates to the submission of details of conditions 11 (Landscaping) & 17 (Turning Spaces and Car Parking) pursuant to planning permission C17308/07 dated 08/01/08.

This application is presented to the West Sub Committee due to the requirements of condition 17 which states:

- 17 Notwithstanding the plans hereby approved before the commencement of any works, 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 relevant planning committee of 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.

Planning Considerations:

The main consideration is whether or not enough information has been submitted to re-discharge these conditions and whether or not this information is acceptable. In addition to this whether or not the location of the additional car parking spaces by the boundary of 18 Aylmer Road will result in additional noise and disturbance above and beyond the six spaces discharged as part of the application F/02084/10.

Condition 11 (Landscaping):

Following the advice given by the Trees Unit within the Planning Department it has been determined that the Local Planning Authority are satisfied by the information submitted as part of condition 11 (Landscaping - Details) and the details required by this condition were therefore considered satisfactory and the requirements of this condition can be discharged in accordance with drawing no. Blu205/01 Rev A.

Condition 17 (Turning Spaces and Car Parking)

The parking layout shown in drawing No. 07/622/P01A submitted with Planning Application No. C17308/07 was approved subject to the applicant providing turning space and parking space markings to ensure pedestrian and highway safety. This condition was recommended by Transport for London (TfL).

During the previous discharge of conditions application (F/02084/10), the applicant submitted an alternative layout to that of the approved car parking layout. The submitted drawing no's. 1769.502 & 1769.503 showed that the vehicles would be

able to enter and exit the site to/form the TLRN public highway in forward gear, and there is sufficient space provided within the site to enable vehicles to turnaround. It was considered by the Local Planning Authority under delegated powers that this would be recommended in accordance with the drawing no's. 1769.502 & 1769.503 and TfL comments.

This new application now proposes a total of 10 car parking spaces. This comprises of 5 spaces (including bay 1 which is a disabled bay) and a manoeuvring bay located in the location where the six spaces were located under the previous application (F/02084/10). The remaining 5 spaces will be set off the boundary with no. 18 on a 'Bodpave

r85' paving grids for grassed surface system. This is considered to result in minimal levels of noise and disturbance compared to the previously discharged car parking layout as the new spaces are located by the access road and there will also be shrubs and herbaceous planting between the car parking bays and the existing 2.5 meters high boundary wall adjacent to the dwelling at no. 18.

It is considered that the proposed layout doesn't detract away from the good design of the landscaping scheme proposed due to the 'Bodpave r85' system as shown on the specification details included with this application. The proposal also ensures that vehicles would be able to enter and exit the site to/form the TLRN public highway in forward gear, and there is sufficient space provided within the site to enable vehicles to turnaround.

As a result the discharge of condition 17 (Turning Spaces and Car Parking) is recommended in accordance with drawing no's. Blu205/01 Rev A; 1769.502 Rev A; 1769.507 Rev E; 'Bodpave r85' System Specification Details; and TfL comments dated 10 August 2011.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The application didn't have a consultation process, however, this application has received 16 objection letters.

In light of this it is considered that the points of objections in relation to this application are considered to have been 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.

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 sufficient information has been submitted to recommend the discharge of conditions 11 (Landscaping - Details) & 17 (Turning Space/Parking Spaces) pursuant to planning permission reference C17308/07 dated 08/01/08.

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

REFERENCE: F/02825/11



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LOCATION: 131 Farm Road, Edgware, Middx, HA8 9LR
REFERENCE: H/01489/11 **Received:** 07 April 2011
Accepted: 07 April 2011
WARD(S): Hale **Expiry:** 02 June 2011
Final Revisions:
APPLICANT: Mrs M Kelvin
PROPOSAL: Disabled access ramp and lift to the front of the property.
RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: PR38552/1; PR38552/2; PR38552/3;
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 Within 6 months of the date when the premises cease to be occupied by Mrs Maxine Kelvin, the development hereby permitted shall be removed and the garden reinstated in accordance with details to be approved in writing by the Local Planning Authority.
Reason:
To protect the amenities of the area.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GBEnv5, D2
Design Guidance Note No 3: the Construction of Hardstandings and Vehicular Crossovers Buildings), and:
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5
 - ii) The proposal is acceptable for the following reason(s): -
The design solution proposed is as sympathetic as possible within the existing site constraints without compromising the disabled access requirements.

1. MATERIAL CONSIDERATIONS

The application was deferred from the last meeting of the sub-committee for further information to be obtained on the applicants medical condition and to establish why no enforcement action has been taken on unauthorised development on site.

Information on the applicant's medical condition will be reported at the meeting. There is no record of any enforcement complaint having being received about the raised hardstanding at the front of the property. There is a record of a complaint in 2002 about a metal storage shed in the front garden on which no action was taken.

The information on that file and aerial photographs from 2002/3 indicate that the hardstanding was present at that time.

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

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

7.4 Local Character

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GBEnv5, D2

Design Guidance Note No 3: the Construction of Hardstandings and Vehicular Crossovers

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 Development Management Policies: DM01

Relevant Planning History:

None relevant

Consultations and Views Expressed:

Neighbours Consulted:	6	Replies:	3
Neighbours Wishing To Speak	3		

The objections raised may be summarised as follows:

- Loss of visual amenity by virtue of being overlooked into our property when the external access platform and lift are in use

- construction will be just over 3 foot from front room window causing a visual impact
- would have a negative impact on enjoyment of front garden
- there is already a large structure in situ (built without planning permission). This structure was built on land legally shared with neighbour and neighbour has not extinguished legal rights to that land
- a further structure in such a confined area would greatly affect the continuity of Farm Rd and compound existing view
- the harmony of the road's frontage would be further interrupted
- the exiting ramp/ steps should be made safe and suitable
- proposed edifice would be intrusive and exceptional

2. PLANNING APPRAISAL

Site Description and Surroundings:

No 131 is a semi detached dwelling sited on the west side of the road. The front entrance to the property is some 2.2m below pavement level. A platform has been constructed in the front garden area, adjoining no 129, to accommodate one off street car parking space. Planning permission has not been granted for this substantial structure which has been in situ for a number of years.

Proposal:

The applicant has been house bound for a considerable period of time as she requires the use of a wheelchair and encounters extreme difficulties when leaving the property. The disabled access ramp/ stairs and lift are proposed to the front of the property.

The proposed access stairs, with post mounted track to accommodate the lift, would be sited approx 800mm from the boundary with the attached neighbour no 133. An existing privet hedge between the front gardens would be retained.

Planning Considerations:

The proposed stairs and lift access would rise with the gradient of the front garden thus minimising the visual intrusion of the development from the street scene. The development would be visible from the adjoining front windows to 133. From no 129 the development would be largely screened from view by the existing raised parking bay. Whilst the additional development of the front garden area is regrettable it is considered that the design solution proposed is as sympathetic as possible within the existing site constraints without compromising the disabled access requirements.

Section 54A of the Town and Country Act requires planning applications to be determined in accordance with policies in the Development Plan, unless material considerations indicate otherwise. The Disability Discrimination Act can be a material consideration. Design Guidance 3 and UDP policy GBEnv5 confirm the Council's commitment to creating an environment that is physically accessible to all users. Whilst personal circumstances would not normally outweigh general planning considerations, in light of the access needs of the applicant, and the nature and siting of the proposals, it is recommended that planning permission be granted

subject to a condition that the development permitted be removed when no longer required by the applicant. This would ensure that the access needs of the disabled resident could be met, whilst ensuring that the development would be removed when the disabled applicant is no longer resident.

3. COMMENTS ON GROUNDS OF OBJECTIONS NOT ADDRESSED IN THE REPORT ABOVE

- The access stairs, platform and lift will be used solely for access to and from the property. It is considered that any overlooking or loss of privacy to neighbours that the intermittent use would give rise to would not be so harmful as to warrant refusal of the application.

4. EQUALITIES AND DIVERSITY ISSUES

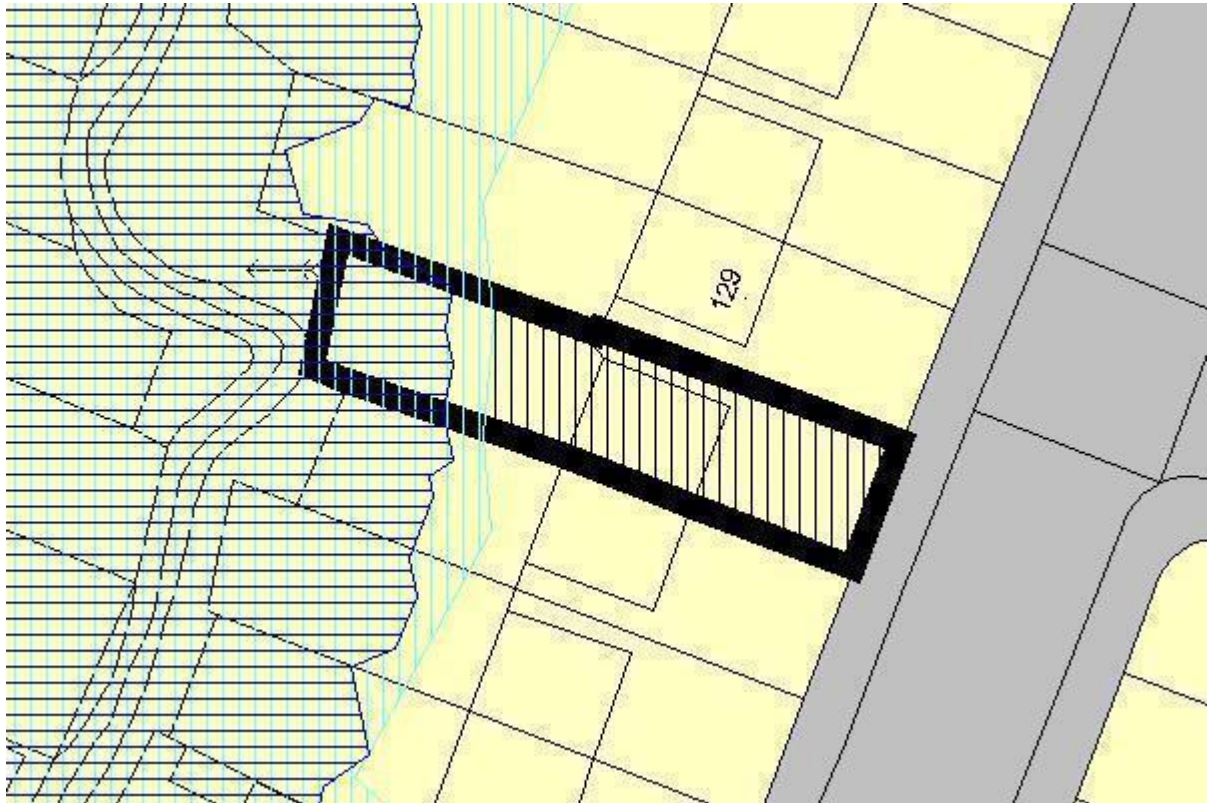
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

It is recommended that planning permission be granted.

SITE LOCATION PLAN: 131 Farm Road, Edgware, Middx, HA8 9LR

REFERENCE: H/01489/11



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LOCATION: 48 Glengall Road, Edgware, Middx, HA8 8SX
REFERENCE: H/02691/11 **Received:** 23 June 2011
Accepted: 04 July 2011
WARD(S): Hale **Expiry:** 29 August 2011
Final Revisions:

APPLICANT: Mrs Henry
PROPOSAL: Change of use from A1 to Sandwich Bar (A1) and Minicab office (Sui-generis) including division of shop to create 2no units and new shop front.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 2011/0558.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 No driver of any vehicle used in connection with the mini-cab use shall visit the premises for the purpose of waiting or taking orders and instruction, collecting clients from the premises, or for the purposes of taking refreshments or visiting the toilet or any other purpose.
Reason: To protect the local residents from on-street parking stress and to ensure free movement of traffic in accordance with Policy M12 of the London Borough of Barnet Adopted Unitary Development Plan 2006.
- 4 The Sandwich Bar (A1) hereby permitted shall not be open to customers before 8am or after 6pm on weekdays and Saturdays and not at all on Sundays.
Reason:
To safeguard the amenities of occupiers of adjoining residential properties.
- 5 The mini cab office hereby permitted shall not be in use before 8am or after 10.30pm on any day.
Reason:
To safeguard the amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, GRoadNet, D1, D2, M11, M12, TCR19.
National Planning Policy Guidance/ Statements:
PPS4 - Planning for Sustainable Economic Growth
PPG13 - Transport
Core Strategy (Publication Stage) 2010: CS5, CS09 and CS12.
 - ii) The proposal is acceptable for the following reason(s): -
The proposed change of use is considered appropriate in this location, would not harm the vitality and viability of the local shopping parade and would not harm

highway or pedestrian safety.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS 1 - Delivering Sustainable Development
PPS4 - Planning for Sustainable Economic Growth
PPG13 - Transport
PPS 23 - Planning and Pollution Control
PPG 24 - Planning and Noise

The Mayor's London Plan 2011:

1.1, 2.1, 3.1, 4.9, 4.12, 5.1, 5.3, 6.13, 7.1.

Relevant Unitary Development Plan Policies:

GBEnv1, GRoadNet, D1, D2, D22, M11, M12, TCR19, ENV13.

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: CS5, CS9, CS12.

Relevant Development Management Policies: DM01; DM12.

Relevant Planning History:

Application: Planning

Number: H/01355/09

Validated: 23/04/2009
Status: DEC
Summary: REF
Description: Change of use from Class A1 (retail) to Class A3 (restaurants and cafes).
Type: APF
Date: 18/06/2009
Case Officer: Matthew Corcoran

W00418 - Change of Use to Betting Shop - Approved - 10-09-1997

Consultations and Views Expressed:

Neighbours Consulted: 38 Replies: 14 letters of objection and a petition with 51 signatories

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Anti-social behaviour
- Increase pressure on local roads
- Increase demand for kerbside parking
- Additional pressure on drainage system
- Increase in noise and disturbance
- There is enough take away already
- Additional pollution
- Increase in rubbish
- Loss of privacy

Councillor Brian Gordon objects to the proposal on the grounds of heavier traffic, noise, litter and increased anti-social behaviour.

Internal /Other Consultations:

- Traffic & Development - No objection subject to conditions

Date of Site Notice: 07 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

Application site relates to a ground floor retail unit located on the south side of Glengall Road, which is located within the Glengall Road Local Neighbourhood Centre. The area is mixed in character with other retail and commercial uses at the ground floor of the parade with residential units above the shop. The property is flanked by a Barbers (A1 use) to the east and a Bookmakers (A2 Use) to the west.

Proposal:

Proposal is for a change of use from A1 (shop) to Sandwich Bar (A1) and Mini cab office (Sui-generis), including the division of the shop into two units and new shop front.

Planning Considerations:

Policy context

Policy D1 advises that all new development should represent high quality design and should be in keeping with the council's objectives of sustainable development and ensuring community safety.

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 and movement patterns and the overall character and quality of the area.

Policy M11 states 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 TCR19 states that, "The change of use from shop (A1) to another use will be strongly resisted unless:

- i. It can be demonstrated that there will be no significant diminution of local shopping facilities as a result
- ii. It can be demonstrated that alternative shopping facilities that are similarly accessible
- iii. The proposed use is within A2, A3, A4, and A5
- iv. It can be demonstrated that there is no known demand for continued A1 use, and that the site has been effectively marketed for such use"

Background

The planning application follows a recent refusal of planning permission (ref:H/01355/09) involving the change of use from Class A1 (retail) to Class A3 (restaurants and cafes). the application was refused for the following reasons -

1. The proposed change of use would result in the loss of a retail unit, to the detriment of the vitality and viability of the Glengall Road Neighbourhood Centre, contrary to policies D2 and TCR19 of the Adopted Barnet Unitary Development Plan (2006).
2. Insufficient information has been submitted to show that the provision of an extractor flue required as a result of the proposed use could be installed without detriment to the residential amenities of occupiers at adjoining properties by reason of noise and odours contrary to policies D2 and ENV 12 of the Barnet Adopted Unitary Development Plan (2006).

The applicant seeks to overcome these reasons for refusal by retaining the A1 element to part of the premises and confirming that the operation would not require any need for extraction and ventilation equipment.

The main issues are considered to be:

- Whether the proposed use would be harmful to the vitality and viability of the Local Shopping Parade
- Whether the proposal would be harmful to highway and pedestrian safety
- Whether the proposal would be harmful to residential amenity

Whether the proposed use would be harmful to the vitality and viability of the Local Shopping Parade

Council policy generally looks to resist the loss of ground floor A1 units in shopping areas as this can harm the vitality and viability of such areas.

When considering proposals for change of use from A1 to other uses in Neighbourhood centres, such development needs to be assessed against policy TCR19 within the adopted UDP. The proposal includes the retention of part of the unit as an A1 retail use. The business use would involve the preparation of cold food in the staff area and the sale of sandwiches, other cold food and drinks from the counter area and cold cabinets. As the proposal contains a retained A1 unit there would be no net loss of A1 units within the parade of shops.

The site has been vacant since the start of December 2008 following a three year tenancy by a company for A1 use. The property has been marketed without any success of securing a tenant and the proposal would therefore bring a vacant unit in the parade into use.

Whether the proposal would be harmful to highway and pedestrian safety

The proposal includes the use of part of the premises for remote operated mini cab office. The applicant has confirmed that the office operation will be remote controlled and that drivers would not be visiting the site.

There is a condition attached to the permission to prevent drivers associated with the business from visiting the premises for waiting or taking orders, collecting clients from the premises, or for the purposes of taking refreshments or visiting the toilet or any other purpose. Highways officers have considered the proposal acceptable on highway grounds, provided a condition restricting waiting or taking orders is attached.

Whether the proposal would be harmful to residential amenity

Barnet's adopted UDP seeks to ensure that the amenities of residents are protected from impacts of development proposals. The proposed change of use to part A1 (sandwich shop) and part sui-generis (mini cab office) is not considered to result in an appreciable impact on the amenities of neighbouring occupiers to unacceptable levels. The sandwich shop would be a retail use of similar opening hours as other shops in the retail parade. The mini cab office would only be for remote working and will not involve drivers visiting the premises. The levels of comings and goings would not generate noise or disturbance to unacceptable levels given the location of

the site within a local parade frontage. There are conditions attached to the permission restricting the hours of use and preventing drivers from visiting the site.

Overall, the proposal is considered to be compatible with the character of the area and would not harm the amenities of neighbouring occupiers. The proposal would preserve the viability and vitality of the Local Neighbourhood Centre and would not lead to conditions prejudicial to highway or pedestrian safety.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections received have been carefully considered and are largely addressed within the body of the main report.

- It is not considered that the planning application would directly increase the levels of anti-social behaviour and material planning consideration, and is governed by other legislation.
- Drainage and sewerage details are not material planning considerations in this case and is governed by the Building Regulations Act.
- Competition between businesses within the locality is not a material planning consideration.

4. EQUALITIES AND DIVERSITY ISSUES

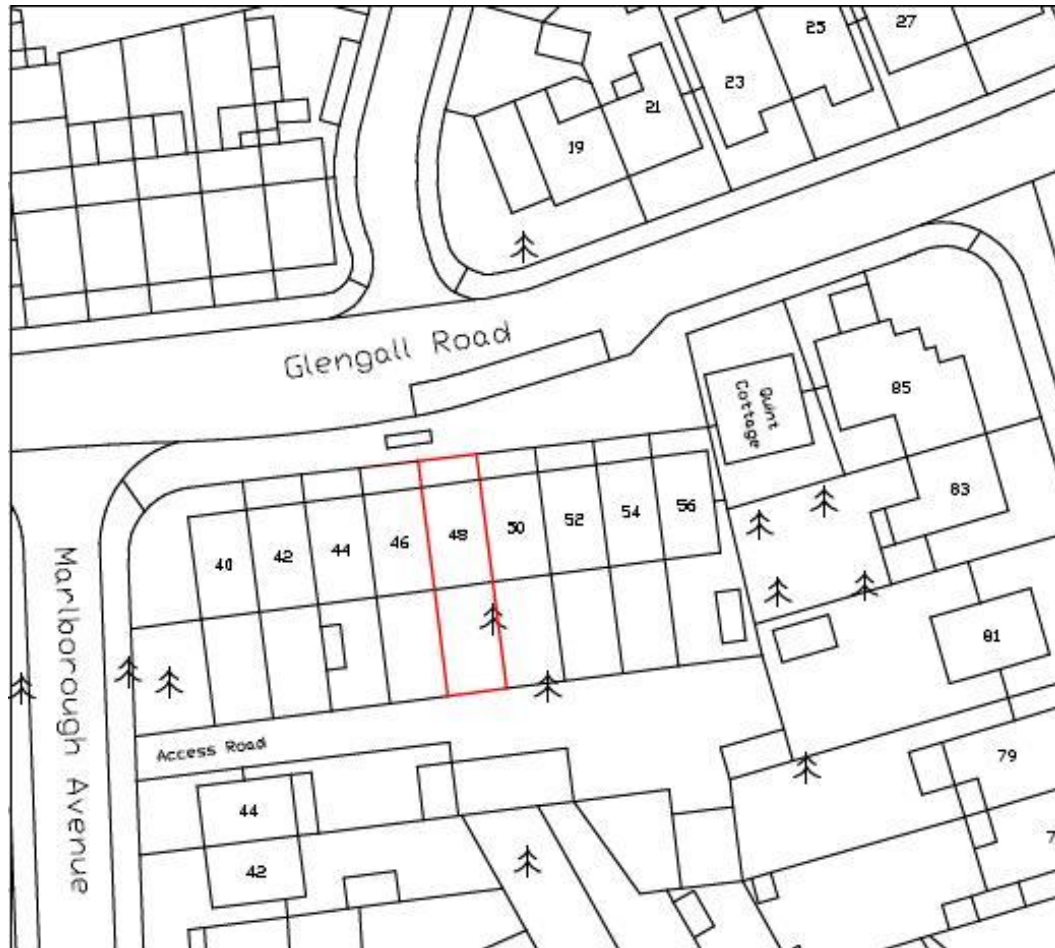
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

It is considered the proposed use would have no adverse impact on the vitality or viability of the Local Neighbourhood Centre nor would it have a harmful impact on highway or pedestrian safety the application is recommended for **APPROVAL** accordingly.

SITE LOCATION PLAN: 48 Glengall Road, Edgware, Middx, HA8 8SX

REFERENCE: H/02691/11



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LOCATION: 8 Green Walk, London, NW4 2AJ
REFERENCE: H/01957/11 **Received:** 06 May 2011
WARD(S): Hendon **Accepted:** 13 May 2011
APPLICANT: Bridgewood plc **Expiry:** 08 July 2011
PROPOSAL: Demolition of existing detached bungalow and construction of a pair of two storey semi-detached dwellinghouses with rooms in the roofspace.
Final Revisions:

RECOMMENDATION: Approve Subject to Section 106 Agreement

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) £16,099.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £349.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £2,350.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £939.90**
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/01957/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: DP100D, D0311-E1, DP102, D0311-T.
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 DP100D 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 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Green Walk from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).
Reason:
To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.
- 5 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.
- 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 proposed window(s) in the first and second floor west and east flank elevations facing 6 Green Walk and 10 Green Walk 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 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.

- 10 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.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, D, of Part 1 to Schedule 2 of that Order shall be carried out within the area of the red-line application site currently known as 8 Green Walk hereby approved without the prior written permission of the local planning authority.

Reason:

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

- 12 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).

- 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 policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, D12, D13, M11, M12, M14, H16, H17, H18, CS2, CS8, CS13, IMP1, IMP2.

PPS1

PPS3

PPG13

Core Strategy (Publication Stage) 2010: CS5

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

The proposed new dwellings would contribute to housing available within the borough for which there is known demand. It would not have a materially harmful impact of the character or appearance of the general locality or neighbouring amenity. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

- 2 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.
- 3 Any alteration to the existing crossovers or new 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. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Environment and operations Directorate, NLBP, Building 4, 2 nd 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.

RECOMMENDATION III

That if an agreement has not been completed by 07/12/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/01957/11 under delegated powers for the following reason/s:

1. The development does not include a formal undertaking to meet the education, libraries, health services costs, together with associated monitoring costs arising as a result of the development, contrary to Policies CS2, CS8, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan 2006, and Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries, Supplementary Planning Document - Contributions to Health.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

The Mayor's London Plan: July 2011: 3.5, 3.10, 5.4, 7.6

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, H16, H17, H18, CS2, CS8, CS13, IMP1, IMP2.

Supplementary Planning Document: Contributions to Education
Supplementary Planning Document: Contributions to Libraries
Supplementary Planning Document: Contributions to Health
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: CS5

Relevant Development Management Policies: DM01, DM02, DM08

Relevant Planning History:

None Relevant

Consultations and Views Expressed:

Neighbours Consulted:	36	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- Impact on the character of the area, not in keeping with Art Deco blocks, front dormer windows
- Impact on sewerage and drainage
- Parking, can the residents be restricted to one parking space each

Internal /Other Consultations:

- Traffic & Development - Comments contained within report. The proposed dwellings have been amended from 4 bedroom units to 3 bedroom units.
- Thames Water - Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Date of Site Notice: 26 May 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is an existing bungalow on the south side of Green Walk in a predominantly residential area.

Proposal:

The proposal is for the demolition of existing detached bungalow and construction of a pair of two storey semi-detached dwellinghouses with rooms in the roofspace.

The proposed dwellings have been amended to reduce the roof pitch to 50 degrees, to remove the front dormer windows, set the buildings back from the front building line and to improve the appearance of the rear elevation.

Planning Considerations:

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 town scape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Policy D3 advises that the size, shape, position and detailing of spaces created within or around new buildings should enhance the development of which they are part, and should be in keeping with the overall character and quality of the area.

Policy D4 states that new development should respect the constraints of the site to accommodate development and should not result in over-development.

Part of policy D5 requires new development to safeguard outlook and light of neighbouring residential occupiers

Policy H16 advises that new residential developments should harmonise with and respect the character of the area within which they are situated and should:

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

Policy H17 states that in new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. This distance should be increased by three metres for each additional storey over two storeys. Where overlooking is a problem, especially in relation to neighbouring development, a higher degree of privacy will be required. In town centre developments and regeneration areas, these standards may not apply. In the case of higher density developments where less distance is provided, proposals should include innovative design solutions to avoid overlooking.

Policy H18 states that in new residential schemes, the minimum provision of gardens or amenity space should be at the following standards:

- For Flats:
> 5 square metres of space per habitable room.

- For Houses:

- > 40 square metres of space for up to four habitable rooms.

- > 55 square metres of space for up to five habitable rooms.

- > 70 square metres of space for up to six habitable rooms.

- > 85 square metres of space for up to seven or more habitable rooms.

Proposals in or near town centre sites may be exempt from this requirement if alternative amenities are provided.

Whether the proposed dwellings would have an acceptable impact on the character and appearance of the general locality and streetscene.

The existing property is an anomaly within the streetscene in that it is a bungalow. Properties are generally semi-detached art-deco influenced houses with two storey bay windows. The exceptions to these are no.2 which is detached but of similar design, no.16 which is detached, and no.10 and no.12 which are detached and of brick construction with different forms. No.10 in particular has been extended unsympathetically with front dormer window and gable ends, though no permission can be found for these extensions.

It is considered that two dwellings would fit acceptably on this site, and that this would not be out of character given that dwellings are located on similar sized plots elsewhere on Green Walk. The dwellings would not appear unduly cramped.

The proposal would seek to replace the bungalow with two semi-detached dwellings. These would be two storey with rooms in the roofspace. The roof has been amended to 50 degrees in pitch, which is steeper than the majority of the properties in the locality. However, taking into account that the existing property on site is already at variance with the locality, this difference is considered to be acceptable.

The footprints of the proposed dwellings have been amended so that they would project less far forwards and the appearance of the rear elevation has been improved.

It is considered that the proposed dwellings would have an acceptable impact on the character and appearance of the streetscene and general locality.

Whether the proposed dwellings would have an acceptable impact on the amenities of neighbouring and future occupiers

The proposed new dwellings would extend approximately 2.1m beyond the rear wall of no.6 Green Walk at first floor level, a distance of 1m from the boundary and 3m from the flank wall of no.6. At ground floor level the dwellings would extend approximately 0.1m beyond the rear projection of no.6.

The new dwellings would extend 0.8m beyond the rear wall of no.10 at first floor level, approximately 2m from the flank wall of no.10 and 1m from the boundary. At ground floor it would extend 2m beyond the rear wall of no.10.

There is a slight decrease in levels from west to east towards no.10. Taking into account the size of the proposed new dwellings and their relationship to neighbouring properties, it is not considered that the proposals would result in a

harmful impact on the visual or residential amenities of neighbouring occupiers.

Whether the proposals would have an acceptable impact on highway safety

The proposal is for the erection of 2 no. 3 bed dwellings following the demolition of the existing dwelling. 1 parking space is being provided for each dwelling.

While parking stress in the area is quite high, site visits have demonstrated that there is some space available on-street. In light of recent appeal decisions it is necessary to demonstrate that additional on-street parking created by a development will cause harm. In this case as enough space is available near the site on-street to accommodate the increase, the application is considered acceptable on highways grounds.

Whether the proposals would make satisfactory provision towards education, libraries and health facilities

In line with the approved supplementary planning documents, the following planning obligations would be required in association with the development:

Contributions to Education - £16,099.00

Contributions to Libraries - £349.00

Contributions to Health Facilities - £2,350.00

Associated Monitoring Costs- £939.90

The applicant has agreed to provide a unilateral undertaking providing these contributions.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

- Impact on sewerage and drainage - This is principally a building regulations matter, Thames Water have been consulted as part of the application.

4. EQUALITIES AND DIVERSITY ISSUES

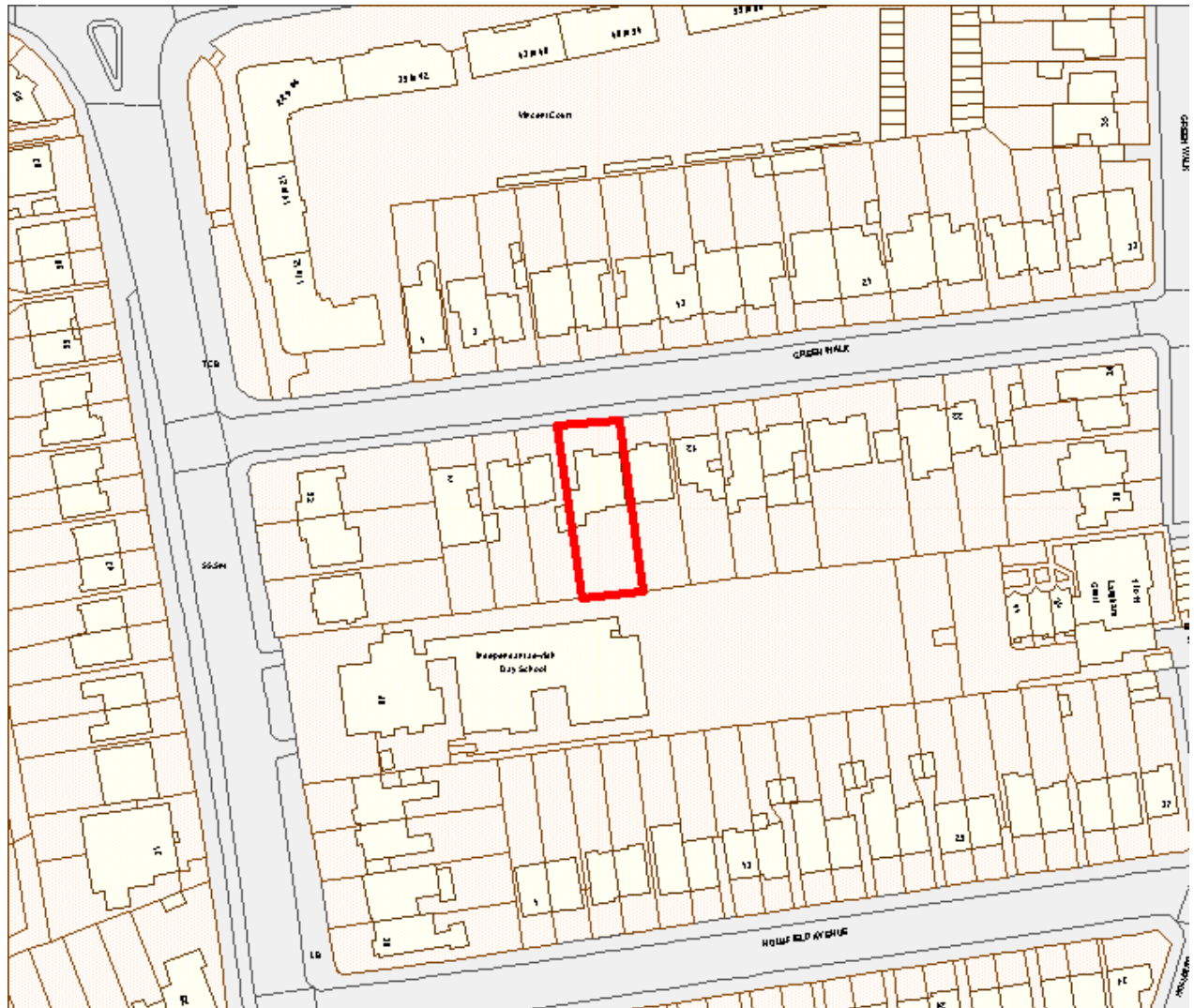
The proposals would provide additional housing units for which there is known demand. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 8 Green Walk, London, NW4 2AJ

REFERENCE: H/01957/11



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LOCATION: 10 St Marys Crescent, London, NW4 4LH
REFERENCE: H/01410/11
WARD(S): Hendon
Received: 04 April 2011
Accepted: 08 June 2011
Expiry: 03 August 2011
Final Revisions:

APPLICANT: Mr P Goodman
PROPOSAL: Single storey side and rear extensions.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1104/02, 1104/01 revA and 1104/03 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 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 Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5 and H27 and
Design guidance note 5: Extensions to houses and:
Core Strategy (Publication Stage) 2010: CS5
 - ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the appearance of the property and the amenities of the neighbouring occupiers. It complies with all relevant council policy and design guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 - Delivering Sustainable Development

The Mayor's London Plan 2011

7.6.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, 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 Development Management Policies: DM01

Relevant Planning History:

Application:	Planning	Number:	H/04947/08
Validated:	24/12/2008	Type:	192
Status:	DEC	Date:	18/02/2009
Summary:	LW	Case Officer:	Tassama Amlak
Description:	Extensions to roof including hip to gable end and rear dormers to facilitate a loft conversion.		

Consultations and Views Expressed:

Neighbours Consulted:	8	Replies:	4
Neighbours Wishing To Speak	0		

- impact on street- 2 entrances
- noise and disturbance
- concern that extension will be used as a separate unit
- general scale and appearance
- impact on traffic/ parking
- concern that the property is used as an HMO
- loss of light due to the rear extension

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a 2 story single family semi detached dwelling house.

There is a garage in the rear garden close to the boundary with number 8.

Proposal:

The applicant requests permission for the demolition of the rear garage and the erection of a single storey side and rear extension.

The side extension would be set back from the front of the house by 3.5m and would be 12.5m deep with a flat roof. It would extend no further into the rear garden than the existing garage. A door in the front elevation has been removed on request.

The rear extension would be 2.5m deep on the boundary with the adjoining property at number 12 and would extend the full width of the property. As amended the pitched roof has been replaced by a flat roof to lower the height of the extension.

Planning Considerations:

Character and appearance

Policies D1 and D2 aim to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general locality in terms of size and design.

The side extension has been well set back from the front of the house and would have an acceptable impact on the appearance of the street scene.

The rear extension is deeper than usually considered acceptable on the side closest to number 8. However there are a number of larger extensions in the vicinity, including at the adjacent property at number 8. The extension would replace an existing garage and as such the extension would not create significant additional bulk.

It is considered that the extension would be in keeping with the character of the property and the area.

Impact on the neighbouring occupiers

Policy D5 requires new development to safeguard outlook and light of neighbouring residential occupiers.

In terms of the impact of the extension on the occupiers at number 8, this property has an existing single storey rear extension. The proposed extension would not extend beyond this extension and as such there would be no loss of light or outlook to the occupiers. There are no windows on the flank elevation of either extension and as such there would be no loss of privacy. Overall the extension would have an acceptable impact on the amenities of the occupiers of number 8.

In terms of the impact on the adjoining property at number 12, given the minimal depth and reduced height of the extension, there would be no undue impacts on the amenities of these occupiers of this property as a result of the proposal.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed above.

The agent has confirmed that the property is a single family house. The plans also indicate as such.

Noise and disturbance is not expected to exceed normal domestic levels.

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.

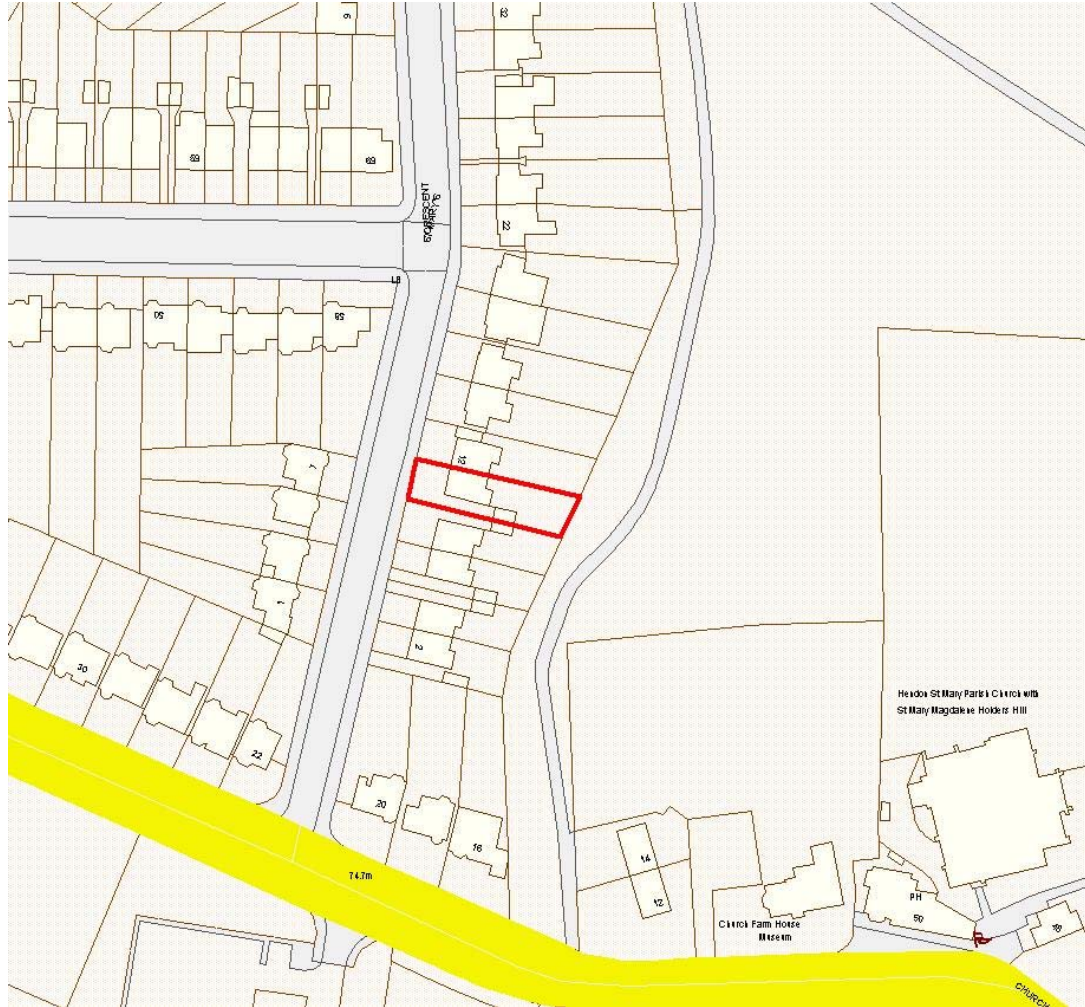
5. CONCLUSION

The proposed development complies with council policy and design guidance.

Approval is recommended.

SITE LOCATION PLAN: 10 St Marys Crescent, London, NW4 4LH

REFERENCE: H/01410/11



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LOCATION: 64 Wykeham Road, London, NW4 2ST
REFERENCE: H/02486/11 **Received:** 10 June 2011
Accepted: 15 June 2011
WARD(S): Hendon **Expiry:** 10 August 2011
Final Revisions:
APPLICANT: Mr Perah
PROPOSAL: Part single, part two storey rear extension. Roof extension including two rear dormer windows, one side dormer and rooflights on both sides and front elevation to accommodate loft conversion.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: WR64-1001D, WR64-1002C.
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 building hereby permitted is occupied the proposed window(s) in the side elevation facing 62 Wykeham Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.
Reason:
To safeguard the privacy and amenities of occupiers of adjoining residential properties.
- 4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing 62 or 66 Wykeham Road without the prior specific permission of the Local Planning Authority.
Reason:
To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1 (Character), D2 (Built Environment / Character), and H27 (Extensions to Houses and Detached Buildings), and:
Core Strategy (Publication Stage) 2010:
Relevant policies: CS5
 - ii) The proposal is acceptable for the following reason(s): -The development is

considered to be consistent with Council policies and guidelines and can be accommodated without undue impact on the character or appearance of the locality or the residential amenities of occupiers of adjoining properties.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:
PPS1 - Delivering Sustainable Development

The Mayor's London Plan:
5.3, 7.6

Relevant Unitary Development Plan Policies:
GBEnv1, GBEnv2, D1, D2, D5, H27
Supplementary Design Guidance 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 Development Management Policies: DM01

Relevant Planning History:

Application:	Planning	Number:	W/01446/A/07
Validated:	16/03/2007	Type:	192
Status:	DEC	Date:	30/03/2007
Summary:	LW	Case Officer:	Deirdre Jackman
Description:	Conversion of garage into habitable room including external alterations.		

significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

The Council Guide "Extensions to house" was approved in March 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the local planning authority and was subject to separate consultation.

Included advice says:

Large areas of Barnet are characterised by relatively low -density suburban housing with an attractive mixture of semi-detached and detached houses. The Council is committed to protecting and where possible enhancing the character of the boroughs residential areas and retaining an attractive streetscene.

Harmony: extensions to buildings should be consistent in terms of form, scale and architectural style with the original building and area.

The extension should be in proportion both in its own right and in relationship to the original dwelling.

Impact on the character and appearance of the property and wider locality

A number of properties in Wykeham Road have been extended to the rear in a similar manner to the application proposal.

The scale of the extensions is considered to relate satisfactorily to the existing house and they would remain subordinate to the original dwelling. The size of the dormers has been reduced slightly and it is considered that they can be accommodated within the roofslope.

The development is in accordance with the Council's design guidance.

Impact on the residential amenities of the adjoining occupiers

In relation to no. 66 Wykeham Road, the ground floor extension will be 4m deep along the shared boundary. At first floor the extension would be 2.5m from the boundary. The design of the properties is such however that the part of no. 66 nearest the boundary is the rear of the garage with bathroom above. It is not considered in this case that the relationship with that property would be unduly overbearing or result in significant loss of light.

In relation to no. 62 Wykeham Road, the main potential impact would be on windows in the elevation facing the application property.

No. 62 has it's principal elevation fronting Prothero Gardens. That house extends further rearwards than no. 64 and the proposed extensions would not extend any further rearward than the main 2 storey part of no. 62. The proposals have been amended to reduce the depth of the first floor extension to 3m on that side of the property. The flank of the extension is approximately 2m from the elevation of no. 62. There are secondary windows within the elevation of no. 62 facing the application site and the extensions would result in some loss of light to and outlook from those windows, particularly a ground floor kitchen. However, the windows are north facing and given that these are not principal windows, it is considered that any loss of light or outlook to those windows would not be so significant as to justify refusal of planning permission.

A condition is proposed to ensure that all windows in the side elevation of the application property are obscure-glazed to avoid any adverse impact arising from possible overlooking.

There would be a distance of approximately 20m from the extension to the rear boundary and it is considered that there would be no undue overlooking to the adjoining property to the rear in Prothero Gardens.

The proposals are considered to have an acceptable impact on the residential amenities of occupiers of adjoining properties.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Largely addressed in the planning appraisal.

Any works undertaken prior to the grant of planning permission are entirely at the owners risk.

Damage from existing trees to the rear of the garden has no bearing on this application but is a separate civil matter.

4. EQUALITIES AND DIVERSITY ISSUES

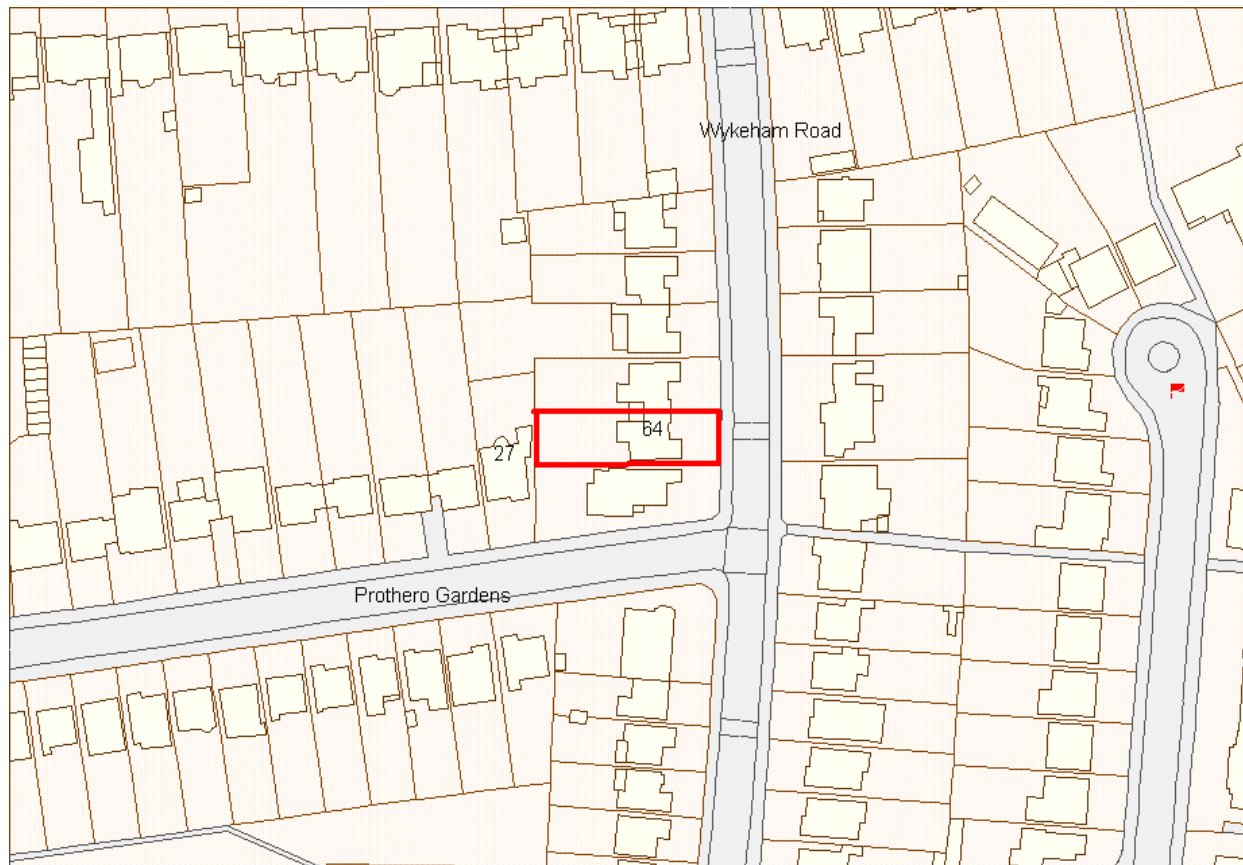
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposals are considered to be consistent with Council policies and guidelines and can be accommodated without undue impact on the character or appearance of the locality or the residential amenities of occupiers of adjoining properties and are accordingly recommended for APPROVAL.

SITE LOCATION PLAN: 64 Wykeham Road, London, NW4 2ST

REFERENCE: H/02486/11



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LOCATION: Tudor Cottage, 64 Marsh Lane, London, NW7 4NT
REFERENCE: H/02966/11 **Received:** 13 July 2011
Accepted: 13 July 2011
WARD(S): Mill Hill **Expiry:** 07 September 2011
Final Revisions:

APPLICANT: Mr John Davis
PROPOSAL: Erection of two new four-bedroom detached dwellings with rooms in the roof space and basements in the grounds of an existing detached dwelling accessed from Austell Gardens.

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) £23,898.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £488.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £4,032.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £1,420.90**
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/02966/11 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, P/01, P/02 Revision A, P/06 Revision A, P/07 Revision A, P/07.1, P/08 Revision A, P/09, P/10 Revision A, P/11, P/12 Revision A, P/13 Revision A, P/14 Revision 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 Before the development hereby permitted is occupied the parking spaces/garages shown on Plans P/06 Revision A and P/08 Revision A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.
Reason:
To ensure that parking is provided in accordance with the council's standards in

the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

- 4 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Austell Gardens from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 5 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.

- 6 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.

- 7 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 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.

- 9 Before the building hereby permitted is occupied the proposed window(s) in the south-west and north-east first floor 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.

- 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. The scheme shall include substantial mature trees to the rear boundary of the site.
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 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.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, D, E, F of Part 1 to Schedule 2 of that Order shall be carried out within the application red-line site currently known as Tudor Cottage, 64 Marsh Lane hereby approved without the prior written permission of the local planning authority.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 16 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.
Reason:
To ensure that the development is sustainable and complies with policy GSD of

the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 17 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

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, D6, D12, D13, M11, M12, M14, H16, H17, H18, CS2, CS8, CS13, IMP1, IMP2.
PPS1
PPS3
PPG13
Core Strategy (Publication Stage) 2010: CS5
- ii) The proposal is acceptable for the following reason(s): -
The proposed new dwellings would contribute to housing available within the borough for which there is known demand. It would not have a materially harmful impact of the character or appearance of the general locality or neighbouring amenity. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 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 the development is carried out, it will be necessary for vehicular crossovers to be constructed over the verge by the Highway Authority at the applicant's

expense. You may obtain an estimate for this and any associated work on public highway from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

The applicant is advised that any street furniture or lighting column affected by the proposed works would be relocated under a rechargeable works agreement by the Council's term contractor for Highway Works.

Refuse collection points should be located within 10 metres of the Public Highway, otherwise, unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site.

Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

- 4 The additional information accompanying this application are:- Phase II Arboricultural Impact Assessment, Planning Statement, Sustainability Statement.
- 5 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. With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

RECOMMENDATION III

That if an agreement has not been completed by 07/12/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/02966/11 under delegated powers for the following reasons:

1. The development does not include a formal undertaking to meet the education, libraries, health services costs, together with associated monitoring costs arising as a result of the development, contrary to Policies CS2, CS8, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan 2006, and Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries, Supplementary Planning Document - Contributions to Health.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development

PPS3 - Housing
PPG13 - Transport

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan 2011: 3.5, 3.10, 5.4, 7.6

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D5, D12, D13, H16, H17, H18, CS2, CS8, CS13, IMP1, IMP2.

Supplementary Planning Document: Contributions to Education
Supplementary Planning Document: Contributions to Libraries
Supplementary Planning Document: Contributions to Health
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: CS5

Relevant Development Management Policies: DM01, DM02, DM08

Relevant Planning History:

H/04510/10 - Erection of 3 no. two-storey dwelling houses with rooms in roof space and one dwelling with basement. House 1 to be accessed from Marsh Lane, and Houses 2 and 3 to be accessed from Austell Gardens. - Withdrawn - 18/11/2010

Consultations and Views Expressed:

Neighbours Consulted:	49	Replies:	10
Neighbours Wishing To Speak	0		

At the time of writing the report the consultation period had not expired and any further replies will be reported to the committee in the addendum to the report.

The objections raised may be summarised as follows:

- Impact on traffic
- Additional Noise from use of gardens
- Scale of proposal is out of character
- Overlooking
- Trees have been lost, future loss of trees
- Impact on water table
- Disruption during construction
- Impact on drainage and sewerage
- Proposal would be contrary to PPS3

One response was received advising that the resident had no objection provided that no overlooking occurred.

The Mill Hill Preservation society have objected to the scheme.

Internal /Other Consultations:

- Traffic & Development - No objection subject to conditions
- Thames Water Devt Control - No objection

Date of Site Notice: 21 July 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site for the proposed dwellings forms part of Tudor Cottage's existing rear garden. The site is bounded by Austell Gardens to the south-east, Gable End to the north-east, Chilterns (60 Marsh Lane) to the north west, and Brantwood House to the south-west.

This part of the garden is largely open and overgrown. The south-east has significant screening and hedges to the boundary.

The area is characterised by detached single family dwellings. These include smaller more closely spaced properties to the immediate south-west, and larger dwellings on larger plots to the north-east.

Proposal:

The proposals is for the erection of two new four-bedroom detached dwellings with rooms in the roofspace and basements, in the grounds of an existing detached dwelling accessed from Austell Gardens.

The proposed front garage has been removed. The dwellings have been amended to reduce the height of the roof by 0.9m

Front boundary treatment to Austell Gardens would be retained where possible.

Planning Considerations:

The main issues are considered to be:

- Whether the proposed dwellings would have an acceptable impact on the character and appearance of the general locality and streetscene.
- Whether the proposed dwellings would have an acceptable impact on the amenities of neighbouring and future occupiers
- Whether the proposals would have an acceptable impact on highway safety
- Whether the proposals would make satisfactory provision towards education, libraries and health facilities
- Whether the proposals would have an acceptable impact on trees of special amenity value.

Policy context

PPS3

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 town scape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Policy D3 advises that the size, shape, position and detailing of spaces created within or around new buildings should enhance the development of which they are part, and should be in keeping with the overall character and quality of the area.

Policy D4 states that new development should respect the constraints of the site to accommodate development and should not result in over-development.

Part of policy D5 requires new development to safeguard outlook and light of neighbouring residential occupiers

Policy H16 advises that new residential developments should harmonise with and

respect the character of the area within which they are situated and should:

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

Policy H17 states that in new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. This distance should be increased by three metres for each additional storey over two storeys. Where overlooking is a problem, especially in relation to neighbouring development, a higher degree of privacy will be required. In town centre developments and regeneration areas, these standards may not apply. In the case of higher density developments where less distance is provided, proposals should include innovative design solutions to avoid overlooking.

Policy H18 states that in new residential schemes, the minimum provision of gardens or amenity space should be at the following standards:

- For Flats:

> 5 square metres of space per habitable room.

- For Houses:

> 40 square metres of space for up to four habitable rooms.

> 55 square metres of space for up to five habitable rooms.

> 70 square metres of space for up to six habitable rooms.

> 85 square metres of space for up to seven or more habitable rooms.

Proposals in or near town centre sites may be exempt from this requirement if alternative amenities are provided.

Whether the proposed dwellings would have an acceptable impact on the character and appearance of the general locality and streetscene.

Whilst the site is technically garden land and is not previously developed, this does not mean that the application is unacceptable in itself. PPS3 advises local authorities to make optimal use of sites for new housing development. The site fronts Austell Gardens and represents a gap within the streetscene which itself is out of character. There are dwellings regularly spaced on either side of Austell Gardens and therefore this is unusual within the locality. The proposal would create two new dwellings. Whilst larger than those to the south-west on smaller plots, this would be comparable to the larger houses to the north-east.

Whilst the existing garden does contribute to a sense of spaciousness, it is not considered that the spaciousness the site provides within the streetscene warrants protection and that the benefit provided from two additional houses towards the Borough's housing stock of units also needs to be considered. Furthermore, it is considered that two dwellings would be wholly compatible within the surrounding area. It is considered that they would be in keeping with other dwellings in the locality and would not appear excessive in size or bulk, nor would they appear unduly cramped. Whilst PPS3 has recently been amended to exclude gardens from previously developed land, it is not considered that this would justify refusing

development that would fit acceptably within the streetscene and make a contribution to housing within the Borough.

It is considered that the proposal would have an acceptable impact on the character and appearance of the streetscene and general locality.

Whether the proposed dwellings would have an acceptable impact on the amenities of neighbouring and future occupiers

The topography to the rear of the site is undulating, with the level decreasing close to the rear fence with no.60 Marsh Lane. No.60 is orientated at an oblique angle to the rear gardens of the proposed dwellings. The distances between the dwellings proposed and no.60 comply with policy H17 in terms of the distances between gardens, and there would not be directly facing windows. It is not considered that the proposal would overlook no.60, and given the distance it is not considered that the dwellings would appear overbearing.

It is not considered that the proposed patio areas would result in a harmful level of overlooking of neighbouring residential properties.

The rear wall of the proposed new dwellings would approximately extend in line with the existing dwelling at Brantwood House, with an additional 1.5m projection on the north-east side.

It is not considered that the proposed dwellings would have a harmful impact in terms of loss of light or outlook as perceived from neighbouring properties. Given the relationship of the proposed buildings to neighbouring properties it is not considered that the proposed new dwellings would harm the visual or residential amenities of neighbouring occupiers.

Whether the proposals would have an acceptable impact on highway safety

The proposal is for construction of two four bedroom houses .

The proposal is to construct two houses in an existing garden. The proposal involves constructing two new accesses from existing Austell Gardens. Austell Gardens is a road with intermittent footways and is a public highway. The parking proposed is in accordance with Barnet UDP 2006

There is an existing verge which will be affected by construction of crossovers however no highway objections are raised in principle to the application.

Whether the proposals would make satisfactory provision towards education, libraries and health facilities

The applicant has agreed to provide an undertaking towards the education, libraries and health costs generated by the development as well as associated monitoring costs.

The following contributions would be required:

Whether the proposals would have an acceptable impact on trees of special amenity value.

Protected trees are located to the north of the site nearer Marsh Lane. Given their distance from the proposed new dwellings it is not considered that the proposals would harm trees of special amenity value.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Additional Noise from use of gardens - *The noise generated from gardens would be comparable to other similar sized houses in the locality.*

Trees have been lost, future loss of trees - *The trees in question are not protected and can be removed without permission.*

Impact on water table - *The site is not located within the flood plain, given its size and location it is not considered that the approval of the application would materially increase flood risk.*

Disruption during construction - *This is not a material planning consideration*

Impact on drainage and sewerage - *This is a building regulations matter.*

4. EQUALITIES AND DIVERSITY ISSUES

The proposal would provide two additional housing units for which there is known demand. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. SECTION 106 ISSUES

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

6. CONCLUSION

The application is recommended for **APPROVAL**.

LOCATION: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
REFERENCE: H/00273/11 **Received:** 17 January 2011
WARD(S): West Hendon **Accepted:** 07 February 2011
APPLICANT: The Pillar Ltd **Expiry:** 04 April 2011
PROPOSAL: Retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.
Final Revisions:

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: RG 101A RG LP1, Design and Access Statement, RG BP1, RG100.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The vehicular access hereby approved shall only be used for fire, police or ambulance vehicles in the event of an emergency, or when Brent Street or Brent Green is closed to vehicular traffic by traffic order or instruction from the police.
Reason: To safeguard the residential character of Elm Park Gardens and the residential amenities of the occupiers of neighbouring residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, M11, M12, ENV12.
Planning Policy Statement 1 Delivering sustainable development
Planning Policy Statement 5: Planning for the historic environment
Core Strategy (Publication Stage) 2010:CS5
 - ii) The proposal is acceptable for the following reason(s): - The proposed emergency access is considered acceptable if it is controlled by conditions. It is considered that it would not harm highway safety, the character and appearance of the locality or local amenity.
- 2 If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS5 - Planning for the Historic Environment

The Mayor's London Plan 2011: 7.6

Relevant Unitary Development Plan Policies: GBEEnv1, GBEEnv2, D1, D2, ENV12, M11, M12.

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 Development Management Policies: DM01, DM06

Relevant Planning History:

H/02271/10 and H/02272/10 - Change of use of former hostel areas to C1 hotel, with ancillary parking facilities. – Approved – 02/08/2010

Application:	Planning	Number:	H/00077/10
Validated:	04/01/2010	Type:	LBC
Status:	DEC	Date:	01/03/2010
Summary:	APC	Case Officer:	Graham Robinson
Description:	Proposed alterations to the Lower Lodge.		

Application:	Planning	Number:	H/00608/10
Validated:	15/02/2010	Type:	LBC
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Graham Robinson
Description:	Internal repairs, alterations and improvements to Main Cloister Block.		

Application:	Planning	Number:	H/03845/09
Validated:	22/10/2009	Type:	ADV
Status:	DEC	Date:	24/12/2009
Summary:	REF	Case Officer:	Graham Robinson
Description:	Retention of stone effect sign to upper tower entrance to courtyard.		

Date of Site Notice: 17 February 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the former Pillar of Fire Society, 19 Brent Street.

The site is located on the south-west side of Brent Street. The site is located approximately 200m south-east of Brent Street District Town Centre.

The general locality of Brent Street is primarily residential with a mixture of dwellings and flats, with a small number of commercial premises. Buildings vary in size and scale but these include two storey dwellings and residential blocks of 3-4 storeys. To the south of the site are two storey dwellings on Elm Close and Elm Park Gardens, similarly to the north-west are two storey dwellings on Goodyers Gardens. Immediately to the west of the site is Acacia Court, a three storey block of flats. To the south-east is Hendon Adath Yisroel Synagogue.

The site has historically been used as a church with associated bible school and home 'for the rehabilitation of fallen women'. In more recent years, rooms were provided by the Society for those in need of short-term accommodation, with some dormitory-style rooms, with the provision of shared facilities including dining facilities. This use was akin to a hostel, as a significant level of care does not seem to have been provided. There are 4 self-contained flats within the building, some of which are currently occupied as dwellings.

The former chapel building is a Grade II listed building and the remainder of the site is listed by association with the chapel.

Permission was granted to convert part of the site to a 22 bedroom hotel under reference H/02272/10.

The application relates to the boundary of the site with Elm Park Gardens to the west of the site. Elm Park Gardens is a suburban residential close and there has historically been no vehicular access to the Pillar site.

Proposal:

The proposal is for retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.

The gates are black painted steel and are a maximum of 2.1m high, and are approximately 5.3m wide including pedestrian access. Either side of the gates is a timber fence.

The applicant has not specified the circumstances they consider to be an emergency.

Planning Considerations:

The main issues are considered to be:

- Whether the introduction of a vehicular access in this location would harm the established residential character of Elm Park Gardens.
- The impact on neighbouring residential amenity
- The impact the gates would have on the character and appearance of the streetscene and locality

The applicants agent has advised that they consider that the gates could be removed and an access created without the need for planning permission. This is not accepted by the officers of the Council who consider that this does require permission. The formation and laying out of an access is an engineering operation, even if this would comprise only creation of a hole in the fence.

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

Policy M11 informs 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 sets out 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.

Whether the introduction of a vehicular access in this location would harm the established residential character of Elm Park Gardens.

Elm Park Gardens is a small residential close of 17 properties and has a suburban residential character.

The proposal seeks to create an emergency vehicular access to Elm Park Gardens. The applicant has not specified what circumstances they would consider to be an emergency.

There is an emergency access which exists for the Hasmorean Preparatory School to Elm Close in a similar location.

The impact from any gate and such access on the quiet residential character of Elm Park Gardens needs to be considered. Taking into account that the access is only required in emergencies, a condition could be attached to any grant of permission to ensure that any gate is used for the purposes of emergency vehicular access only. It is considered that the use of gates on the exceptional occasion where access is required by the fire brigade or ambulance services would not compromise the residential character of Elm Park Gardens. Any condition needs to be precisely defined to ensure that it is enforceable. It is considered that a condition limiting the access to use by fire brigade, police and ambulance services is warranted, and that the proposal would have an acceptable impact on neighbouring residents if attached.

Furthermore, following discussions with the applicant, they have expressed concern that such a condition would prevent vehicular exit from the site in the rare event when Brent Street or Brent Green is closed to vehicles. It is considered that the condition could incorporate this without prejudicing the character of the area or the amenities of occupiers on Elm Park Gardens.

The condition suggested would read:

'The vehicular access hereby approved shall only be used for fire, police or ambulance vehicles in the event of an emergency, or when Brent Street or Brent Green is closed to vehicular traffic by traffic order or instruction from the police.'

The impact on neighbouring residential amenity

It is noted that the area around Elm Park Gardens is a relatively quiet residential area.

It is proposed to attach a condition to any grant of permission restricting use of the gates. In these circumstances the vehicular access would only be used on rare occasions, and it is not considered that the use of the access for these purposes would cause a harmful level of noise and disturbance for neighbouring residents.

The impact the gates would have on the character and appearance of the streetscene and locality

The chapel part of the main Pillar Hotel building is Grade II Statutory Listed, and the remainder of the building is listed by association. The gates are located a significant distance from the main building.

The gates are a maximum of 2.1m high and are made of black painted steel. There is an existing timber fence to the remainder of this boundary. Historically there has been a timber fence to this boundary of a lower height. Whilst the gate is higher than the previous timber fence it is not considered that this form of boundary treatment would appear obtrusive in this location.

It is considered that the gate has an acceptable impact on the character and appearance of the streetscene and general locality.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

Would add parking pressure on local residents - *It is not considered that the creation of a controlled emergency access would increase local parking pressure.*

Gates have already been constructed - *This is not reason to withhold permission.*

Do gates provide adequate visibility - *The planning and safety team have assessed this and it is considered acceptable.*

No regulatory requirement for emergency access - *This is not reason to withhold permission.*

What about pedestrian access - *It is the officers understanding that historically a pedestrian access existing but was used only by one local resident. The issue of right of way over a pedestrian access is not a planning matter.*

Loss of trees and shrubs - *Trees were not protected and could be removed without consent.*

Security concerns - *It is not considered that the replacement gate would significantly impact security in the vicinity or that of local residents.*

4. EQUALITIES AND DIVERSITY ISSUES

The proposal is for a gate for emergency vehicular access. The access would only be used in emergencies. This would 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

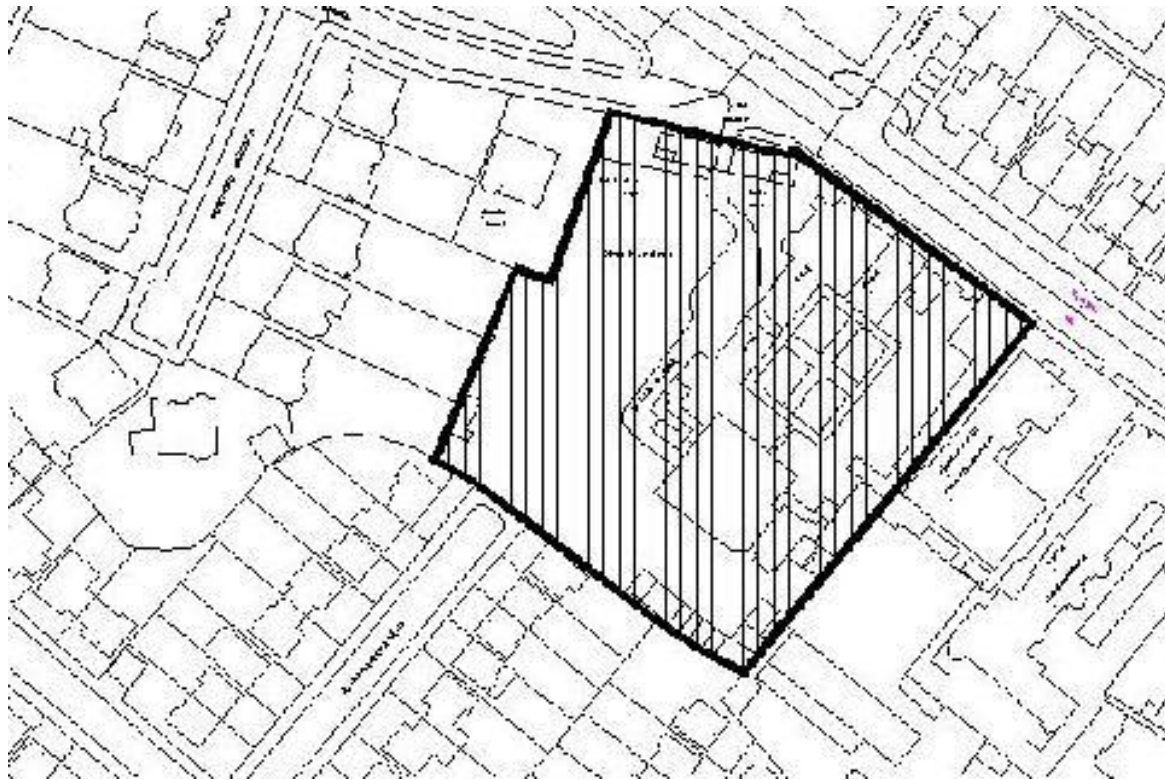
The application is recommended for **APPROVAL**.

SITE LOCATION PLAN:
NW4 2EU

Pillar Of Fire Society, 19 Brent Street, London,

REFERENCE:

H/00273/11



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LOCATION: Peacehaven Hotel, 94 Audley Road, London, NW4 3HB
REFERENCE: H/02203/11 **Received:** 24 May 2011
WARD(S): West Hendon **Accepted:** 15 June 2011
APPLICANT: Mr Tal **Expiry:** 10 August 2011
PROPOSAL: Two storey side extension from basement to ground floor level and three storey rear extension from basement to first floor level to facilitate conversion of No. 94 into 3no. self contained maisonettes and 4no. self-contained flats, following demolition of the existing side structure. Formation of parking for 2 spaces.

Final Revisions:

**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) £30,197.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £196.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Monitoring of the Agreement £1,519.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.
- 6 **Highways (traffic order) £2,000.00**
A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: H/02203/11 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; 1053/S-01; 1053/S-02; 1053/S-03; 1053/S-04; 1053/AP5-01; 1053/AP5-02 rev A; 1053/AP5-03; 1053/AP5-04.
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 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Graham Road and Audley Road from a point 2.4 from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).
Reason:
To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.
- 5 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.
- 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 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.
- 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 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 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 Before the building hereby permitted is occupied the proposed window(s) in the first and second floor side elevation facing no.19 Graham Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

14 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the 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.

15 Part 1

Before development commences other than for investigative work:

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

the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

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

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

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

Part 2

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

Reason:

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

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, GParking, D1, D2, D3, D4, D5, L8, M11, M12, M13, M14, H16, H17, H18, H27, GCS1, CS2, CS8, CS13, IMP1, IMP2.
Supplementary Planning Document: Sustainable Design and Construction
Supplementary Planning Document: Contributions to Education
Supplementary Planning Document: Contributions to Health
Supplementary Planning Document: Planning Obligations
Core Strategy (Publication Stage) 2010: CS3, CS4, CS5, CS8, CS9.
 - ii) The proposal is acceptable for the following reason(s): -
The proposed development would make efficient use of the site, having an acceptable impact on the character and appearance of the property, wider locality and would not harm the visual or residential amenities of any neighbouring occupier.
- 2 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 In complying with the contaminated land condition parts 1 and 2:
Reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

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

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

- 4 If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

RECOMMENDATION III

That if an agreement has not been completed by 30/09/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/02203/11 under delegated powers for the following reason/s:

1. The development does not include a formal undertaking to meet extra education, health services costs together with associated monitoring costs and contributions towards highway works 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 PPS1 - Delivering Sustainable Development

Planning Policy Statement PPS3 - Housing

Planning Policy Statement PPS 4 - Planning for Sustainable Economic Growth

Planning Policy Guidance PPG13 - Transport

Planning Policy Guidance PPG 24 - Planning and Noise

The Community Infrastructure Levy Regulations 2010

The Mayor's London Plan:

1.1, 2.1, 2.2, 3.5, 3.10, 5.1, 5.3, 6.13, 7.1, 7.2, 7.3, 7.4.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GParking, D1, D2, D3, D4, D5, L8, M11, M12, M13, M14, H16, H17, H18, H27, GCS1, CS2, CS8, CS13, IMP1, IMP2

Supplementary Planning Document: Sustainable Design and Construction

Supplementary Planning Document: Contributions to Education

Supplementary Planning Document: Contributions to Health

Supplementary Planning Document: Planning Obligations

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: CS3, CS4, CS5, CS8, CS9.

Relevant Development Management Policies: DM01; DM02; DM03; DM04; DM17.

Relevant Planning History:

94 Audley Road -

H/00318/10 - Two storey plus basement side and rear extensions, together with internal and external alterations to the existing property to provide 7 self-contained flats. Demolition of existing out-building. Alterations to the existing front dormer window. Provision of two off-street parking spaces – Refused 9/3/2010 and Dismissed on appeal dated 22/10/2010

Application:	Planning	Number:	H/02167/09
Validated:	30/06/2009	Type:	APF
Status:	DEC	Date:	20/11/2009
Summary:	REF	Case Officer:	Matthew Corcoran
Description:	Part single, part two storey plus basement rear extension together with internal and external alterations to existing property to provide 8 self-contained flats. Demolition of existing out-building and erection of a two storey building to provide 3 self-contained flats. Provision of two off-street parking spaces.		

Application:	Planning	Number:	H/02295/08
Validated:	09/07/2008	Type:	APF
Status:	DEC	Date:	03/09/2008
Summary:	REF	Case Officer:	Emily Benedek
Description:	Three-storey rear extension to existing hotel. Demolition of coach house and erection of two-storey (plus basement) building to be used as extension to hotel.		

Application:	Planning	Number:	H/03702/08
Validated:	10/10/2008	Type:	APF
Status:	WDN	Date:	20/11/2008
Summary:	WIT	Case Officer:	Emily Benedek
Description:	Three-storey rear extension to existing hotel. Demolition of coach house and		

erection of two-storey (plus basement) building to be used as extension to hotel.

Application: Planning Number: H/04730/08
Validated: 18/12/2008 Type: APF
Status: PDE Date:
Summary: Case Officer: Emily Benedek
Description: Refurbishment and three storey rear extension to the existing hotel and the demolition of the existing two storey coach house to the side to be replaced with a two storey plus basement building. 11 no. bedrooms to be provided on entire site. Alterations to basement and incorporation of lightwells to provide habitable accommodation.

Peacehaven Hotel - W02393/G/03 - Erection of a three storey plus basement rear extensions to provide 5 additional hotel rooms. Provision of three additional car parking spaces accessed from Audley Road - Refused - 18/3/03

Application: Planning **Number:** W/02393/E/99
Validated: 18/10/1999 **Type:** 191
Status: DEC **Date:** 20/06/2000
Summary: LW **Case Officer:**
Description: Internal alterations in connection with continued use as a hotel (Class C1).

Application: Planning **Number:** W/06675/A/00
Validated: 17/04/2000 **Type:** APF
Status: WDN **Date:** 19/01/2001
Summary: WIT **Case Officer:**
Description: Extension and conversion of existing printing works into a 4 bedroom house including basement.

Outbuilding (Former Coach House building no.21 Graham Road) -

W06675B/03 - SITE ADJOINING PEACEHAVEN HOTEL, GRAHAM ROAD LONDON NW4 3HB - Demolition of outbuilding (former coach house) and the erection of a two storey, 4 bedroom dwelling with habitable rooms in loft space and front facing dormer window, one off street parking space provided - Refuse - 04/06/2003

Consultations and Views Expressed:

Neighbours Consulted: 61 Replies: 4 letters of objection and petition of 50 signatories
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Query on the plans showing a balcony area
- Finish of the materials should match the existing
- Party wall agreements should be met
- Use of the existing building is difficult to establish
- Should the proposal not be built or used in accordance with the plans if approved
- Issues with drainage and sewerage
- Lack of on-site car parking
- Current parking pressures to park close to where you live
- Application was previously refused then dismissed at appeal
- Building too large for the site
- Too many units on the site

- Council's failure in enforcing the planning law previously to the site
- Barnet's failure in defending the appeal and subsequent award of costs against
- Overdevelopment
- Detrimental to the amenities of neighbouring residents
- Applicant has provided misleading information
- Coach house is more recently used as a printers work shop and builders storage
- Impacts on road safety
- Over concentration of flats in the road
- New on site car parking space would remove needed garden space and street parking spaces
- The CPZ is only between 10 and 11am. A car free development would not address concerns that future residents would not place unreasonable demand for kerbside parking
- Extensions are wholly excessive
- There will be more occupants on site
- Increase in noise and disturbance
- Increase demand in public services
- Out of keeping with character or area
- Loud noise and anti-social behaviour
- Light pollution
- Loss of employment
- Residential use would be more disruptive to residents than commercial

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a large detached, corner property located at the junction where Graham Road meets Audley Road. The site is approx 500m from Hendon Central Town Centre. The application site includes the former coach house building to the east of 91 Audley Road and is approximately 481 sqm. in total site area. The immediate area is predominantly characterised by single family dwelling houses and various flat conversions. The property is currently used for short term letting's. Previous to this the last known lawful use was for a hotel.

Proposal:

Proposal involves the demolition of the existing outbuilding followed by two storey plus basement side and rear extensions, with internal and external alterations to the existing property to provide in total 7 self contained units. Provision of two off-street parking spaces.

The proposed rear extensions would comprise a two storey plus basement extension designed with a twin rearward projection and gable finished roof. Each rear projection would be approx 4 metres in width, 2.7 metres in depth and approx 8.5 metres in height as measured from pavement level. The basement would extend marginally to the rear by 1m in depth and 10m in width.

The outbuilding would be demolished and replaced by a two storey plus basement

side extension. The basement and ground floor side extension would measure 4.5m in width, 12.8m in length and 6.5m in height. The proposed first floor side extension would be 11m in length, 4.5m in width and 9.8m in height designed with a pitched roof subordinate to the main ridge height.

The proposal would provide the following units -

Unit 1 maisonette - 3 bed

Unit 2 maisonette - 2 bed plus storage areas

Unit 3 maisonette - 3 bed

Unit 4 - 1 bed flat

Unit 5 - 3 bed flat

Unit 6 - 2 bed flat

Unit 7 - 1 bed flat plus study

Planning Considerations:

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.

Part of Policy D5 requires new development to safeguard the outlook and light of neighbouring residential occupiers.

Policy H16 requires new residential developments to be well laid out in terms of access, car parking and landscaping, preserve daylight, outlook and residential amenity, provide safe environments, maintain privacy and overlooking and to provide adequate levels of amenity space.

Policy H18 residential housing scheme to have a minimum 5sqm. of amenity space per habitable room

Policy H27 requires proposed extensions to harmonise with existing and neighbouring properties and have no significant adverse effects on the amenity of neighbouring occupiers.

Policy M11 states that the council will taken into account the safety if road users when considering development proposals.

Policy M12 advises that the council will refuse development where proposals will increase conflicting road movements

Policy M14 states that new residential development should meet a minimum

requirement of off street parking.

Policy GCS1 seeks to ensure that there is an adequate supply of land and buildings available for community, religious, educational, health and social care facilities in the borough to meet residents needs.

Planning Policy Statement 3 - Housing requires a high quality of design for new residential developments and 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 and the way it functions should not be accepted. Furthermore, PPS3 sets out a number of criteria for assessing design quality, including the extent to which a proposed development integrates and compliments neighbouring buildings and the local area in terms of scale, density, layout and access.

Background

The planning application in question follows a recent proposal (ref H/00318/10) for an identical scheme, which was refused at Hendon Area Planning Committee dated 9th March 2010. The application was subject to an appeal which was dismissed by the Planning Inspectorate dated 22nd October 2010. The Inspector concluded that as the application did not include a legal agreement to facilitate amendments to the Traffic Regulation Order, this was sufficient grounds to refuse the application.

The application submitted is for an identical scheme with a supporting legal agreement to accommodate the demands placed on public services outlined in recommendation 1 of the report.

Planning Appraisal

The Inspectors decision of 22nd October 2010 considered the application to be acceptable in principle subject to the completion of the legal agreement and addressed a number of key issues for the proposal.

Character and Appearance

Council policies state that extensions to properties will only be acceptable where it can be proven that there will be no demonstrable adverse impacts on neighbouring residential and visual amenity.

The proposed side extension would be set back from the front building line and off the shared boundary with no.19 Graham Road by 1.5m. The side extension would also be well set down from the ridge and design with a pitched roof of similar style and design to the existing lowered roof above the bay windows.

The removal of the existing outbuilding, followed by the proposed extensions are considered to have an acceptable relationship with the adjoining neighbouring property and would not prejudice the visual or residential amenities of these occupiers, whilst maintaining an acceptable appearance to the host property and streetscene.

With regard to the scale and design of the extensions, the Inspector considered that the proposed extensions would, "enhance the properties contribution to the streetscene" and mindful of the existing use, "would not have an adverse impact on the character or appearance of the area."

Amenities of Neighbouring Occupiers

The Inspector viewed, in taking into account the area around the application site to be a mixture of flats and houses that the proposed extensions and the use of the building for 7 residential flats, would not result in any appreciable increase in disturbance to nearby residents.

The proposal involves a significant reduction in building form with the removal of the large Coach House building on the boundary with no.19 Graham Road. The location of the Coach House building on a largely residential road, adjacent to no.19 Graham Road, with a commercial use could have a significant impact on the residential amenities of nearby residential occupiers. Mindful that the building has been vacant for some time, in a state of disrepair and located in an inappropriate area for light industrial purposes, the loss of the building in employment terms would not be sufficient to reasonably warrant refusing the application.

The window arrangement on the side elevations are to be obscured and would not allow for any appreciable overlooking or loss of privacy that would be detrimental to the amenities of neighbouring occupiers.

In concluding, the Inspector stated, "the proposal would not have an adverse effect on the living conditions of occupiers of adjoining residential properties and would comply with the Policy H16 of the adopted Barnet UDP".

Traffic Issues

In assessing the appeal, the Inspector noted, "in order to ensure that parking demand does not ultimately cause highway safety problems in the surrounding area, I agree with the Council that a restriction preventing residents in the development from purchasing parking permits is required."

Without a submitted legal agreement the Inspector did not consider that the matter could be resolved through the imposition of a condition. With this in mind, he stated, "I therefore conclude that the proposal would have an adverse effect on the demand for car parking in the area, and a consequent adverse effect on highway safety, contrary to saved Policies M14 and IMP2 of the adopted Barnet Unitary Development Plan 2006."

The proposed development involves provision of 2 car parking spaces (1 disabled space), for the occupiers of the development. The level of on site parking does not meet adopted standards. However, it is acknowledged that the site is approx 500m away from Hendon town centre and accessible by public transport. The CPZ near the site restricts parking for only residents with permits for one hour Monday to Friday.

Given the amount of off street parking proposed and that there are only limited available parking spaces for residents with permits in the near vicinity to the application site, the development is required to exempt future residents from purchasing residential permits. To address this issue, the applicant has submitted a legal agreement including a contribution of £2000 towards meeting the cost of amending the Traffic Regulations Order.

Overall, the proposal would convert 11 sub standard units into 7 larger units to comply with adopted space standards. The proposal is considered to have an acceptable impact on the appearance of the property and the character of the area, whilst not harming the visual or residential amenities of any neighbouring resident.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections 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. SECTION 106 ISSUES

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

The proposed development is required to meet the demands placed upon public services and would be required to make contributions towards education (£30,197), health (£196), and monitoring (£1,519) in line with adopted planning supplementary documents, as well as towards amendments to the Traffic Order.

6. CONCLUSION

The proposed development makes efficient use of the property, and bring sub standard living accommodation to acceptable standards. The proposed development would be in keeping with the established pattern of the built environment, acceptable in scale, size and use. In line with the comments made by the Planning Inspectorate, the submission of a legal agreement addresses the issues of highway impact. The application is consequently recommended for approval.

SITE LOCATION PLAN:
NW4 3HB

Peacehaven Hotel, 94 Audley Road, London,

REFERENCE:

H/02203/11



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LOCATION: Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)

REFERENCE: H/02478/11 **Received:** 10 June 2011
Accepted: 20 June 2011

WARD(S): West Hendon **Expiry:** 15 August 2011

Final Revisions:

APPLICANT: The Pillar Ltd

PROPOSAL: Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 0676/EF/LC, 0676/EF/1, 0676/EF/2 Revision 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.

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, D5.
Planning Policy Statement 5: Planning and the Historic Environment.
Core Strategy (Publication Stage) 2010:CS5
Relevant Development Management Policies: DM01, DM06
 - ii) The proposal is acceptable for the following reason(s): -
As conditioned the proposal is considered to preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the listed building or street scene.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS5 - Planning and the Historic Environment

The Mayor's London Plan 2011: 5.4, 7.6, 7.8

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D5.
Core Strategy (Publication Stage) 2010

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

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

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

Relevant Core Strategy Policies:CS5

Relevant Development Management Policies: DM01, DM06

Relevant Planning History:

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: 04188/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 11/01/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed new entrance lobby to main entrance.**
Case Officer: Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: H/04669/09
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 17/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed new entrance lobby to main entrance. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: 00092/10
Application Type: Listed Building Consent

Decision: Approve with conditions
Decision Date: 17/03/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internal alterations to chapel to provide ancillary facilities. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02271/10
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 02/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Listed building consent for change of use of former hostel areas to C1 hotel, associated internal alterations.**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02272/10
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of former hostel areas to C1 hotel, with ancillary parking facilities.**
Case Officer:

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 00273/11
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.**
Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 28 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Impact on character and appearance of the property and listed building
- Tenants have not been informed of works
- Intention is to remove existing tenants

1 letter of support was received.

Internal /Other Consultations:

Conservation and Design - No objection subject to conditions, comments contained

within report.

Date of Site Notice: 30/06/2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the Pillar hotel on Brent Street. Part of the property is used for religious uses with a chapel.

The building is Grade II statutory listed, this principally relates to the chapel part of the site.

Proposal:

The proposal is for internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

Externally the works involve the infill of an existing brick parapet to match existing brickwork.

A separate application has been made for listed building consent for the works.

Planning Considerations:

Policy context

General Policy GBEEnv1 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.

PPS5 provides policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. It explains the role played by the planning system in their protection.

The impact on the character and appearance of the building and locality

The flat is in a poor state at the current time.

Details have been provided to show how the flat roof will be constructed to infill the open courtyard. It is also proposed to remove the blue pavours from this area and to re-use these as patio. The parquet flooring would be re-used in the bedroom, living and dining areas.

The removal of the internal walls/partitions will allow better use of the internal space without compromising the significance of the building. The drawings show where the historic internal doors (and architraves) will be re-positioned. Details of two new, half glazed front doors have been provided.

It is not considered that the proposals would harm the character and appearance of the listed building and general locality.

The impact on neighbouring amenity

The proposed blocking up of the kitchen window will result in some reduction in light to that space. However it is not considered that this would be materially harmful to the living conditions of the flat. Similarly it is not considered that the proposals would harm the living conditions of the neighbouring flats on the site.

It is not considered that the proposals would be materially harmful to the visual or residential amenities of future or neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Impact on character and appearance of the property and listed building - *Addressed in main report*

Tenants have not been informed of works - *The applicant has advised that residents are on leases of less than 7 years and therefore notice does not need to be served on them. Residents have in any case been consulted as part of the planning application.*

Intention is to remove existing tenants - *This is a civil matter between residents and the owners.*

4. EQUALITIES AND DIVERSITY ISSUES

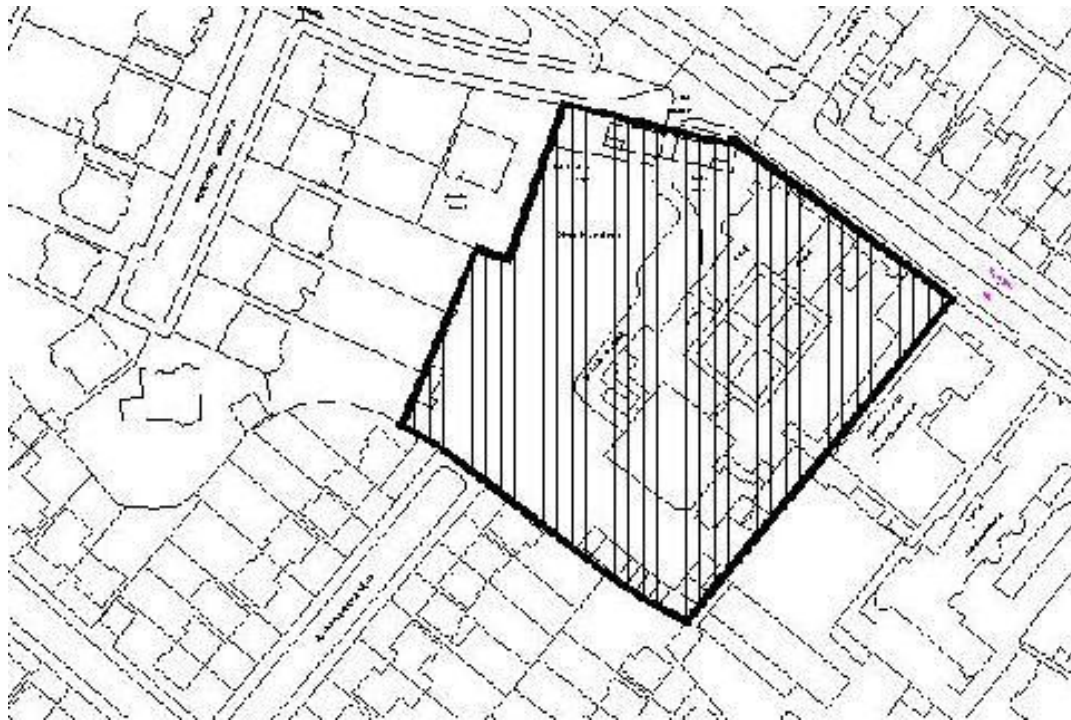
The application seeks to improve the accommodation within an existing residential unit. Residents have expressed concerns that the application is an attempt to prevent the unit from being habitable. However it is not considered that the alterations proposed would do this. The proposals do not conflict 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: Flat 3, 19 Brent Street, London, NW4 2EU
(Known as Unit 2 on plans)

REFERENCE: H/02478/11



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LOCATION: Flat 3, 19 Brent Street, London, NW4 2EU (Known as Unit 2 on plans)

REFERENCE: H/02470/11

Received: 09 June 2011

Accepted: 20 June 2011

WARD(S): West Hendon

Expiry: 15 August 2011

Final Revisions:

APPLICANT: The Pillar Ltd

PROPOSAL: Internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

LISTED BUILDING CONSENT

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 0676/EF/LC, 0676/EF/1, 0676/EF/2 Revision A.

Reason:

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

2 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason:

In order to safeguard the special architectural or historic interest of the Listed Building.

3 This work must be begun not later than three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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.
Planning Policy Guidance 15: Planning and the Historic Environment.

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

As conditioned the proposal is considered to preserve the character and appearance of the listed building.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS5 - Planning and the Historic Environment

The Mayor's London Plan 2011: 7.8

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2. 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 Development Management Policies: DM01, DM06

Relevant Planning History:

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: 04188/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 11/01/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed new entrance lobby to main entrance.**
Case Officer: Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: H/04669/09
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 17/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Proposed new entrance lobby to main entrance. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: 19 Brent Street, London, NW4 2EU
Application Number: 00092/10
Application Type: Listed Building Consent

Decision: Approve with conditions
Decision Date: 17/03/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Internal alterations to chapel to provide ancillary facilities. LISTED BUILDING CONSENT**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02271/10
Application Type: Listed Building Consent
Decision: Approve with conditions
Decision Date: 02/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Listed building consent for change of use of former hostel areas to C1 hotel, associated internal alterations.**
Case Officer: Graham Robinson

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 02272/10
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of former hostel areas to C1 hotel, with ancillary parking facilities.**
Case Officer:

Site Address: Pillar Of Fire Society, 19 Brent Street, London, NW4 2EU
Application Number: 00273/11
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of gates and alterations to fence to facilitate creation of vehicular access to Elm Park Gardens to enable emergency access.**
Case Officer: Graham Robinson

Consultations and Views Expressed:

3 objections were received.

The objections raised may be summarised as follows:

Impact on character and appearance of the property and listed building

- Tenants have not been informed of works
- Intention is to remove existing tenants

1 Letter of support has been received.

Internal /Other Consultations:

- Urban Design & Heritage - Comments incorporated in main report.

Date of Site Notice: 30 June 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the Pillar hotel on Brent Street. Part of the property is used for religious uses with a synagogue in the original chapel.

The building is Grade II statutory listed, this principally relates to the chapel part of the site.

Proposal:

The proposal is for listed building consent for internal alterations and improvements including installation of new doors and removal of internal stair. External works including new window and flat roof over court yard at north elevation to Unit 2 in main cloister block.

Externally the works involve the infill of an existing brick parapet to match existing brickwork.

A separate application has been made for planning permission for the works.

Planning Considerations:

Policy context

PPS5 provides policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. It explains the role played by the planning system in their protection.

Listed building issues

Details have been provided to show how the flat roof will be constructed to infill the open courtyard. It is also proposed to remove the blue pavours from this area and to re-use these as patio. The parquet flooring would be re-used in the bedroom, living and dining areas.

The removal of the internal walls/partitions will allow better use of the internal space without compromising the significance of the building. The drawings show where the historic internal doors (and architraves) will be re-positioned. Details of two new, half glazed front doors have been provided.

It is considered the proposal complies with National and Council Policies which seek to protect the character and appearance of listed buildings.

It is not considered the proposals would have a detrimental impact on the special architectural or historic character of this listed building. The proposed changes are

considered to be acceptable alterations to this listed building.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Impact on character and appearance of the property and listed building - *Addressed in main report*

Tenants have not been informed of works - *The applicant has advised that residents are on leases of less than 7 years and therefore notice does not need to be served on them. Residents have in any case been consulted as part of the planning application.*

Intention is to remove existing tenants - *This is a civil matter between residents and the owners.*

4. EQUALITIES AND DIVERSITY ISSUES

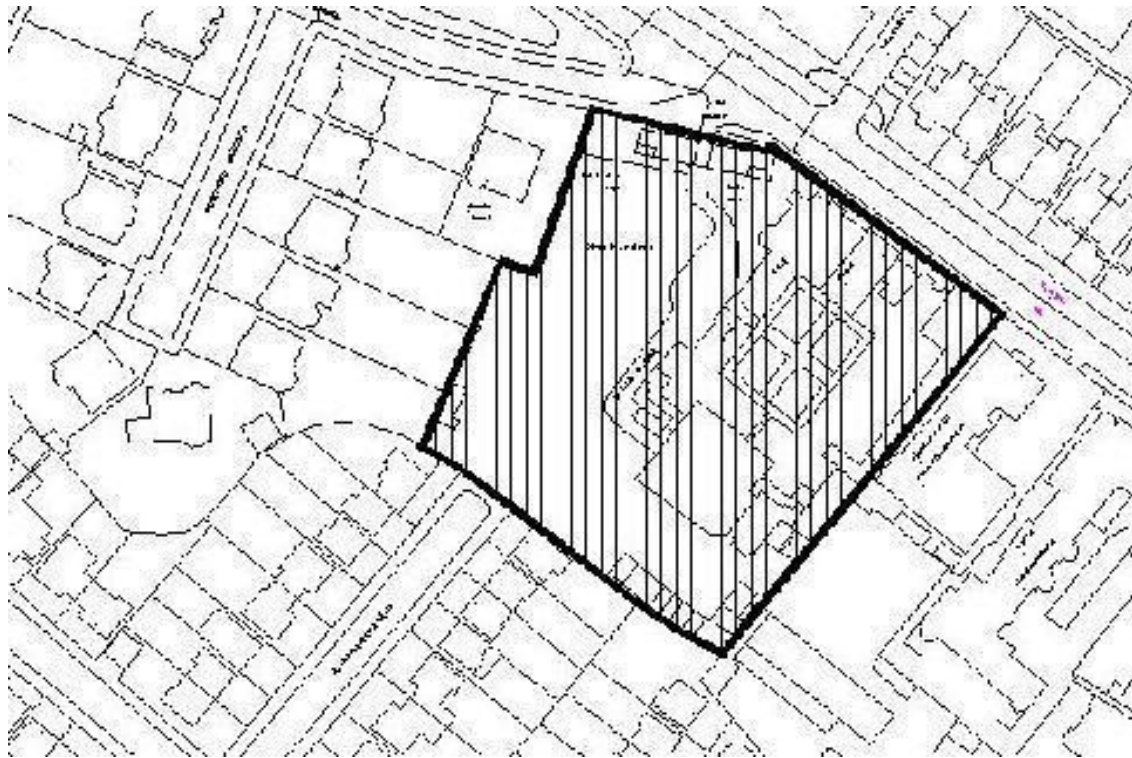
The application seeks to improve the accommodation within an existing residential unit. Residents have expressed concerns that the application is an attempt to prevent the unit from being habitable. However it is not considered that the alterations proposed would do this. The proposals do not conflict 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: Flat 3, 19 Brent Street, London, NW4 2EU
(Known as Unit 2 on plans)

REFERENCE: H/02470/11



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LOCATION: 63 Shirehall Park, London, NW4 2QN
REFERENCE: H/02750/11
WARD(S): West Hendon
APPLICANT: Dr Bob Caplin
PROPOSAL: Extension to roof, including rear dormer window to facilitate a loft conversion.

Received: 30 June 2011
Accepted: 11 July 2011
Expiry: 05 September 2011
Final Revisions:

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site plan, 2624/03- 1G, 2624/03- 2E, 2624/04- 1 and 2624/04- 2.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.
Reason:
To safeguard the visual amenities of the building and the surrounding area

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5 and H27 and
Design guidance note 5: Extensions to houses, and:
Core Strategy (Publication Stage) 2010: CS5
 - ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the appearance of the property and the visual amenities of the neighbouring occupiers. It complies with all relevant council policies and design guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

PPS1 - Delivering Sustainable Development
PPS3 - Housing

The Mayor's London Plan 2001:

5.4, 7.6

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5 and H27 and
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 Development Management Policies: DM01

Relevant Planning History:

Application:	Planning	Number:	H/00973/11
Validated:	04/03/2011	Type:	192
Status:	DEC	Date:	20/04/2011
Summary:	LW	Case Officer:	Deirdre Jackman
Description:	Loft conversion involving the creation of hip to gable ends to both sides of house.		

Consultations and Views Expressed:

Neighbours Consulted:	6	Replies:	0
Neighbours Wishing To Speak	0		

2. PLANNING APPRAISAL

Reason for referral to committee

The sole reason for referral to committee for a decision is that the applicant is related to an employee in the Planning Department.

Site Description and Surroundings:

The application site is a single family bungalow located on Shirehall Park.

The property has two gable ends, constructed under permitted development.

Proposal:

The applicant requests permission for a rear dormer window.

The dormer window would be 5.4m deep, 1.7m high and 2.8m high with a flat roof.

Planning Considerations:

Council policy requires extensions to houses be consistent in terms of form, scale and architectural style with the original property and the area. The proposal should neither harm the appearance of the property nor the amenities of the neighbouring occupiers.

Design Guidance Note 5 states that dormer windows should be subordinate features in the roof and should not occupy more than half the width or depth of the roof slope.

The roof space within which the dormer window would lie is relatively large due to previous roof extensions. The dormer window would be centrally placed within the roof space and would not comprise more than half the height or width of the roof space. It is a subordinate feature which would have no undue impacts on the appearance of the property or the visual amenities of the neighbouring occupiers.

There are other examples of dormer windows of similar size on neighbouring properties and the proposal would have an acceptable impact on the character of the area.

3. COMMENTS ON GROUNDS OF OBJECTIONS

None

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.

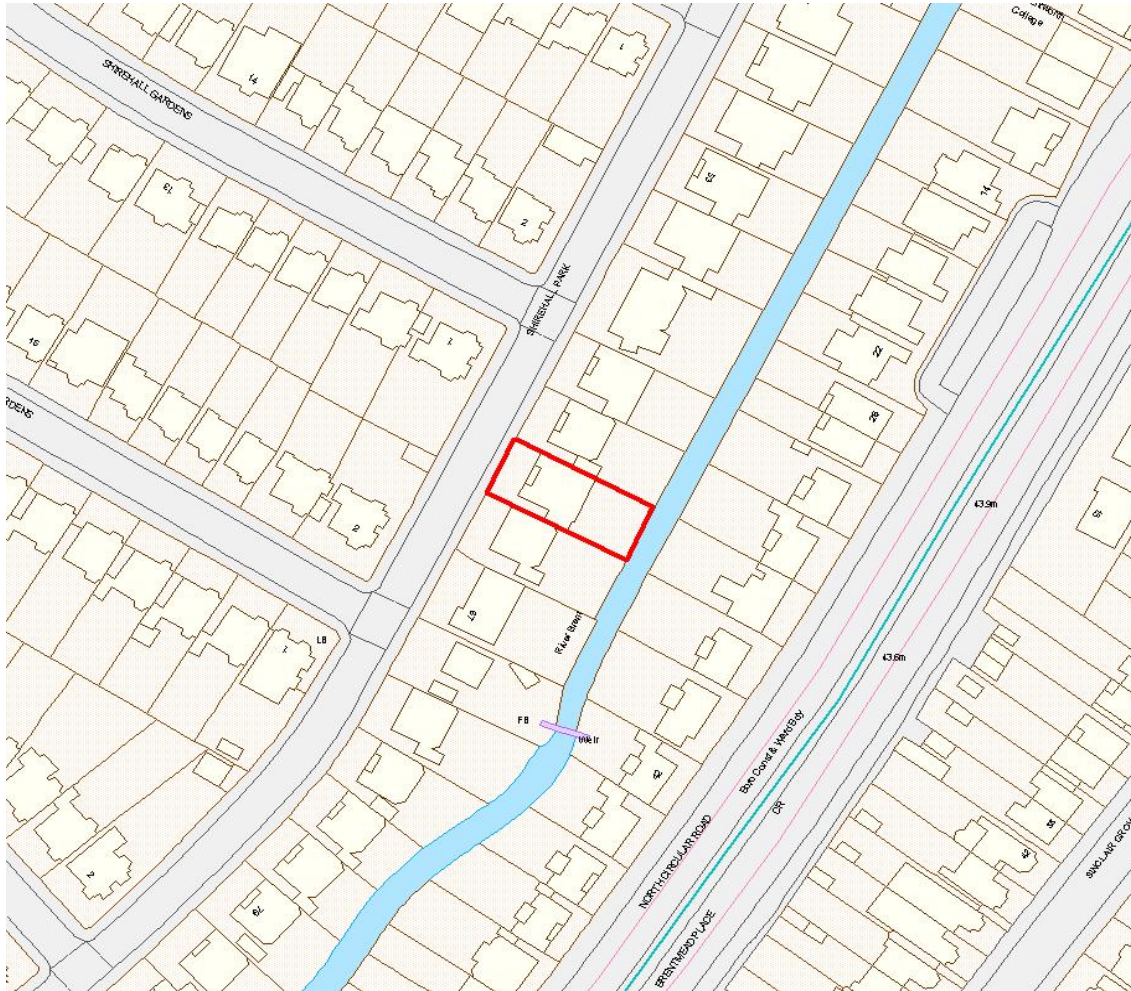
5. CONCLUSION

The proposed development complies with council policy and design guidance.

Approval is recommended.

SITE LOCATION PLAN: 63 Shirehall Park, London, NW4 2QN

REFERENCE: H/02750/11



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LOCATION: YESHURUN SYNAGOGUE, FERNHURST GARDENS,
EDGWARE, MIDDX HA8 7PH

REFERENCE: TPO/CA/406

WARD: Edgware

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 Yeshurun Synagogue, Fernhurst Gardens, Edgware, Middx HA8 7PH without modification.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Development Plan – Barnet Unitary Development Plan (2006) – Policy D12

Relevant Planning History

- Report of Assistant Director of Planning & Development Management dated 26th May 2011
- H/01581/11 - Erection of single storey portacabin accommodation to front of the main building (adjacent to the High Street) to provide additional classrooms for the existing school. Increase in the number of children attending the school from 70 to 85.

Background Information/Officers Comments

A Tree Preservation Order was made on 26th May 2011 on the basis that it was expedient to do so in the interests of amenity in the light of application H/01581/11 – “Erection of single storey portacabin accommodation to front of the main building (adjacent to the High Street) to provide additional classrooms for the existing school. Increase in the number of children attending the school from 70 to 85” – at Yeshurun Synagogue, Fernhurst Gardens, Edgware, Middx HA8 7PH. Section 197 of the Town and Country Planning Act 1990 (as amended) imposes a duty on the local planning authority to make such Tree Preservation Orders as appear to be necessary in the grant of planning permission. The inclusion of tree(s) in an Order renders them a material consideration in determining planning applications and allows the Council to impose conditions to afford the tree(s) protection if considered appropriate.

There are a number of mid-aged and mature trees of various species including Ash and Sycamore in the grassed area alongside the Edgware High Street frontage to the site. The trees are very prominent in the streetscene and provide a significant ‘divide’ between the commercial part of the High Street and the residential properties beyond. The trees also provide screening to the Synagogue / school building, and considerable softening of built form, especially when viewed from Edgware High Street.

The trees appear to be in reasonable condition with no major faults evident. The trees are considered to be of significant public amenity value and, with appropriate cultural attention, these trees might reasonably be expected to make a positive contribution to local amenity for the foreseeable future and are therefore considered appropriate to be included in a Tree Preservation Order. In the absence of a tree survey when the application was originally submitted, an area designation was made to include all the trees along the frontage of the site, this was considered appropriate to ensure that all of the trees can be afforded an immediate level of protection which was considered necessary given the limited information supplied. A partial survey has been provided subsequent to the making of the Order which identifies a number of the trees as 'Prominent tree on road frontage' and with 'high retention priority' – however, as not all of the trees have been surveyed an area designation is still considered appropriate. The erection of the portacabin accommodation as proposed would involve the loss / damage of a number of the trees. Inclusion of the trees in an Order would render them a material consideration in any planning application and allow the Council to impose conditions, if appropriate, to protect the trees.

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).

A letter of support has been received from the owner / occupier of 13 Lodge Close, Canons Drive, Edgware.

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 letter of support notes:

- "I should like to record that I welcome [the Order]. These trees, in fact any trees, bring a welcome breath of nature into this busy area."

In response the Council's Tree and Landscaping Officer comments as follows:

Local support for the Tree Preservation Order underlines the public amenity value of the trees to local residents

No objections were received.

2. CONCLUSION

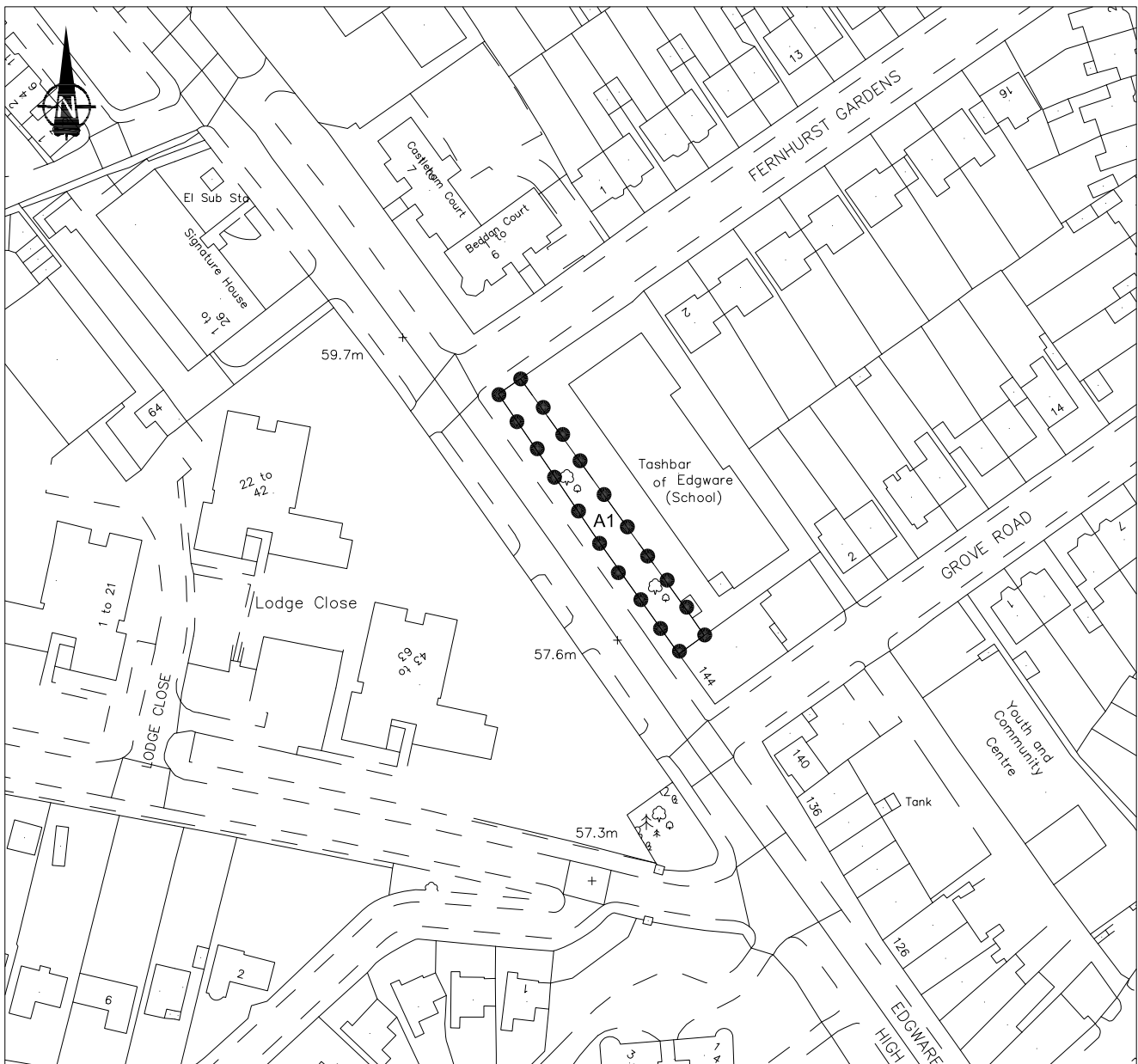
The confirmation of the Tree Preservation Order is considered appropriate in the light application of H/01581/11 for proposed portacabin accommodation to the front of the main building (adjacent to the High Street) to provide additional classrooms. It is considered that the prominently located trees are of considerable public amenity value - providing screening and softening of built form, and contributing significantly to the streetscene. It is therefore recommended that the Order be confirmed without modification.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 198
 TREE PRESERVATION ORDER No. TPO/CA/406

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: YESHURUN SYNAGOGUE FERNHURST GARDENS EDGWARE, HA8	Assistant Director of Planning and Development Management	
Drawn by JC			
Checked by AC	TITLE: TREE PRESERVATION ORDER	London Borough of Barnet, Building 2, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. (020) 8359 2000	DRAWING No.
Date 24/05/11	Scales 1:1250		24302

LOCATION: 18 Allington Road, London, NW4 3DJ
REFERENCE: H/02939/11 **Received:** 13 July 2011
Accepted: 13 July 2011
WARD(S): West Hendon **Expiry:** 07 September 2011
Final Revisions:
APPLICANT: Mr Anup Vidyarthi
PROPOSAL: Retention of raised timber decking, steps to garden level and raised boundary fences.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site plan and 101 revA.

Reason:

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in the consultation draft replacement London Plan 2009 and the Adopted Barnet Unitary Development Plan (UDP) (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5 and H27 and
Design guidance note 5: Extensions to houses, and:
Core Strategy (Publication Stage) 2010: CS5
 - ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the appearance of the property and the amenities of the neighbouring occupiers. It complies with all relevant council policy and design guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 - Delivering Sustainable Development

The Mayor's London Plan: 2011

7.6.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, 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
Development Management Policies: DM1

Relevant Planning History:

None

Consultations and Views Expressed:

Neighbours Consulted:	7	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- reduction of view due to fence
- not in keeping with the area
- loss of light due to the fence

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a 2 storey single family detached dwelling house.

Proposal:

The applicant requests permission for the retention of a rear patio and new boundary fence on the boundary with number 18.

The timber patio is 1.1m high and extends the full width of the property. It is 4.5m deep along the boundary with number 16 and 3.2m deep along the boundary with number 20. There are steps down to garden level.

To prevent overlooking into the garden of number 16, a fence the same depth as the patio has been erected along the shared boundary. This is 1.8m high from the raised patio and 2.4m high from the neighbour's patio level. A further section of trellising has been erected further down the fence.

Planning Considerations:

Character and appearance

Policies D1 and D2 aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general locality in terms of size and design.

There are examples of properties with rear patios of similar height within the vicinity.

The property itself is relatively large, and sits within a large plot. In this context the patio does not dominate the garden and appears in scale with the property.

The patio is considered acceptable in appearance terms. It does not materially harm the character and appearance of the general locality or the site property.

Impact on the neighbouring occupiers

The adjacent property at number 20 has a rear patio of similar height. As such there are no additional impacts on the amenities of the occupiers of this property.

The main issue within this case is the impact of the patio and fence on the amenities of the occupiers at number 16.

The house and garden at number 16 sits lower than the patio in question. There is currently no significant overlooking because the high fence erected on the boundary screens it. This fence is 2.4m high from the patio of number 16.

The first consideration is the impact of the fence on the light to the property. The occupiers have a kitchen/ porch area on the side closest to the fence. The kitchen/ porch is lit by a window on the rear elevation and a secondary window on the side elevation. The side elevation window has been overshadowed by the new fence. The rear window however has not been affected and still provides light to the room. Whilst therefore it is accepted that there will have been some reduction in light from the secondary side window, the reduction is not significant enough to cause undue loss of light. There has been no significant loss of outlook from the rear window, because the depth of the fence at the increased height is limited.

The second consideration is the impact of the fence in terms of its general size and bulk. As the property at number 16 sits further into the garden than number 18, the fence at increased height projects only approximately 2m beyond the rear building line of number 16. The fence then drops in height significantly. As such, it is not considered that the fence has an overbearing impact on the occupiers and should not interfere with the ability of the occupiers to enjoy their garden.

Overall the patio and fence have an acceptable impact on the residential amenities of the occupiers of number 16.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed above. Loss of view is not a material planning consideration.

4. EQUALITIES AND DIVERSITY ISSUES

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

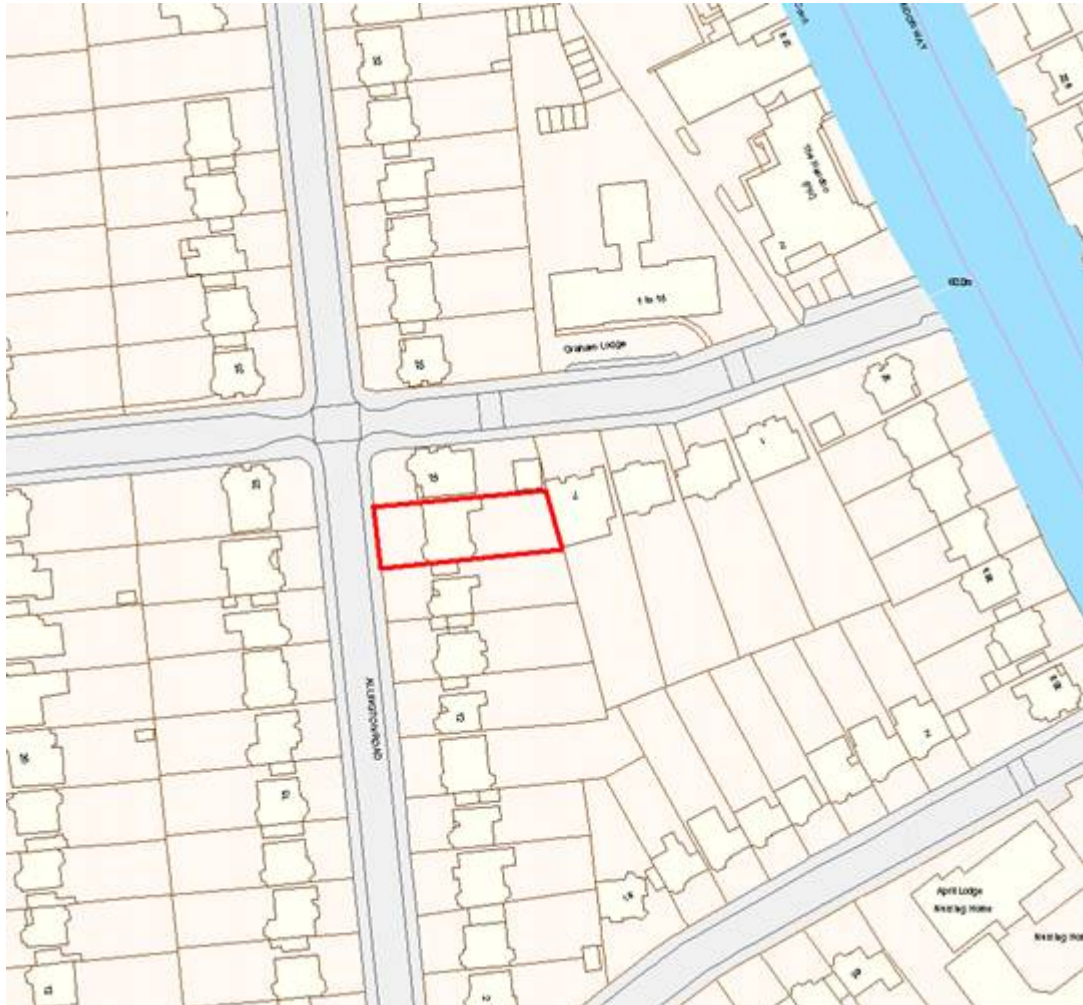
5. CONCLUSION

The proposed development complies with council policy and design guidance.

Approval is recommended.

SITE LOCATION PLAN: 18 Allington Road, London, NW4 3DJ

REFERENCE: H/02939/11



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