

**MEETING**

**WEST AREA PLANNING SUB-COMMITTEE**

**DATE AND TIME**

**WEDNESDAY 4TH JULY, 2012**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, NW4 4BG**

**TO: MEMBERS OF WEST AREA PLANNING SUB-COMMITTEE (Quorum 3)**

Chairman: Councillor Maureen Braun (Chairman)  
Vice Chairman: Councillor Eva Greenspan (Vice-Chairman)

**Councillors**

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

**Substitute Members**

Tom Davey	Helena Hart	Ansuya Sodha
Graham Old	Charlie O'Macauley	Reuben Thompstone
Andrew Harper	Lord Palmer	Zakia Zubairi
John Hart	Mark Shooter	

**You are requested to attend the above meeting for which an agenda is attached.**

**Aysen Giritli – Head of Governance**

Governance Services contact: Paul Frost 0208 359 2205 paul.frost@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

**CORPORATE GOVERNANCE DIRECTORATE**

## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes	
2.	Absence of Members	
3.	Declaration of Members' Personal and Prejudicial Interests	
4.	Public Question Time	
5.	Members' Item	
6.	Applications for Planning Permission and Consent under the Advertisements Regulations	
	<b>Edgware Ward</b>	
a)	62 The Grove, Edgware, Middlesex, HA8 9QB - H/00223/12	1 - 12
	<b>Finchley Church End Ward</b>	
b)	St Therasas Catholic Primary School, East End Road, London, N3 2TD - F/01493/12	13 - 20
	<b>Golders Green Ward</b>	
c)	19 Highfield Road, London, NW11 9LS - F/00272/12	21 - 36
	<b>Garden Suburb Ward</b>	
d)	13 Raeburn Close, London, NW11 6UH - F/00718/12	37 - 46
e)	64 Meadway, London, NW11 6QE - F/01678/12	47 - 56
f)	64 Meadway, London, NW11 6QE - F/01679/12	57 - 66
	<b>Hendon Ward</b>	
g)	30 Sunny Gardens Road, London, NW4 1RX - H/00088/12	67 - 74

7.	Any other items that the Chairman decides are Urgent	

### **FACILITIES FOR PEOPLE WITH DISABILITIES**

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### **FIRE/EMERGENCY EVACUATION PROCEDURE**

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

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

Do not stop to collect personal belongings

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

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

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**LOCATION:** 62 The Grove, Edgware, Middx, HA8 9QB  
**REFERENCE:** H/00223/12 **Received:** 18 January 2012  
**WARD(S):** Edgware **Accepted:** 16 February 2012  
**Final Revisions:** **Expiry:** 12 April 2012

**APPLICANT:** Rabbi Z Leberman  
**PROPOSAL:** Creation of basement and associated insertion of lightwell.  
Single storey rear extension. Single storey side extension and extension to front porch previously approved.amendment to planning permission H/00980/10)

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan, 62/10, 1135-301K, 1135-302K, 1135-303J.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.  
Reason:  
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.  
Reason:  
To safeguard the visual amenities of the building and the surrounding area.
- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.  
Reason:  
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.
- 5 The use of the extensions and basement hereby permitted shall at all times be ancillary to and occupied in conjunction with the use of the property as a single family dwellinghouse.  
Reason:  
To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

**INFORMATIVE(S):**

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

Adopted Barnet Unitary Development Plan (2006): GBEnv1 (Character), GBEnv2, D1, D2 (Built Environment / Character), D5, and H27 (Extensions to Houses and Detached Buildings), and:

Core Strategy (Examination in Public version) 2012:  
Relevant policies: CS NPPF, CS1, CS5

Development Management Policies (Examination in Public version)2012:  
Relevant Policies: DM01, DM2,

- ii) The proposal is acceptable for the following reason(s): - The proposals would have an acceptable impact on neighbouring visual and residential amenity, the character and appearance of the streetscene and general locality and local flood risk.
- 2 The applicant is requested to ensure that sound insulation is provided in the property and extensions which is greater than that required under the Building Regulations, to minimise noise disturbance to the occupiers of the neighbouring property.
  - 3 The applicant is advised that prior written consent is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of Broadfields Ditch.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local 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 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

NPPF retains presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### 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.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

The Council Guide ‘Extension to Houses’ was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a 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 the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The council is committed to protecting, and where possible enhancing the character of the borough’s residential areas and retaining an attractive street scene.

In respect to amenity, the extension should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook and be overbearing or cause an increased sense of enclosure to adjoining properties.

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

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

Core Strategy (Examination in Public version) 2012

Barnet’s emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents

(DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy sets the vision, core objectives and strategic policies for Barnet. Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02.

Relevant Planning History:

#### **Planning applications picked up in spatial search**

**Site Address:** 62 The Grove, Edgware, Middx, HA8 9QB  
**Application Number:** 02846/09  
**Application Type:** Section 192  
**Decision:** Lawful Development  
**Decision Date:** 22/10/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Erection of side and rear ground floor extension.**  
**Case Officer:** Graham Robinson

**Site Address:** 62 The Grove, Edgware, Middx, HA8 9QB  
**Application Number:** 00980/10  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 24/06/2010  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey rear extension. Conversion of garage to habitable room.**  
**Case Officer:** Graham Robinson

**Site Address:** 62 The Grove, Edgware, Middx, HA8 9QB  
**Application Number:** 04698/08  
**Application Type:** Full Application  
**Decision:** Refuse  
**Decision Date:** 07/04/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey side and rear extension, conversion of garage to habitable room. Part first floor rear extension and front porch.**  
**Case Officer:** Graham Robinson



Consultations and Views Expressed:

Neighbours Consulted: 29 Replies: 21

Neighbours Wishing To Speak 4

10 Objections were received.

The objections raised may be summarised as follows:

- Overdevelopment of the site, property has already been extended
- Proposed front/side study would impact neighbours through noise/disturbance from visitors
- Rear basement would extend a great distance from the rear of the property and would result in loss of privacy
- Flooding as a result of the new basement - Area has high clay content
- Loft conversion is large and overbearing
- Drainage - proposals seem to use excessive amount
- Soundproofing should be provided
- Impact on parking and traffic
- Increase in living space is excessive
- There are already large gatherings at the site property, property would be used for religious prayer and learning
- Plans state that ground floor side and rear extensions already have permission through application H/02846/09 but this is not the case as the side extension didn't form part of that application. Plans show many differences to that application
- Front door now shown on side extension (would allow separate entrance to extensions)
- 2m high fence on boundary would be higher than that when seen from adjoining garden

11 Letters of support were received and can be summarised as follows:

Property is no larger than any others in the area, applicant is well respected and a good neighbour

One anonymous letter was received advising of concerns that the premises would be used for religious prayer and learning .

Internal /Other Consultations:

- Environment Agency - No comments to make, refer to standing advice.

Date of Site Notice:

**2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The site property is a two-storey detached dwelling that has been extended previously by means of loft conversion. The property is sited on the east side of the Grove in a predominantly residential area.

The area is characterised by a mixture of semi-detached , and detached single and two storey dwellings.

The neighbouring property no.60 The Grove has been previously extended to the rear on the side of the property nearest the application site. There is an existing garage on the side of the property nearest no.64.

### Proposal:

The proposals are an amendment to the approved planning application under reference H/00980/10 for single storey rear extension and conversion to habitable room.

The proposals include the construction of a basement under the footprint of the main dwelling and approved single storey rear extension. This would include the creation of a lightwell of 3m depth to the rear with stairs to either side.

The plans show a side extension outlined and annotated as previously consented as permitted development. Whilst it may be that the side extension constructed on its own would be permitted development it forms part of the proposals as a whole and therefore must be considered.

### Planning Considerations:

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

- · The living conditions of neighbouring residents;
- · Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.
- Whether the proposals would harmfully increase flood risk

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 outlook and light of neighbouring residential occupiers

Policy H27 states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the streetscene and have no 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's Supplementary Design Guidance on Extensions to Houses states that 'The council recognises the benefits of providing basement accommodation but is concerned to ensure that such development does not harm the established architectural character of buildings and surrounding areas, including gardens and nearby trees, and that no adverse impact is caused to the amenity of neighbouring properties.

Often with basement development, the only visual manifestations are light wells and skylights, with the bulk of the development concealed wholly underground and away from any public view. The council will normally allow single floor basement extensions which do not project further than 3 metres from the rear wall of a house or more than half its width beyond each side elevation. The following points should be considered for basement extensions-

- Nearby trees roots on or adjoining the site should not be damaged.
- Not more than 50% of the amenity space (garden or front court yard) should be removed.
- Neighbouring ground water conditions should not be adversely affected.

Any exposed area of basement should be subordinate to the property being extended and respect its original design and proportions. The length of any visible basement wall should not dominate a property nor extend its full width. In number, form, scale and panel size, basement windows should relate to the façade above. They should be aligned to any openings at the higher level and be of a size that is clearly subordinate to these so as to respect the character of the original building.

Light-wells at the front need to appear as discreet interventions that do not harm the character or appearance of the building and its frontage. In situations where light-wells are not part of the established street scene, the nature of the front garden will help to determine their suitability. Where the depth of a front garden is sufficient, basement light-wells are more easily concealed by landscaping and boundary treatments providing a visual buffer from the street. In such circumstances light-wells that are sensitivity designed may be acceptable, subject to other design requirements. Railings, grilles and other light-well treatments must avoid creating visual clutter and detracting from an existing front boundary wall, or obscuring front windows. This is particularly important in shallow gardens where front light-wells should be secured by a grille which sits flush with the natural ground level, rather than with the use of railings. Railings will be considered acceptable where they form part of the established street scene, or would not cause harm to the appearance of the property and neighbouring area.

All rooms within a basement should be able to function properly for the purpose intended. They should be of an adequate size and shape and receive natural lighting and ventilation. All habitable rooms within basement accommodation should have minimum headroom of 2.3 metres.

Forecourt parking arrangements should be considered carefully as light to basement

windows can be severely restricted.'

*The living conditions of neighbouring residents:*

The proposed rear extension itself is the same as previously approved. Given that no relevant factors have changed it is considered that this would have an acceptable impact on neighbouring occupiers.

The proposed side extension whilst forming part of the proposals itself could be constructed under 'permitted development'. It is therefore considered that it would not be reasonable to refuse permission for this part of the proposal.

The proposed basement would be lit by a lightwell to the rear of the property. There is a fence of approximately 2m height to either side of the site property and levels decrease into the rear garden. It is noted that there are stairs to either side of the basement. These have been designed in such a way that residents using the basement would not have views into neighbouring gardens. It is not considered that the living conditions of neighbouring residents would be harmed.

The applicant has indicated that the basement would be used for a family room. Given the size of this area it is considered that a condition should be attached to ensure that it is only used for purposes incidental to the main dwelling, in order to prevent it being used for other purposes that could harm neighbouring amenity.

*Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.*

The proposed basement would be visible from the rear garden of the site property and from the first floor windows of neighbouring properties. It is not considered that the basement and lightwell would be materially harmful to the character and appearance of the general locality.

The extension to the front porch is considered acceptable in terms of its impact on the character and appearance of the streetscene. There are a number of similar porches in the locality, most notably at no.64, no.58, no.50 and no.48. These houses vary in their design, and it is not considered that the proposed porch could be considered harmful given the mixed character of the area.

It is noted that a proposed side extension has previously been granted a certificate of lawfulness. It is not considered that the proposed side extension would have a harmful impact on the character of the streetscene and general locality, given that there are a mixture of designs in the locality.

It is noted that the Council's SPG on Extensions to Houses states that new basements should not extend more than 3m from the rear wall of the dwelling. However in this case, given the lack of identifiable harm, it is not considered that the refusal of this feature could be justified.

*Whether the proposals would harmfully increase flood risk*

The rear part of the garden of the site property is located within Flood Zone 3. The Environment Agency have advised that the proposals fall within their standing advice which states that due to the risk of rapid inundation by floodwater basements should be avoided in areas at risk of flooding. However, given that only a very small part of

the lightwell falls within the flood risk area it is not considered that the proposals would materially increase flood risk. Furthermore the applicant has contacted the Environment Agency and they have confirmed no record of flooding from rivers at the site.

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

Overdevelopment of the site, property has already been extended - *It is noted that the property has previously been extended and approval for extensions has previously been granted. However it is considered that the current changes would not harmfully impact the character of the wider area.*

Proposed front/side study would impact neighbours through noise/disturbance from visitors - *It is not considered that this would harmfully impact neighbouring residents providing that the property remains in use as a single dwelling.*

Rear basement would extend a great distance from the rear of the property and would result in loss of privacy - *The size of the lightwell has been reduced by a metre. Given the screening to either boundary the impact on neighbouring amenity is considered acceptable.*

Flooding as a result of the new basement - Area has high clay content - *It is considered that the impact on flooding would not be material*

Loft conversion is large and overbearing - *This has been present for over 4 years and is therefore lawful in planning terms.*

Drainage - proposals seem to use excessive amount - *This is primarily a building regulations matter.*

Soundproofing should be provided - *The applicant would need to comply with building regulations.*

Impact on parking and traffic - *It is not considered that extensions to a dwelling would materially increase parking stress or traffic within the locality.*

Increase in living space is excessive - *The applicant has indicated that the extensions are for domestic use and the Local Planning Authority cannot assume this will not be the case. A condition is attached to ensure that the extensions are only used for these purposes.*

There are already large gatherings at the site property, property would be used for religious prayer and learning. - *Any change of use to this purpose would require planning permission in its own right. Such use should be referred to the Council's Planning Enforcement Team to investigate. Whilst complaints previously have been made the property at the time of site visit appeared to be used as a single family dwelling.*

Plans state that ground floor side and rear extensions already have permission through application H/02846/09 but this is not the case as the side extension didn't

form part of that application. Plans show many differences to that application - *The application being considered comprises all the elements shown on the drawings and included in the description of development. The fact that aspects of the proposals may already benefit from permission is however a material planning consideration.*

Front door now shown on side extension (would allow separate entrance to extensions) - *update to be given at the meeting.*

2m high fence on boundary would be higher than that when seen from adjoining garden - *not considered to result in any significant impact on amenities of neighbouring residents.*

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

The proposals are for extensions to a single family dwelling to provide additional living accommodation. 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: 62 The Grove, Edgware, Middx, HA8 9QB**

**REFERENCE: H/00223/12**



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**LOCATION:** St Therasas Catholic Primary School, East End Road, London, N3 2TD

**REFERENCE:** F/01493/12

**Received:** 17 April 2012

**Accepted:** 23 April 2012

**WARD(S):** Finchley Church End

**Expiry:** 18 June 2012

**Final Revisions:**

**APPLICANT:** The Board of Governors

**PROPOSAL:** Demolition and replacement of an existing single storey rear classroom building with a new larger classroom with an addition of 30 students (bulge class). New access ramp and a new mono pitch canopy. New canopy to the side adjacent to existing canopy. Fence to enclose new canopy area to main building to match existing fence

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement Rev A; Plan No's. BA / 4032.10/400; BA / 4032.10/401; BA / 4032.10/402; BA / 4032.10/403; BA / 4032.10/404; BA / 4032.10/405; BA / 4032.10/406; BA / 4032.10/407;

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 new classroom building shall match those used in the existing school building(s).

Reason:

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

- 4 The additional number of pupils attending the school from September 2012 entry shall not exceed 30 and shall be in the form of a single Bulge Class.

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

**INFORMATIVE(S):**

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1 (Character), GBEnv2 (Design), GCS1 (Community Facilities), CS4 (Educational Facilities), CS9 (Enlargement of School Facilities), D1 (Design), D2 (Character), D4 (Over-development), D5 (Outlook), M11 (Safety of Road Users) and M12 (Safety of Road Network).

Core Strategy (Examination in Public version) 2012:

CS NPPF, CS1, CS5, CS10.

Development Management Policies (Examination in Public version)2012:

DM01, DM13, [DM17](#).

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

The proposed development is considered to be in keeping with the character and appearance of the existing school and would have a minimal impact on neighbouring properties and the street scene due to its location and situation. Additionally, the proposed extension is considered to be in keeping with Council policies regarding the expansion of existing educational facilities. The proposal is acceptable on highways grounds.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local 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 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

NPPF retains presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### 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.

Relevant policies to this case:

Adopted Barnet Unitary Development Plan (2006): GBEnv1 (Character), GBEnv2 (Design), GCS1 (Community Facilities), CS4 (Educational Facilities), CS9 (Enlargement of School Facilities), D1 (Design), D2 (Character), D4 (Over-development), D5 (Outlook), M11 (Safety of Road Users) and M12 (Safety of Road Network).

Core Strategy (Examination in Public version) 2012

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

The Core Strategy sets the vision, core objectives and strategic policies for Barnet. Barnet’s Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS10.

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

Barnet’s Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM13, [DM17](#).

Relevant Planning History:

<b>Site Address:</b>	80 St. Theresa's Primary School East End Road N3
<b>Application Number:</b>	C00403K
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Approve with conditions
<b>Decision Date:</b>	24/07/1980

**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Erection of a single storey building in inner court to form new teaching area.**

**Case Officer:**

**Site Address:** Manor House Primary School East End Road Finchley  
**Application Number:** C00403A  
**Application Type:** Full Application  
**Decision:** Approve  
**Decision Date:** 03/01/1966  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Proposed Roman Catholic Primary School.**  
**Case Officer:**

**Site Address:** Manor House School East End Road N3  
**Application Number:** C00403F  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 12/08/1970  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **resiting of temporary classroom.**  
**Case Officer:**

**Site Address:** St. Theresa's Primary School East End Road N3  
**Application Number:** C00403G  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 19/07/1972  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Extension of temporary period for use of mobile classroom**  
**Case Officer:**

**Site Address:** St. Theresa's R.C. Primary School East End Road N3  
**Application Number:** C00403J  
**Application Type:** Full Application  
**Decision:** Approve  
**Decision Date:** 19/01/1977  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Renewal of permission for use of mobile classroom.**  
**Case Officer:**

**Site Address:** St. Theresa's Primary School East End Road N3  
**Application Number:** C00403H  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 18/12/1974  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Extension of temporary period for use of mobile classroom.**  
**Case Officer:**

**Site Address:** St Theresas Primary School, East End Road, London, N3 2TD  
**Application Number:** F/03899/08  
**Application Type:** Full Application  
**Decision:** Approve with conditions

**Decision Date:** 09/02/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Replacement of existing boundary fencing with new 3m high palisade fencing and access gate.**  
**Case Officer:** Elizabeth Thomas

**Site Address:** St Therasas Primary School, East End Road, London, N3 2TD  
**Application Number:** 01049/09  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 01/05/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Replacement of existing boundary fencing with new 3m high palisade fencing and access gate.**  
**Case Officer:** Elizabeth Thomas

**Site Address:** St Therasas Primary School, East End Road, London, N3 2TD  
**Application Number:** 01283/09  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 09/06/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Replacement of existing wire mesh fencing with new 3metre high pallas mesh fencing.**  
**Case Officer:** Elizabeth Thomas

Consultations and Views Expressed:

Neighbours Consulted: 59                      Replies: 7  
Neighbours Wishing To Speak 2

Note that all objections were received prior to the amendments to the application.

The objections raised may be summarised as follows:

- Increase in Traffic
- Parking issues
- Concerns with procedural matters with the application being withheld by the applicant
- Loss of amenity space
- Over intensification of use
- Loss of existing playground
- Affect on trees
- Loss of privacy
- Increase in noise levels
- Loss of amenity of natural day light and natural ventilation
- Possible lack of consultation with neighbours
- Misrepresentations on the application documents

Date of Site Notice: 03 May 2012

## 2. PLANNING APPRAISAL

### Site Description and Surroundings:

St Therasas Catholic primary school is located off East End Road, a main road linking Church End and East Finchley. The site is accessed from East End Road and lies adjacent to the Sternberg centre. The site falls within the Finchley Church End ward and is not within a conservation area. It is a 1 form entry school.

### Proposal:

The proposal relates to demolition and replacement of an existing single storey rear classroom building with a new larger classroom including a new access ramp and a new mono pitch canopy. There will also be a new canopy to the side adjacent to existing canopy.

### Planning Considerations:

The new extension would bring about benefits to the educational facilities at the school which is considered to be beneficial to the wider community and complainant with policy.

The proposed extension would provide additional space for the existing primary school facilities at the site and for the expansion of ancillary services for staff accommodation and teaching. In this respect the proposed development is in keeping with Council policies.

Policy CS4 (Educational Facilities) 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.

Policy CS9 states that the Council will encourage proposals to enlarge school buildings and sites to meet Department for Education and Skills space and playing field standards, or otherwise improve educational facilities and playing fields, where adjacent land becomes available.

The proposed extension would not be so visible from East End Road due to its siting and location and screening from trees along the site boundary. It is therefore not considered that any harmful impact on the character of the area.

It is not considered that any noise or disturbance from the use of the canopy would materially harm the amenities of neighbouring residents from surrounding properties. Given the educational benefits that the school would provide, it is considered that the impact that the canopy would have on the character and appearance of the general locality would be acceptable.

The new access ramp and fence to enclose new canopy area to main building to

match existing fence are not considered to cause a detrimental impact to the character of the building or have a harmful impact to the amenities of neighbouring occupiers.

There will be an additional 30 students for this academic year that will then move into year one, the year after onto year 2 and so on as part of the proposed Bulge Class. The intensification in the number of students is considered to be acceptable, it is not considered that the increase of an additional 30 students will result in a demonstrable harm to the amenities of neighbouring occupiers. The number of students have been conditioned as part of this application to protect the amenities of neighbouring properties.

The overall extension is not considered to result in changes to the access arrangements and would provide facilities for existing staff to the school. Traffic and parking are therefore not expected to differ as a result of the extension. The highways department have confirmed that the school will need to amend their Travel Plan. They have no objections on highways grounds.

### **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**

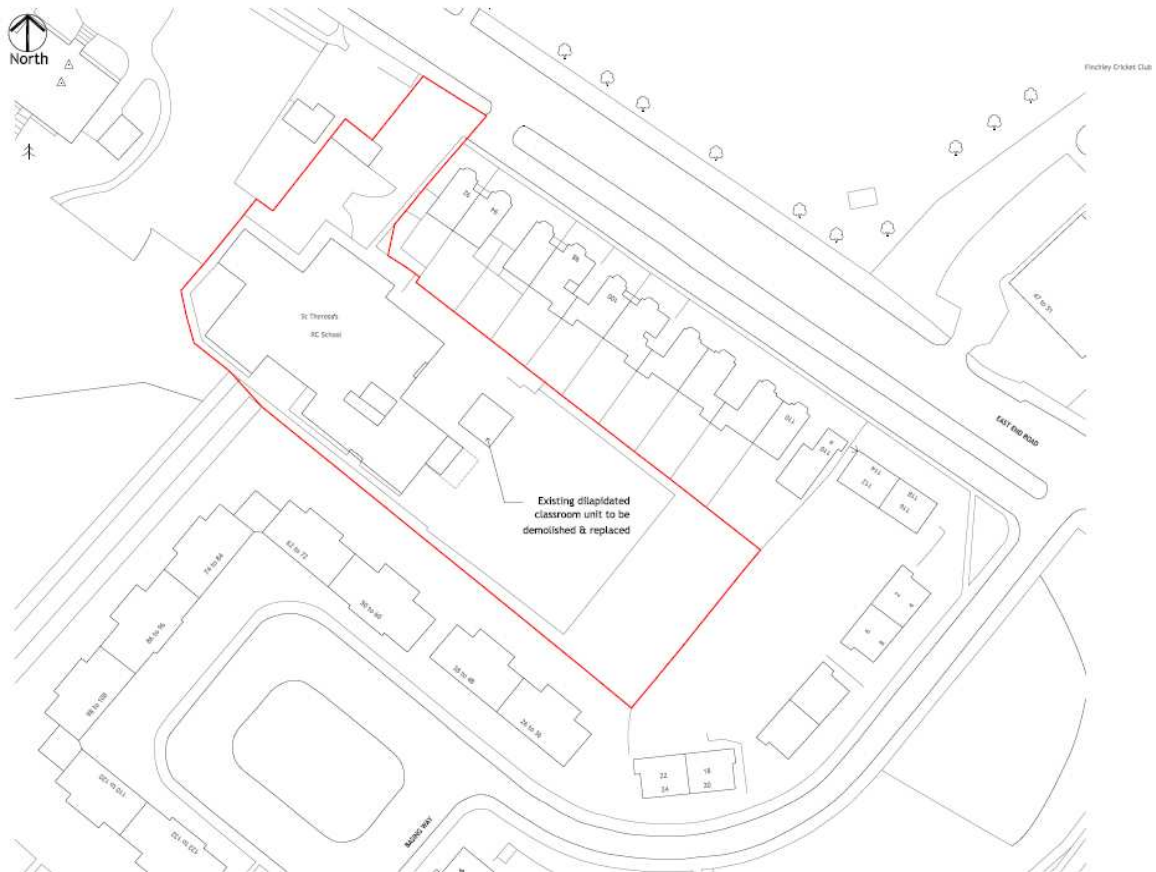
The proposed development is considered to be in keeping with the character and appearance of the existing school and would have a minimal impact on neighbouring properties and the street scene due to its location and situation. The proposed extension is considered to be in keeping with Council policies regarding the expansion of existing educational facilities and this application is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN:**  
Road, London, N3 2TD

**St Therasas Catholic Primary School, East End**

**REFERENCE:**

**F/01493/12**



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**LOCATION:** 19 Highfield Road, London, NW11 9LS  
**REFERENCE:** F/00272/12 **Received:** 24 January 2012  
**WARD:** Golders Green **Accepted:** 24 January 2012  
**Expiry:** 20 March 2012

**Final Revisions:**

**APPLICANT:** Countypier Ltd  
**PROPOSAL:** Conversion of existing office building into 9no self-contained residential units. Demolition of existing staircase and boiler enclosure adjoining 17 Highfield Road and erection of new stairs and lift. Provision of refuse facilities, associated minor landscape and access alterations including removal of existing entrance lobby.

**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) £12,423.00**  
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £8,364.00**  
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £1,251.00**  
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £1,551.90**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.
- 7 **Open Spaces (ward level) £9,000.00**  
A contribution towards the improvement of open spaces in Golders Green ward

**RECOMMENDATION II:**

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: F/00272/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site & Location Plan; Design & Access Statement; Plan No's: 1123.1; 1123.2; 1123.3; 1123.4; 1123.5; 1123.6; 1123.P1; 1123.P2; 1123.P3; 1123.P4; 1123.P5; 1123.P6.

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).

Reason:

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

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

Reason:

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

- 5 Before the building hereby permitted is occupied all the proposed windows to the external staircase 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.

Reason:

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

- 6 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.

- 7 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.

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

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 9 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.

- 10 Before the development hereby permitted is occupied, existing parking spaces 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.

- 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 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.

## **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, GBEnv3, GEMP4, EMP2, GLoc, GParking, D2, D3, D5, D8, D9, M11, M13, M14, H5, H13, H16, H17, H18, H21, H24, CS1, CS8, CS13, IMP1, IMP2.

Core Strategy (Submission version) 2011: CS5, CS10.

Development Management Policies (Submission version)2011: DM01, DM02, DM03, DM04, DM08, DM13, DM17.

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

The conversion of the property into 9 self contained flats and proposed extension is considered acceptable, in character with the surrounding area. The proposal would protect the character of this part of Golders Green 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. The proposal is acceptable on highways grounds.

- 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](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

3

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £\_\_\_\_\_.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)

You will be sent a 'Liability Notice' that will provide full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, this is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk)

4

Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Environment, Planning and Regeneration 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, Environment, Planning and Regeneration Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

5

Refuse collection points should be located within 10 metres of the Public Highway; 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.

## RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 13th July 2012 the Assistant Director of Planning and Development Management REFUSE the application ref: F/00272/12 under delegated powers for the following reasons:

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

### 1. MATERIAL CONSIDERATIONS

#### Relevant Planning Policies / Standards:

The relevant sections of the National Planning Policy framework are as follows:

Paragraph 49 of the NPPF states that “Housing applications should be considered in the context of the presumption in favour of sustainable development”.

The government consider that “there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – ... by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation
- **a social role** – ... by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment ... ”

In paragraph 21, the government encourages the effective use of land by reusing land that has been previously developed (brownfield land).

Paragraph 56 states “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

It is considered that the application complies with the above sections of the NPPF.

#### The Mayor's London Plan (2011):

The London Plan provides a unified framework for strategies that are designed to

ensure that all Londoners benefit from sustainable improvements to their quality of life. Policy 3.5 sets out minimum space standards for dwellings of different sizes, it gives minimum standards which developers are encouraged to exceed.

#### Local Development Plan:

The relevant development plan for the London Borough of Barnet is the Barnet Unitary Development Plan (adopted 18<sup>th</sup> May 2006) and the Mayor's London Plan (published February 2004).

#### Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

#### Supplementary Planning Guidance:

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 (Examination in Public version) 2012

#### Development Management Policies (Examination in Public version) 2012

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Policies: DM01, DM02, DM08, DM17.

#### Relevant Core Strategy Policies:

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

Barnet's Local Plan is at an advanced stage following submission in August /

September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Policies: CS NPPF, CS1, CS5.

Relevant Planning History:

**Application:** Planning **Number:** C/02076/H/02  
**Validated:** 15/11/2002 **Type:** APF  
**Status:** Decided **Date:** 26/02/2003  
**Summary:** **Refused** **Case Officer:**  
**Description:** Temporary change of use of top floor to part education and part youth group for three years.

**Application:** Planning **Number:** C/02076/J/03  
**Validated:** 07/03/2003 **Type:** APF  
**Status:** Decided **Date:** 14/12/2004  
**Summary:** **Approved** **Case Officer:** Clive Townsend  
**Description:** Use of part of top floor of office building for educational purposes and youth group for a period of two years.

**Application:** Planning **Number:** C/02076/K/06  
**Validated:** 27/02/2006 **Type:** S63  
**Status:** Decided **Date:**  
**Summary:** **Approved** **Case Officer:** Fabien Gaudin  
**Description:** Continued use of premises for educational purposes and youth group.

**Site Address:** Building B 17-19 Highfield Road London NW119LS  
**Application Number:** C02076M/06  
**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:** **Erection of a structure surrounding existing fire escape stairs and continued use of part of second floor for educational and youth group uses.**

**Site Address:** Building B 17-19 Highfield Road London NW119LS  
**Application Number:** C02076L/06  
**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:** **Erection of a structure surrounding existing fire escape stairs and continued use of part of second floor for educational and youth group uses. (TBC)**

**Site Address:** 17 Highfield Road NW11  
**Application Number:** C02076D  
**Application Type:** Full Application  
**Decision:** Approve with conditions



**Decision Date:** 11/06/1975  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Erection of boiler house**

**Site Address:** 17 Highfield Road NW11  
**Application Number:** C02076C  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 30/04/1975  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Canopy and entrance foyer.**

**Site Address:** 17 Highfield Road NW11  
**Application Number:** C02076B  
**Application Type:** Full Application  
**Decision:** Refuse  
**Decision Date:** 30/04/1975  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Retention of office block with clear glazing to replace existing obscured glazing to rear elevation.**

**Site Address:** 17 Highfield Road  
**Application Number:** C02076A  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 23/10/1974  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **erection of external staircase to offices**

**Site Address:** Block 1, 17 Highfield Road NW11  
**Application Number:** C02076E  
**Application Type:** Full Application  
**Decision:** Not yet decided  
**Decision Date:** 01/07/1986  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Use of second floor as training centre.**

**Site Address:** 17 HIGHFIELD ROAD LONDON NW11 9LS  
**Application Number:** C02076G/00  
**Application Type:** Full Application  
**Decision:** Withdrawn  
**Decision Date:** 13/03/2001  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists

**Proposal:** **Change of use of three storey office building (Class B1) to educational use (Class D1).**

**Site Address:** 17 Highfield Road LONDON NW11  
**Application Number:** C02076F  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 12/11/1991

**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** Formation of ramped access at front

Consultations and Views Expressed:

Neighbours Consulted: 140 Replies: 10  
Neighbours Wishing To 3  
Speak

The objections raised may be summarised as follows:

- Concerns about impact of proposals on parking and congestion
- Concerns about impact of construction vehicles
- Loss of light
- Loss of privacy
- Overlooking
- Increased noise, disturbance and pollution resulting from increased use of the site
- Concerns about loss of employment use on site
- Concerns about the maintenance of the fence which backs on to the application site at the rear of Alba Gardens

One letter also stated that the conversion of No. 19 into flats will be a good idea, if efficiently carried out.

**The application was deferred from the June West Area Planning Sub-Committee in order for officers to discuss whether the applicant would be willing to enter an agreement to restrict parking permits for future occupiers.**

**The applicant (via their planning agent) has advised that they are not willing to enter an agreement to prevent future residents from purchasing parking permits.**

**Officers' advice remains as per the previous recommendation for approval. The application is considered to be acceptable on highway grounds and the proposed five car parking spaces meets the Council's parking standards set out in the UDP 2006. Highways officers have confirmed that their original advice is still applicable.**

**The request for the restriction of parking permits is not considered to meet the requirements of sections 203 to 206 of the National Planning Policy Framework because it would not be a necessary obligation and would not be fairly related to the type of development.**

Date of Site Notice: 02 February 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

17-19 Highfield Road is made up of two office buildings located on the east side of the road, close to the junction with Brookside Road. Up until recently, half a floor was being used by an educational organisation.

#### Proposal:

The proposals relate to the change of use of the building from offices to 9 self contained units (1 and 2 bedrooms). There will also be the demolition of existing staircase and boiler enclosure adjoining 17 Highfield Road and erection of new stairs and lift with the provision of refuse facilities, associated minor landscape and access alterations including removal of existing entrance lobby.

#### Planning Considerations:

The redevelopment of the site would, in principle, respect the established character of the area where residential units prevail. However, the proposed change of use would result in the loss of an office use. Such changes of use are controlled under policies GEMP4, EMP2 and H24 that seek to retain land in employment use unless there is no realistic prospect of re-use for employment purposes or other non-residential uses.

The agent has supplied marketing information in relation to the amount of vacant office space in the area. The application site has also been marketed for a period of time. Using this evidence, it is likely that the office space will not be in demand in the short to medium term. The information has been assessed by the Council's Property Services department as is considered to be sufficient.

The NPPF states that Local Planning Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

The need for housing in the area is not in question and it is considered that there are no strong economic reason making the development inappropriate as confirmed by the Council's Property Services department

The principle of redevelopment for residential purposes in this location would be in line with national and local policy. The Government is committed to maximizing the re-use of previously developed land and empty properties to promote regeneration and minimize the amount of green field land being taken for development. A new housing development of whatever scale should not be viewed in isolation. Consideration of layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape of the wider locality.

All units meet the minimum residential floor areas set out in Appendix 1 of the SPD on Sustainable Design and Construction. 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 30m<sup>2</sup> and the minimum space standards within The London Plan, policy 3.5.

The applicant has not submitted information that shows insulation of acoustic separation for the proposed new units. The system should achieve a sound attenuation in line with Building Control requirements and this is to be enforced through an appropriate condition attached to the decision.

**External staircase:**

An enclosure has been provided for the external staircase to reduce overlooking to neighbouring properties. The windows for the external staircase are to be of obscured glass and thus this will prevent potential issues of overlooking or loss of privacy for the properties fronting Alba Gardens. It is considered that the enclosure would result in a subordinate addition to the site that would not harm the amenity of neighbouring occupiers.

**Parking/Access:**

The proposal is for the change of use for part of the building from office/study centre to provide 9 residential flats comprising 6 x 1bedroom units and 3 x 2bedroom units. Part of the office use remains although is not in use. Up to 12 existing parking spaces are available for use.

4.5 to 10.5 parking spaces would be required to meet the parking standards set out in the UDP 2006 for the proposed residential use. The application form states that 5 car parking spaces are allocated for the 9 residential flats and therefore the existing parking provision meets the parking standards. The proposal has been assessed by a Highways officer and is acceptable on highways grounds.

No changes are proposed to existing access arrangement. For any changes to the existing crossovers a separate crossover application must be submitted for approval to the Highways Authority.

**Required Planning Contributions:**

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

Education

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

Library Services

Policy CS2 of the Adopted UDP (2006) states that the council will seek to enter into

planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities. A contribution will be sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services.

### Health

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

### Greenspaces

The current scheme does not propose any outdoor space contrary to policy H18. The site, however is not located in an area of deficiency at local park level as identified in the UDP and is within a few minutes walk to Princes Park. This point alone would not warrant refusal of the application. A contribution is sought towards the upkeep of local parks.

### Monitoring Contribution

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

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

## **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**

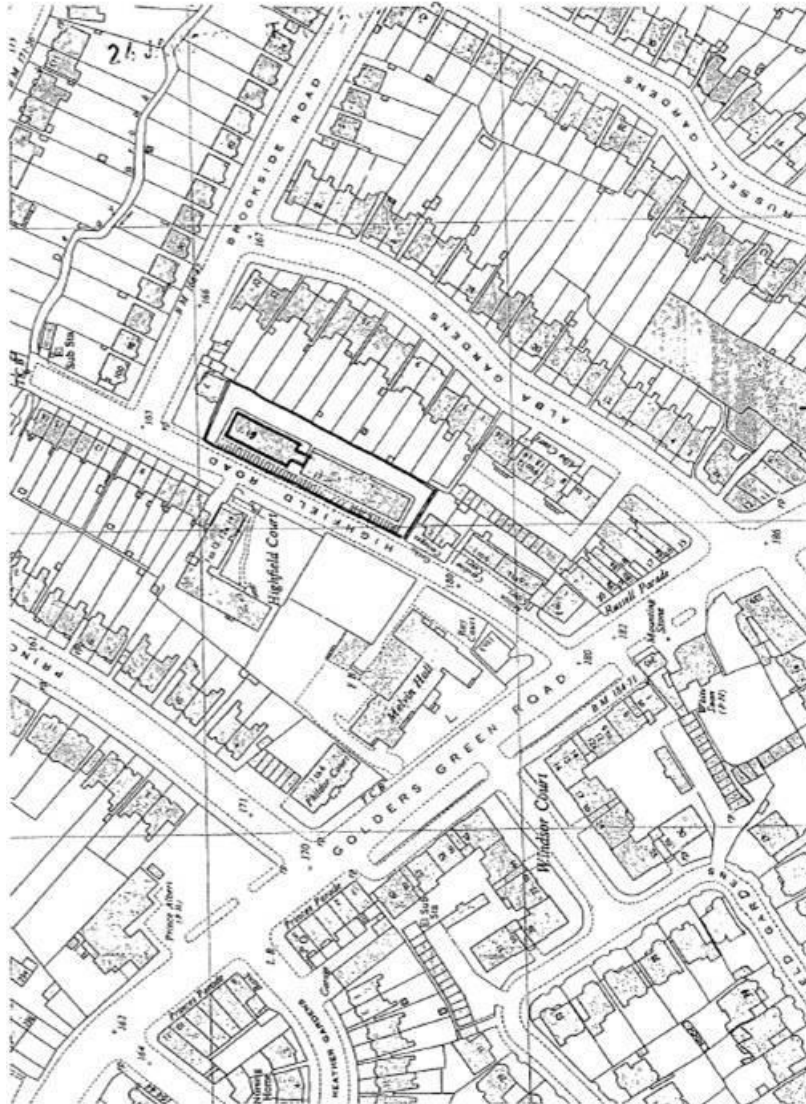
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

## 5. CONCLUSION

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:** 19 Highfield Road, London, NW11 9LS

**REFERENCE:** F/00272/12



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## AGENDA ITEM 6d

**LOCATION:** 13 Raeburn Close, London, NW11 6UH  
**REFERENCE:** F/00718/12 **Received:** 23 February 2012  
**Accepted:** 06 March 2012  
**WARD(S):** Garden Suburb **Expiry:** 01 May 2012  
**Final Revisions:**

**APPLICANT:** Mr G Hershaw  
**PROPOSAL:** Single storey rear extension and the creation of a new basement area.

### **RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - AP.GA.01; Photos; AP.GA.02; AP.GA.03; AP.GA.04A; AP.GA.05; AP.GA.06; AP.GA.07; AP.GA.08; AP.GA.09; AP.GA.10; AP.GA.11; AP.GA.12A; AP.GA.13A; AP.GA.16A; AP.GA.17; AP.GA.18A; AP.GA.19A; AP/GA-20; AP/GA-21A; AP/GA-22A.  
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).  
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.  
Reason:  
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.
- 5 The hereby approved windows shall match the original windows in material and style.  
Reason:  
To protect the character of the house and the Hampstead Garden Suburb Conservation Area.
- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.  
Reason:  
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 7 Details of any extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority before their installation and

implemented in accordance with agreed details.

Reason:

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

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

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

Reason:

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

- 10 No site works or works on this development including demolition or construction work, shall commence until a Construction and Traffic Management Plan have been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details.

Reason:

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

#### **INFORMATIVE(S):**

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

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

National Policy:

National Planning Policy Framework

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, M11.

Local Development Framework:

Core Strategy (Examination in Public version) 2012 – CS NPPF, CS1, CS5, CS9.

Development Management Policies (Examination in Public version) 2012 – DM01, DM02, DM06, DM17.

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

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building and protect the character of

this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework:

The determination of planning applications is made mindful of Central Government advice and the Local 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 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

NPPF retains presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### 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.

The Mayor for London has introduced a Community Infrastructure Levy. This applied from 1 April 2012 to most developments in London where the application is determined by the Local Planning Authority.

Within Barnet the levy will be charged at a rate of £35 per square metre of net additional floorspace.

### 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.

Relevant policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, M11.

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

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

#### Core Strategy (Examination in Public version) 2012:

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

The Core Strategy sets the vision, core objectives and strategic policies for Barnet. Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in

the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06, DM17.

Relevant Planning History:

**Site Address:** 13 Raeburn Close, London, NW11 6UH  
**Application Number:** F/01774/09  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 22/07/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey side extension following demolition of existing shed. Alterations to ground floor fenestration to rear elevation.**  
**Case Officer:** Junior C. Moka

**Site Address:** 13 Raeburn Close, London, NW116UH  
**Application Number:** C02653B/06  
**Application Type:** Full Application  
**Decision:** Withdrawn  
**Decision Date:** 06/12/2006  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Demolition of side brick shed. Erection of ground floor side extension. Enlarged kitchen windows. New rear dormer window in place of rooflight. Side dormer window.**  
**Case Officer:** Peter Alsop

Consultations and Views Expressed:

Neighbours Consulted: 10                      Replies: 4  
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

1. The proposed works are unacceptable;
2. Concerns about the construction works and access to the site;
3. Harmful to the character of the area;
4. Concerns over subsidence from the excavation of the proposed basement.

Internal /Other Consultations:

Hampstead Garden Suburb, Conservation Area Advisory Committee (received before amendment)

1. Extension too large.
2. Regret development of basement in a semi-detached house.
3. Lightwell in front of house unacceptable.

Date of Site Notice: 31 May 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application is located on Raeburn Close. All properties but one (no. 7) on Raeburn Close were originally developed in 1923 by architect JCS Soutar. Changes

have been made to the application site in the past which include the conversion of the attic, the building of a brick store to the side of the house, single storey side extension following demolition of previous shed; and alterations to the ground floor fenestration to rear elevation. The application site is a semi detached dwelling designated as a locally listed building for its group value.

The site is located within the part of the Conservation Area that has an Article 4 Direction. The Hampstead Garden Suburb Conservation Area is identified in the Unitary Development Plan as an area of special character.

#### Proposal:

The proposal relates to a single storey rear extension and the creation of a new basement area. The application was amended since being submitted to take into account officers' recommendation.

#### Planning Considerations:

The main issue in this case is 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 and 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:

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 choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected

appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

Since the Conservation Area Advisory Committee for Hampstead Garden Suburb comments at the meeting on 18 April 2012 this application has been amended.

Council's policies and guidelines in respect of alterations 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. Alterations will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

Some amendments are considered to have addressed the concerns raised by the Conservation Area Advisory Committee and the Local Planning Authority disagrees with the conclusions reached by the Conservation Area Advisory Committee regarding the remaining elements of the proposal.

The proposal for the basement (will be linked to the ground floor by an internal stair) 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 properties within Raeburn Close, it is considered acceptable. The proposed basement extension is considered to be designed in a way in which it is not considered to be obtrusive in the street scene. It is considered that to all neighbours, the basement will be virtually invisible. The lightwell to the front for the basement will be screen by existing landscaping enclosing the site from the public footpath. This is considered to be acceptable. The basement complies with the development principles set out in HGS Design Guidance.

These proposed alterations including the single storey rear extension, are considered to ensure that this proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area and area of special character.

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

The points of objections are considered to have been considered in the main body of the committee report. It is considered that the planning related concerns raised on this application are not sufficient to constitute a reason for refusal.

Objections relating to basements - The design guidance does not restrict constructing basements on semi detached properties and concerns about subsidence from the excavation of the proposed basement and structural matters

and not planning matters.

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

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

#### **5. CONCLUSION**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character. **APPROVAL** is recommended.



**SITE LOCATION PLAN:** 13 Raeburn Close, London, NW11 6UH

**REFERENCE:** F/00718/12



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**LOCATION:** 64 Meadway, London, NW11 6QE  
**REFERENCE:** F/01678/12  
**WARD(S):** Garden Suburb

**Received:** 01 May 2012

**Accepted:** 01 May 2012

**Expiry:** 26 June 2012

**Final Revisions:**

**APPLICANT:** Mrs Silver

**PROPOSAL:** Excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location map; EA Flood Risk map; Design and Access Statement; 12/005-01 Premises as Existing Ground Floor Plan; 12/005-01 Premises as Existing Elevations; 12/005-01 Premises as Existing Sections; 12/005-02B Proposed Ground Floor Plan; 12/005-02B Proposed Basement Plan; 12/005-021B Proposed Sections; 12/005-02B Proposed Elevations; MetroMOLA Heritage Statement dated April 2012; London Basement- Construction Method Statement dated 17.04.2012; Factual Report on the Site Investigation undertaken for London basements / Holbase Ltd dated 24th February 2012; London Basement Construction Traffic Management Plan dated 17.04.2012; London Basement Water management systems report; MMP Design Structural Design Philosophy dated April 2012; London Basement Hydro-geological Assessment and Flood Risk Report; Sheet 1- Photos front and side elevations of application property; Sheet 2- Photos side and rear of application property; Sheet 3- Photos front entrance and front side of application property.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.  
Reason:  
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 A scheme of soft landscaping around the proposed new metal grilles 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 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.
- 5 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method

statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* are submitted to and approved in writing by the Local Planning Authority 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.

- 6 Before the development hereby permitted commences, details of the proposed metal grilles and new windows at a scale of 1:20 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 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

- 9 No 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.

Reason:

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

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

Reason:

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

## **INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).  
In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, GBEnv4, D1, D2, HC1, HC5, D11, D12, D13, M11, M12  
Core Strategy (Examination in Public version) 2012:  
Relevant policies: CS NPPF, CS1, CS5, CS7  
Development Management Policies (Examination in Public version)2012:  
Relevant Policies: DM01, DM02, DM06
  - ii) The proposal is acceptable for the following reason(s): -  
Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this "Statutory List of Buildings of Special Architectural or Historic Interest" and designated as Grade II building and protects the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character. As conditioned, the proposals would not have a harmful impact on protected trees.
- 2 The agent is advised that Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.  
Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

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.

'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

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

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, HC1, HC5, D11, D12, D13

#### Core Strategy (Examination in Public version) 2012

#### Development Management Policies (Examination in Public version) 2012

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06

Relevant Development Management Policies: Supplementary Planning Guidance

Sustainable Design & Construction (2007)

Hampstead Garden Suburb Conservation Area Design Guidance (2010)

Hampstead Garden Suburb Character Appraisals (2010)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design

Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

#### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	C/03066/D/99
<b>Validated:</b>	26/10/1999	<b>Type:</b>	APF
<b>Status:</b>	APS	<b>Date:</b>	04/07/2000
<b>Summary:</b>		<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/G/00
<b>Validated:</b>	29/03/2000	<b>Type:</b>	LBC
<b>Status:</b>	APD	<b>Date:</b>	23/05/2000
<b>Summary:</b>	DIS	<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension and internal alterations.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/H/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	WDN	<b>Date:</b>	21/01/2002
<b>Summary:</b>	WIT	<b>Case Officer:</b>	
<b>Description:</b>	Replacement fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/J/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	DEC	<b>Date:</b>	26/09/2001
<b>Summary:</b>	APC	<b>Case Officer:</b>	
<b>Description:</b>	Walling in of existing fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/K/01/TRE
<b>Validated:</b>	29/08/2001	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	08/10/2001
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Yew - reduce by half present height. Malus - fell.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/L/02/TRE
<b>Validated:</b>	26/03/2002	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	07/05/2002
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Cherry, Yew - remove		

#### Consultations and Views Expressed:

Neighbours Consulted: 11                      Replies: 6  
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Concerns about subsidence
- Interference with ground water flow
- Impact on trees

- Increase in noise pollution
- Impact on car parking in the area
- Impact on traffic
- Noise and disturbance
- Out of character both with listed building and wider conservation area
- Lightwells causing unacceptable visual impact
- Other cases do not form precedents
- overdevelopment of the property
- Hours of working should be limited
- Barnet should conduct their own independent survey
- Detrimental to the listed property

It should be noted that the objections were received prior to amendments to the scheme.

Internal /Other Consultations:

- Urban Design & Heritage - No objection, subject to removal of lightwell on rear threshold

Date of Site Notice: 10 May 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is located on the south-western side of Meadway, at the roundabout junction Litchfield Way and Grey Close and within Area 8 of the Hampstead Garden Suburb Conservation Area, which is considered to be part of the "new-Suburb" which was mainly developed in the inter-war period.

The existing dwelling on site is a two storey residential dwelling house, with rooms in the roofspace. It was designated as a grade II listed building in 2000.

The Conservation Area Character Appraisal notes; *"most of this area was part of the 112 acres intended as a Trust (leasehold) extension in 1911, but assigned to the Co-partnership Tenants in 1919."* It goes on *"Bailie Scott originally designed the junction with Litchfield Way and Grey Close to be a hexagonal grouping though only NO. 64 was built to his design in 1928. Now Grade II listed, it has dark-tile hanging on the first floor and a hipped roof over an integral garage separated from the main house by a service yards behind a screen wall."*

Proposal:

This application seeks consent for the excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations.

The two lightwells proposed for the rear of the site measures 2.35m in length and 0.8m in depth.

The single lightwell proposed for the side of the site measures 1.8m in length and



0.7m in depth.

### Planning Considerations:

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 choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

The introduction of basement accommodation to properties in the Suburb is generally quite a recent phenomenon. Historically, the majority of properties would not have had lower ground floor accommodation, save for some with underground stores. It is important that in allowing the provision of an underground storey to a residential dwelling the character and appearance of both the application property and wider conservation area is not compromised.

This proposal is very similar to that of 113 Hampstead Way, ref: F/01506/11 where a comparable scheme was approved in May of 2011. It was considered to be acceptable as the basement accommodation was proposed to project solely under the footprint of the existing dwelling, and the only external manifestations of the scheme were flush lightwells with metal grilles. The same situation is proposed under this application and as such no objection is raised to the proposals.

Internally, there is not considered to be any demonstrable harm to the plan form of the listed building as a result of the insertion of new staircase. As part of the

proposals, the existing ground floor WC would be removed and a stair inserted, giving access down to the basement accommodation. Although, no original archive plan was submitted with the application, it is unlikely that this WC was original to the property and therefore, there is no harm to the property in removing this feature.

The proposed lightwells to the rear and sides are proposed be covered with a metal grille flush with the ground level. Amendments have been sought to the scheme with the request that the proposed lightwell on the threshold to the rear door be removed as it is contrary to the adopted Hampstead Garden Suburb Conservation Area Design Guidance (2010) which stipulates that "*Structural glass lightwells or grilles should not be located at the threshold of doorways from the house to garden*". As amended, the proposed lightwells are not considered to harm the setting of the listed building. A condition has been placed on the application for soft landscaping to be provided to screen the proposed new lightwells, this will further ensure there is no visual detriment to the existing building, the street scene and amenities of neighbouring residential occupiers or the wider Conservation Area.

Following the amendment it is considered that the proposed lightwells would result in acceptable alterations to the property, protecting the character of the house and the wider conservation area more generally. The proposed lightwells are consistent with other lightwells approved in the conservation area. Although basements may not always be appropriate within the conservation area, it is considered acceptable in this particular case, due to the size and footprint of the proposed excavation, location of surrounding trees and minimal external alterations to the building. The external alterations would not be visible from the street, and their number and size is considered to be restrained, and therefore acceptable. The position of the basement in relation to neighbouring trees is considered acceptable and would not result in significant harm to their health or amenity.

The site and surrounding sites has a number of trees to the front of the site that are protected by Tree Preservation Orders. Any trees that do not have TPO's are still protected by virtue of them being within the Conservation Area. Any scheme proposed on these sites would have to take account of the trees and be in accordance with BS5837:2012.

Due to the siting of the basement solely within the footprint of the house and the siting of the protected trees, it is not considered that the proposals would impact detrimentally on the health of the trees. Conditions to ensure that the construction of the basement is carried out without harming the trees are recommended. They include protective fencing and a construction method statement.

Sample drawings at a larger scale are required to show that the proposed windows have detailing which matches the style and profile of the existing windows. The details of the proposed metal grilles and new windows are required to demonstrate they

The proposed alterations do not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The design, size and siting of the alterations is such that they preserve the

amenities of the occupiers of the neighbouring properties and the character and appearance of the individual grade II listed property, street scene, conservation area and area of special character. The proposals would not impact detrimentally on the health of trees.

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

It is not considered that the creation of basement accommodation to the application property will result in any loss of amenity to the occupiers of neighbouring residential dwellings. The proposed development for an underground extension to the existing house for a single family it is not thought to cause any increase in traffic, loss of parking provision or noise disturbance, other than during construction. Hours of constructions are conditioned.

Other issues raised have been covered in the above report.

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

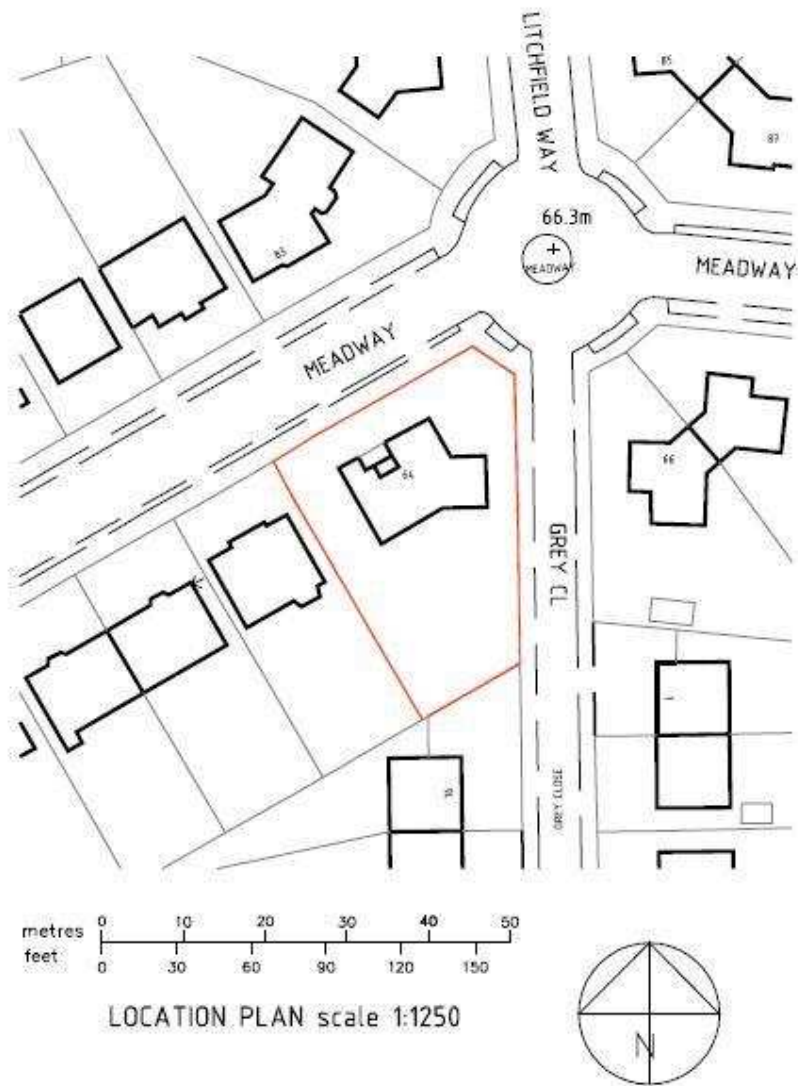
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this "Statutory List of Buildings of Special Architectural or Historic Interest" and designated as Grade II building and protects the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character. **APPROVAL** is recommended.

**SITE LOCATION PLAN:** 64 Meadway, London, NW11 6QE

**REFERENCE:** F/01678/12



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**LOCATION:** 64 Meadway, London, NW11 6QE  
**REFERENCE:** F/01679/12 **Received:** 01 May 2012  
**WARD(S):** Garden Suburb **Accepted:** 01 May 2012  
**Expiry:** 26 June 2012

**Final Revisions:**

**APPLICANT:** Mrs Silver  
**PROPOSAL:** Excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations. (LISTED BUILDING CONSENT)

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location map; EA Flood Risk map; Design and Access Statement; 12/005-01 Premises as Existing Ground Floor Plan; 12/005-01 Premises as Existing Elevations; 12/005-01 Premises as Existing Sections; 12/005-02B Proposed Ground Floor Plan; 12/005-02B Proposed Basement Plan; 12/005-021B Proposed Sections; 12/005-02B Proposed Elevations; MetroMOLA Heritage Statement dated April 2012; London Basement- Construction Method Statement dated 17.04.2012; Factual Report on the Site Investigation undertaken for London basements / Holbase Ltd dated 24th February 2012; London Basement Construction Traffic Management Plan dated 17.04.2012; London Basement Water management systems report; MMP Design Structural Design Philosophy dated April 2012; London Basement Hydro-geological Assessment and Flood Risk Report; Sheet 1- Photos front and side elevations of application property; Sheet 2- Photos side and rear of application property; Sheet 3- Photos front entrance and front side of application property.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 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).
- 3 Before the development hereby permitted commences, details of the proposed metal grilles and new windows at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.  
Reason:  
To safeguard the visual amenities of the locality.

**INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).  
In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006):GBEnv1, GBEnv2, GBEnv4, D1, D2, HC1, HC5

Core Strategy (Examination in Public version) 2012:  
Relevant policies: CS NPPF, CS1, CS5, CS7

Development Management Policies (Examination in Public version)2012:  
Relevant Policies: DM01, DM02, DM06

ii) The proposal is acceptable for the following reason(s): -  
Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this “Statutory List of Buildings of Special Architectural or Historic Interest” and designated as Grade II building and protects the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

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.

‘National Planning Policy Framework’ (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

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

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, HC1, HC5

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

Barnet’s emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary

Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06

Relevant Development Management Policies: Supplementary Planning Guidance Sustainable Design & Construction (2007)

Hampstead Garden Suburb Conservation Area Design Guidance (2010)

Hampstead Garden Suburb Character Appraisals (2010)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Relevant Planning History:

**Site history for current landparcel :**

136447 - 64 Meadway, London, NW11 6QE

Case Reference: **F/01678/12**

<b>Application:</b>	Planning	<b>Number:</b>	C/03066/D/99
<b>Validated:</b>	26/10/1999	<b>Type:</b>	APF
<b>Status:</b>	APS	<b>Date:</b>	04/07/2000
<b>Summary:</b>		<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension.		

<b>Application:</b>	Planning	<b>Number:</b>	C/03066/G/00
<b>Validated:</b>	29/03/2000	<b>Type:</b>	LBC
<b>Status:</b>	APD	<b>Date:</b>	23/05/2000
<b>Summary:</b>	DIS	<b>Case Officer:</b>	
<b>Description:</b>	Ground floor side extension and internal alterations.		

<b>Application:</b>	Planning	<b>Number:</b>	C/03066/H/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	WDN	<b>Date:</b>	21/01/2002
<b>Summary:</b>	WIT	<b>Case Officer:</b>	
<b>Description:</b>	Replacement fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/J/01
<b>Validated:</b>	25/04/2001	<b>Type:</b>	LBC
<b>Status:</b>	DEC	<b>Date:</b>	26/09/2001
<b>Summary:</b>	APC	<b>Case Officer:</b>	
<b>Description:</b>	Walling in of existing fire surround in dining room.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/K/01/TRE
<b>Validated:</b>	29/08/2001	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	08/10/2001
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Yew - reduce by half present height. Malus - fell.		
<b>Application:</b>	Planning	<b>Number:</b>	C/03066/L/02/TRE
<b>Validated:</b>	26/03/2002	<b>Type:</b>	TIN
<b>Status:</b>	DEC	<b>Date:</b>	07/05/2002
<b>Summary:</b>	NMT	<b>Case Officer:</b>	
<b>Description:</b>	Cherry, Yew - remove		
<b>Application:</b>	Planning	<b>Number:</b>	F/01678/12
<b>Validated:</b>	01/05/2012	<b>Type:</b>	HSE
<b>Status:</b>	PDE	<b>Date:</b>	
<b>Summary:</b>	APC	<b>Case Officer:</b>	David Campbell
<b>Description:</b>	Excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations.		
<b>Application:</b>	Planning	<b>Number:</b>	F/01679/12
<b>Validated:</b>	01/05/2012	<b>Type:</b>	LBC
<b>Status:</b>	PDE	<b>Date:</b>	
<b>Summary:</b>	APC	<b>Case Officer:</b>	David Campbell
<b>Description:</b>	Excavation of a basement storey within the footprint of the original house with lightwells to the rear and side elevations. (LISTED BUILDING CONSENT)		

Consultations and Views Expressed:

Neighbours Consulted: 11                      Replies: 6  
 Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Concerns about subsidence
- Interference with ground water flow
- Impact on trees
- Increase in noise pollution
- Impact on car parking in the area
- Impact on traffic
- Noise and disturbance
- Out of character both with listed building and wider conservation area
- Lightwells causing unacceptable visual impact
- Other cases do not form precedents
- overdevelopment of the property



- Hours of working should be limited
- Barnet should conduct their own independent survey
- Detrimental to the listed property

Internal /Other Consultations:

- Urban Design & Heritage - No objection, subject to removal of lightwell on rear threshold

Date of Site Notice: 10 May 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is located on the south-western side of Meadway, at the roundabout junction Litchfield Way and Grey Close and within Area 8 of the Hampstead Garden Suburb Conservation Area, which is considered to be part of the "new-Suburb" which was mainly developed in the inter-war period.

The existing dwelling on site is a two storey residential dwelling house, with rooms in the roofspace. It was designated as a grade II listed building in 2000.

The Conservation Area Character Appraisal notes; *"most of this area was part of the 112 acres intended as a Trust (leasehold) extension in 1911, but assigned to the Co-partnership Tenants in 1919."* It goes on *"Baillie Scott originally designed the junction with Litchfield Way and Grey Close to be a hexagonal grouping though only NO. 64 was built to his design in 1928. Now Grade II listed, it has dark-tile hanging on the first floor and a hipped roof over an integral garage separated from the main house by a service yards behind a screen wall."*

Proposal:

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The two lightwells proposed for the rear of the site measures 2.35m in length and 0.8m in depth.

The single lightwell proposed for the side of the site measures 1.8m in length and 0.7m in depth.

Planning Considerations:

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 choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

The introduction of basement accommodation to properties in the Suburb is generally quite a recent phenomenon. Historically, the majority of properties would not have had lower ground floor accommodation, save for some with underground stores. It is important that in allowing the provision of an underground storey to a residential dwelling the character and appearance of both the application property and wider conservation area is not compromised.

This proposal is very similar to that of 113 Hampstead Way, ref: F/01506/11 where a comparable scheme was approved in May of 2011. It was considered to be acceptable as the basement accommodation was proposed to project solely under the footprint of the existing dwelling, and the only external manifestations of the scheme were flush lightwells with metal grilles. The same situation is proposed under this application and as such no objection is raised to the proposals.

Internally, there is not considered to be any demonstrable harm to the plan form of the listed building as a result of the insertion of new staircase. As part of the proposals, the existing ground floor WC would be removed and a stair inserted, giving access down to the basement accommodation. Although, no original archive plan was submitted with the application, it is unlikely that this WC was original to the property and therefore, there is no harm to the property in removing this feature.

The proposed lightwells to the rear and sides are proposed be covered with a metal grille flush with the ground level. Amendments have been sought to the scheme with the request that the proposed lightwell on the threshold to the rear door be removed as it is contrary to the adopted Hampstead Garden Suburb Conservation Area Design Guidance (2010) which stipulates that "*Structural glass lightwells or grilles should not be located at the threshold of doorways from the house to garden*". As

amended, the proposed lightwells are not considered to harm the setting of the listed building. A condition has been placed on the application for soft landscaping to be provided to screen the proposed new lightwells, this will further ensure there is no visual detriment to the existing building, the street scene and amenities of neighbouring residential occupiers or the wider Conservation Area.

Following the amendment it is considered that the proposed lightwells would result in acceptable alterations to the property, protecting the character of the house and the wider conservation area more generally. The proposed lightwells are consistent with other lightwells approved in the conservation area. Although basements may not always be appropriate within the conservation area, it is considered acceptable in this particular case, due to the size and footprint of the proposed excavation, location of surrounding trees and minimal external alterations to the building. The external alterations would not be visible from the street, and their number and size is considered to be restrained, and therefore acceptable.

Sample drawings at a larger scale are required to show that the proposed windows have detailing which matches the style and profile of the existing windows. The details of the proposed metal grilles and new windows are required by way of a planning condition.

The proposed alterations do not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The design, size and siting of the alterations is such that they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual grade II listed property, street scene, conservation area and area of special character. The proposals would not impact detrimentally on the health of trees.

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

It is not considered that the creation of basement accommodation to the application property will result in any loss of amenity to the occupiers of neighbouring residential dwellings. The proposed development for an underground extension to the existing house for a single family it is not thought to cause any increase in traffic, loss of parking provision or noise disturbance, other than during construction.

Other issues raised have been covered in the above 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.

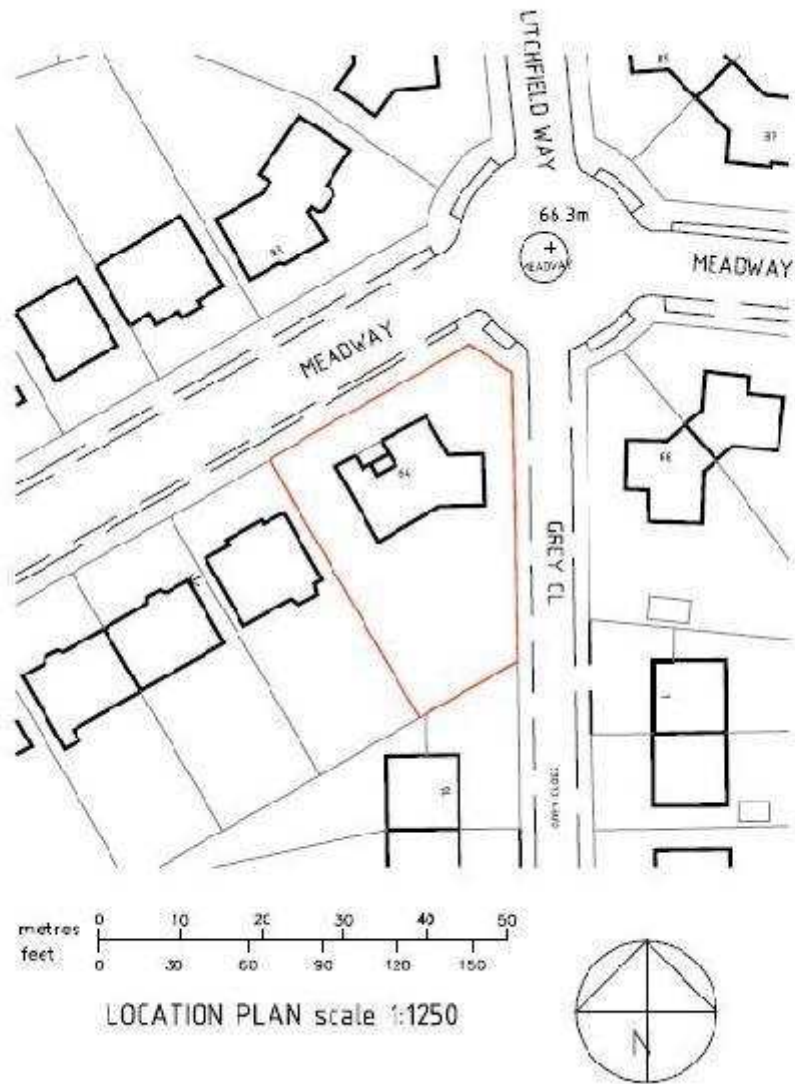
### **5. CONCLUSION**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of this "Statutory List of Buildings of Special Architectural or Historic Interest" and designated as Grade II building and protects

the character of this part of the Hampstead Garden Suburb Conservation Area. The design of the alterations is such that, as conditioned, they preserve the character and appearance of the individual property, street scene, conservation area, and area of special character. **APPROVAL** is recommended.

**SITE LOCATION PLAN:** 64 Meadway, London, NW11 6QE

**REFERENCE:** F/01679/12



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**LOCATION:** 30 Sunny Gardens Road, London, NW4 1RX  
**REFERENCE:** H/00088/12 **Received:** 05 January 2012  
**WARD:** Hendon **Accepted:** 03 February 2012  
**APPLICANT:** Mr Mason **Expiry:** 30 March 2012  
**PROPOSAL:** Conversion of existing 3 flats into 5 two-bedroom flats by creating new basement. Three storey rear extension. Roof extension with a rear dormer window and a total of 9no. rooflights to facilitate a loft conversion. Provision of 5no. off-street parking. Landscaping and associated works.

**Final Revisions:**

**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) £9,154.00**  
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £278.00**  
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £3,132.00**  
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £628.00**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.

**RECOMMENDATION II:**

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: H/00088/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, 2011/0555 existing plans and elevations, 2011/0555 basement and ground floor dated 24th May 2012, 2011/0555 first and second floors dated 18th Apr 2012 and 2011/0555 block plan dated 28th May 2012.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.

- 2 This development must be begun within three years from the date of this permission.  
Reason:  
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).  
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.  
Reason:  
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.
- 5 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.  
Reason:  
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.
- 6 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 2011/0555 first and second floors dated 18th Apr 2012 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.  
Reason:  
To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.
- 7 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.  
Reason:  
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 8 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).  
Reason:  
To protect the amenities of future and neighbouring residential occupiers.

**INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted



Barnet Unitary Development Plan (2006).  
In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H18, H23, H26, H27, M14

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).

Design Guidance Note 7 - Residential Conversions.

Core Strategy (Examination in Public version) 2012: CS4 and CS5

Development Management Policies (Examination in Public version)2012: DM01 and DM08

ii) The proposal is acceptable for the following reason(s): -The proposed development would have an acceptable impact on the amenities of the neighbouring occupiers and the character of the area. It complies with all relevant council policy and design guidance.

2 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

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](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

4 The applicant is advised that on refuse collection day bins should be taken within 10m of the collection point.

### **RECOMMENDATION III**

That if an agreement has not been completed by 12/9/2012, that unless otherwise agreed in writing, the Acting Assistant Director of Planning and Development should REFUSE the application H/00088/12 under delegated powers for the following reason:

The development does not include a former undertaking to provide financial contributions towards the additional pressure created by the development that will be

placed on existing library, education, health facilities or necessary improvements to the local bus stop facility. Further, it does not include details of how the monitoring of the undertaking will be met. All the above are necessary for the proposal to be acceptable, therefore it is contrary to policies CS2, CS8, CS13, IMP1 and IMP2 of the Adopted Barnet Unitary Development Plan and the Barnet Supplementary Planning Documents: Contributions to Library Services from Development (Feb 2008), Contributions to Education from Development (Feb 2008), Contributions to Health Facilities from Development (July 2009) and Planning Obligations (Sept 2006).

## **1. MATERIAL CONSIDERATIONS**

**The application was deferred from the June meeting of the Sub-Committee in order for Members to undertake a site visit.**

### Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H18, H23, H26, H27, M14

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).

Design Guidance Note 7 - Residential Conversions.

### Core Strategy (Examination in Public version) 2012

### Development Management Policies (Examination in Public version) 2012

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

### Relevant Core Strategy Policies: CS4 and CS5

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

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in

the determination of planning applications.

Relevant Development Management Policies: DM01 and DM08

History

None

Consultations and Views Expressed:

Neighbours Consulted: 66                      Replies: 4  
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- population density too great
- loss of on street parking
- loss of light
- extensions out of character

Internal /Other Consultations:

Date of Site Notice: 16 February 2012

**2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is a semi detached property.

The lawful use of the property is 3 self contained flats.

The current use of the property is 8 flats and there is an open enforcement case regarding the matter.

To the north of the site lies number 32 which is used as 4 flats and to the south lies number 28 which was granted planning permission in 2010 for 5 flats.

Proposal:

The applicant requests permission for ground and first floor rear extensions, a new basement and a rear dormer window in conjunction with the change of use of the property into 5 x 2 bed flats.

The ground floor rear extension, as amended, would be 5m deep, in line with an existing rear projection.

The first floor rear extension, as amended, would be 4m deep with a subordinate hipped roof.

The rear dormer window, as amended, would be 2m deep and 3m wide.

The proposed basement would include a patio area at the rear to serve as amenity space for the basement flats, protected by 1m high railings at ground level.

All flats would have 2 bedrooms

There would be shared amenity space in the rear garden.

There would be 2 parking spaces to the rear and 2 parking spaces on the front section.

The bin storage would be located to the rear.

### Planning Considerations:

#### **Principle of flats**

Given the character of the road and the fact that the 2 adjacent properties have been converted into flats, it is considered that the use of the property as self contained flats is acceptable in principle.

#### **Impact on the amenities of the neighbouring occupiers**

There is a gap of 6m between the subject property and the adjacent property at number 28. Number 28 also has a 2 storey rear extension and as such there would be no undue impacts on the amenities of the occupiers of this property as a result of the extensions.

In terms of the impact on the adjoining occupiers at number 32, the extensions have been reduced in depth so that the ground floor extension is now no deeper than an existing rear projection. The proposed first floor extension is sited at the other side of the property and as such the extensions would cause no undue impacts on the amenities of these occupiers.

Given that nearby properties have similar intensities of use; there would be no undue noise and disturbance as a result of the proposal.

#### **Appearance of the extensions**

The rear extensions, as amended, would be subordinate in size and design and in keeping with the appearance of the property. The dormer window has also been reduced in size and now complies with design guidance.

#### **Flat details**

The flats are appropriately stacked and meet London Plan space standards.

The number of parking spaces complies with council standards and as such there

would be no significant impact on the amount of on street parking available. Many nearby properties use the rear garden for parking, including the adjacent property at number 28. Given that there are no residential properties to the rear, there would be no undue noise and disturbance caused by the proposed parking arrangement.

The amount of amenity space is sufficient to meet the needs of the development

### **The existing use**

The applicant is reminded that the existing use of the property as 8 flats does not have planning permission. An informative on the decision notice explains that this permission should be implemented within 3 months or the use of the property reverted to its lawful use, otherwise an enforcement notice will be served.

### **Financial contributions**

Planning obligations are required to meet the needs of the development. These are as follows and would be secured via a unilateral undertaking:

Education: £9,154

Libraries: £278

Health: £3,132

Monitoring: £628

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

Addressed above.

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

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

### **5. CONCLUSION**

The proposed development complies with council policy and design guidance.

**Approval** is recommended.

**SITE LOCATION PLAN: 30 Sunny Gardens Road, London, NW4 1RX**

**REFERENCE: H/00088/12**



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