

MEETING

WEST AREA PLANNING SUB-COMMITTEE

DATE AND TIME

THURSDAY 4TH OCTOBER, 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	
7.	Mowbray House, 58-70 Edgware Way, Edgware, Middx, HA8 8DJ - H/01384/12	1 - 8
8.	27 & 27A Holders Hill Drive, London, NW4 1NL - F/02521/12	9 - 22
9.	Land rear of 698 Finchley Road, London, NW11 7NE - F/00869/12	23 - 32
10.	15 Brunner Close, London, NW11 6NP - F/02859/12	33 - 44
11.	Any other items that the Chairman decides are Urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Paul Frost 0208 359 2205 paul.frost@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

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.

This page is intentionally left blank

LOCATION: Mowbray House, 58-70 Edgware Way, Edgware, Middx, HA8 8DJ **AGENDA ITEM 7**

REFERENCE: H/01384/12

Received: 06 April 2012

Accepted: 10 July 2012

WARD(S): Edgware

Expiry: 04 September 2012

Final Revisions:

APPLICANT: KBA

PROPOSAL: Use of part first floor B1 premises as mixed use comprising B1 offices and D1 Talmudical Research Centre with associated public worship

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: EMP/5, location plan, EMP/1B, EMP2B and 'noise assessment' dated 18th March 2012.

Reason:

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

- 2 The premises shall be used as a Synagogue and Talmudical research centre and for other ancillary uses as indicated on the documents hereby approved and for no other purpose (including a separate school, crèche, nursery, or venue to carry out weddings or Bah mitzvahs) in Class D1 of the Schedule to the Town and Country Planning Use Classes Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 3 The premises shall be used only between the hours of 0700 and 2300, Monday to Sunday, and at no other time.

Reason

To protect the amenities of the neighbouring occupiers

- 4 The development hereby permitted shall be carried out at all times in compliance with the noise mitigation measures outlined in the Noise Assessment dated 18th March 2012.

Reason: To protect the residential amenities of the neighbouring occupiers

- 5 Details of any extraction and ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this notice and shall be implemented in accordance with the agreed details.

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

- 6 The synagogue shall be attended by a maximum of 50 people at any one time.

Reason

To protect the residential amenities of the neighbouring occupiers

- 7 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 within 3 months of the date of this permission. The facilities shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and

satisfactory accessibility; and to protect the amenities of the area.

- 8 The internal layout of the premises shall remain as indicated on drawing 'site context' unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of the adjoining occupiers.

INFORMATIVE(S):

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

i) The proposed development accords with strategic planning guidance and policies as set out in The 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, D2, GCS1, CS1, CS4, CS5, ENV12, GCH1, GEMP4, EMP2, EMP7, M11 and M14., and:

Core Strategy (Adopted) 2012:

Relevant policies: CS NPPF, CS1, CS5, CS8 and CS10

Development Management Policies (Adopted)2012:

Relevant Policies: DM01, DM13 and DM14

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 on the character of the area. It complies with all relevant council policy and design guidance.

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: GBEnv1, GBEnv2, D2, GCS1, CS1, CS4, CS5, ENV12, GCH1, GEMP4, EMP2, EMP7, M11 and M14.

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 (Adopted) 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 is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. Therefore very significant weight should be given to the 16 policies in the CS. 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 (Adopted) 2012: CS NPPF, CS1, CS5, CS8 and 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.

Development Management Policies is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. Therefore very significant weight should be given to the 18 policies in the DMP. 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 Development Management Policies (Adopted) 2012: DM01, DM13 and DM14

Consultations and Views Expressed:

Neighbours Consulted: 57 Replies: 14 (including 9 in support)

Neighbours Wishing To Speak 5

The objections raised are summarised as follows:

- the use of the western entrance causes noise and disturbance, safety issues and loss of privacy
- use commenced without planning permission
- impact on parking

Date of Site Notice: 19 July 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is part of the first floor of Mowbray House on Edgware Way.

The lawful use of the premises is B1 offices.

The current use of premises is a Talmudical Centre, comprising a mix of B1 and D1 uses, which commenced in January 2012 without the benefit of planning permission.

Previous to the current use, the premises was vacant from October 2009.

The premises is located at the first floor of a free standing shopping parade. The ground floor is used for commercial uses, with offices at second floor.

At first floor, adjoining Mowbray House, are residential units at 72a- 82a Edgware Way.

There are 2 entrances to the premises, one at the western end which is currently shared with the occupiers of the adjoining flats and one at the eastern end on the corner of Broadfields Avenue.

Proposal:

The application requests permission for the retention of the use of the premises as a Talmudical Centre. The activities that occur at the premises include:

- occasional lectures, for up to 30 people
- Talmudical research carried out by 15 individuals
- arrangement of pamphlets etc by 4 administration staff
- Synagogue activities including lectures and prayer sessions on Friday evenings and Saturdays for up to 50 people.

The hours of use of the centre is 7am to 11pm every day.

Planning Considerations:

Principle of the change of use

DM14 states that loss of office space 'will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken'.

An element of employment use at the site has been retained, with a number of people being employed to carry out research and administration duties. In addition, the building lay vacant for a period of over 2 years before the commencement of the Talmudical Centre use. Information submitted with the application stated that the premises had been marketed during this time at a rate comparable to that of nearby office units. Although several viewings had been carried out no suitable users were found. The evidence includes marketing methods used and concludes that there is little demand for offices in the locality.

The current situation is preferable in employment terms compared to the previously vacant building and it is considered, given the marketing information supplied, that there is no prospect for a purely business use at the site in the short, medium and long term. The proposal complies with policy DM14.

New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. The character of the area is mixed and the site is located within a shopping parade which is easily accessed via a number of bus routes and Edgware underground station.

The site is considered an appropriate location for this community/ office use.

Impact of the centre on the amenities of the neighbouring occupiers.

The layout of the centre is such that the main hall, used for lectures and synagogue related activities, is located at the centre of the building, sandwiched between the rooms used as offices. This ensures that the noisier activities are not located on the boundary of the site close to the neighbouring occupiers and as such does not cause

significant noise and disturbance to any neighbouring occupiers.

A concern of neighbouring residents is the use by centre users of the western entrance, in terms of loss of security, privacy and noise and disturbance. This entrance was previously used only by the occupiers of 72a- 82a Edgware Way. This entrance is not the only entrance to the centre however and facilitates separate entry for men and women. There is not a reasonable or appropriate planning reason to prevent use of this access by centre users on the grounds of safety or loss of privacy. The condition relating to hours of use will prevent undue night time noise and disturbance and the condition requiring compliance with the mitigation measures indicated within the noise report will prevent undue noise disturbance to neighbouring residents.

Parking

There are 4 off street parking spaces to the rear of the site. Given the location of the centre close to transport facilities it is not considered that there would be any undue pressure on on-street parking. The number of synagogue users has been conditioned at a maximum of 50 to ensure the intensity of use of the building is not too great.

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

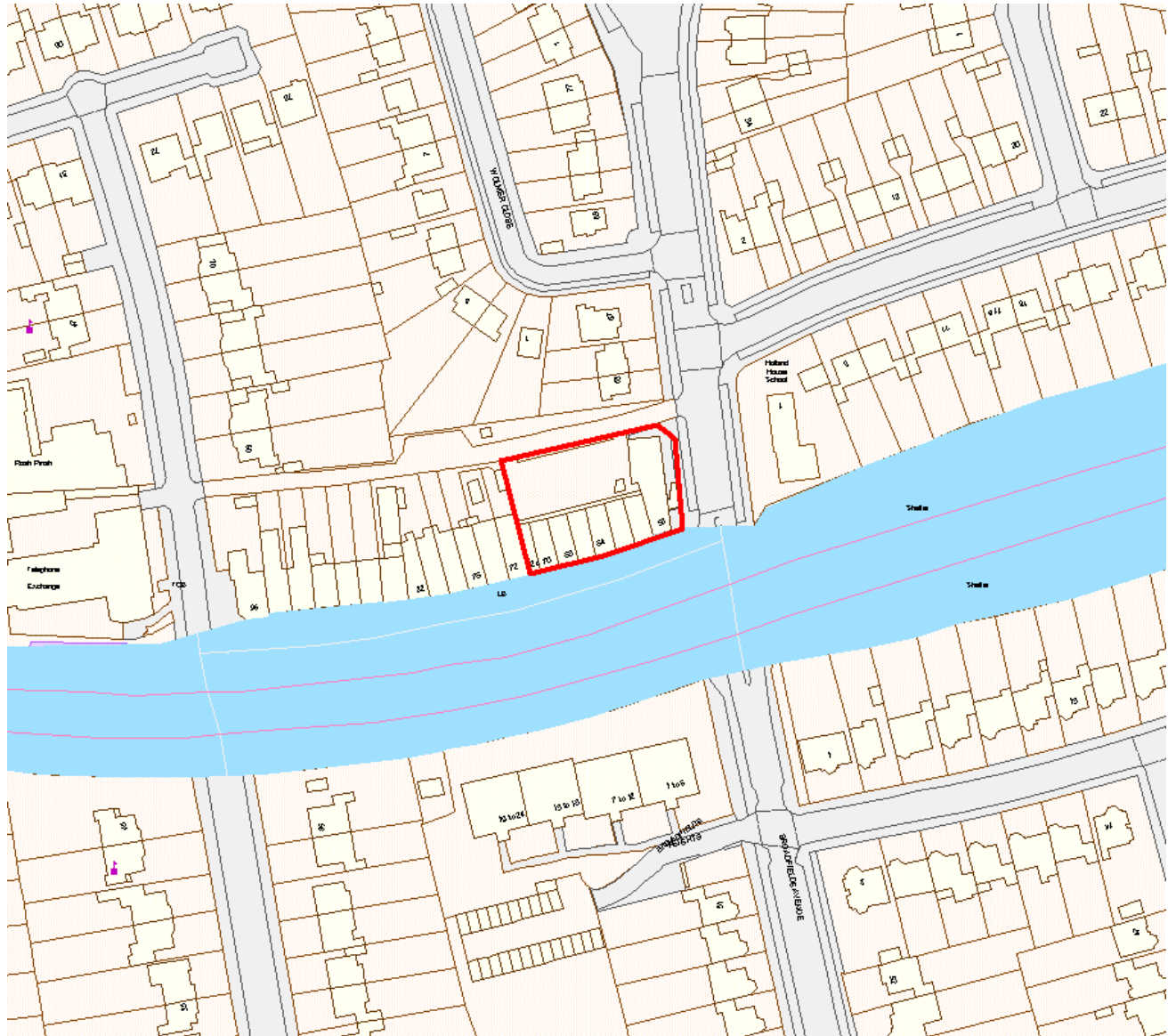
Approval is recommended.

SITE LOCATION PLAN:
Middx, HA8 8DJ

Mowbray House, 58-70 Edgware Way, Edgware,

REFERENCE:

H/01384/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number LA100017674.

This page is intentionally left blank

LOCATION: 27 & 27A Holders Hill Drive, London, NW4 1NL
REFERENCE: F/02521/12 **Received:** 03 July 2012 **AGENDA ITEM 8**
Accepted: 17 July 2012
WARD(S): Finchley Church End **Expiry:** 11 September 2012
Final Revisions:

APPLICANT: belima
PROPOSAL: Demolition of existing house at no. 27a followed by the creation of a new 2 storey house with side and rear dormer windows and a single storey rear extension to no. 27.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - HHD.27a.EX-NW4; Design & Access Statement; Plan No's: HHD.27a.EX-01A; HHD.27a.EX-02A; HHD.27a.PR-01A; HHD.27a.PR-02A; HHD.27a.PR-03A.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To safeguard the visual amenities of the locality.
- 4 The roof of both the single storey rear extensions 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 building hereby permitted is occupied the proposed window within the roof in the side elevation facing 29 Holders Hill Drive 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 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended (Classes A to E) in any manner whatsoever.
Reason:
To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties.
- 7 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-

enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevation of hereby approved, facing 29 Holders Hill Drive.

Reason:

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

- 8 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

- 11 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.

- 12 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

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

Reason:

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

- 14 No development shall take place until a 'Demolition & 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, the Adopted Barnet Unitary Development Plan (2006) and the Local Plan (2012).

In particular the following policies are relevant:

National Policy:

National Planning Policy Framework

London Plan (2011):

3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):

GSD, GParking, GCS1, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, H16, H17, H18, H27, M11.

Local Development Framework:

Core Strategy (Adopted) 2012 – CS NPPF, CS1, CS5.

Development Management Policies (Adopted) 2012 – DM01, DM02, DM17.

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

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

2 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 £4,200 (on the base of 120 sqm gross floor space).

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

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.

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.

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published on 27 March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

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

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

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.

Policy 3.5A states that housing developments should be of the highest quality

internally, externally and in relation to their context and the wider environment taking account of strategic policies to protect and enhance London's residential environment and attractiveness as a place to live.

Policy 3.5B indicates that the design of all new housing developments should enhance the quality of local places taking into account, amongst other things, physical context, local character and density. Table 3.3 sets out minimum space standards for new dwellings.

Policy 7.4A states that, development should have regard to the form, function, and structure of an area, place or street, and the scale, mass and orientation of surrounding buildings. The policy goes on to say at 7.4B that buildings should provide a high quality design response that, amongst other things, is informed by the surrounding historic environment.

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 to this case: GSD, GParking, GCS1, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, H16, H17, H18, H27, 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 has also adopted (June 2007), following public consultation, an SPD "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the UDP, and sets out how sustainable development will be delivered in Barnet. Part 4 recognises that noise can be a significant nuisance, and can undermine quality of life. In order to meet standards for internal noise appropriate levels of insulation will be required. Paragraph 4.16 indicates that the Council requires the acoustic performance of party walls and floors between

dwellings to be designed to exceed the minimum requirements set out in Part E of the Building Regulations. 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 (Adopted) 2012:

Barnet's 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 (Core Strategy and Development Management Policies documents) 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 was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. 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.

Development Management (Adopted) 2012:

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.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. 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 Development Management Policies: DM01, DM02, DM17.

Relevant Planning History:

Site Address: 27 Holders Hill Drive NW4
Application Number: W01938
Application Type: Full Application
Decision: Refuse
Decision Date: 31/12/1968
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **house and two garages.**
Case Officer:

Site Address: 27 Holders Hill Drive NW4
Application Number: W01938A

Application Type: Full Application
Decision: Approve with conditions
Decision Date: 03/07/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension of house to form a living unit and garage.**
Case Officer:

Site Address: 27 Holders Hill Drive NW4
Application Number: W01938B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/03/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension of house to form a living unit and garage - amendment to approved plan**
Case Officer:

Site Address: 27 Holders Hill Drive NW4
Application Number: W01938C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/11/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Roof extension with dormer windows on rear elevation.**
Case Officer:

Site Address: 27A Holders Hill Drive London NW4 1NL
Application Number: W01938D/01
Application Type: Full Application
Decision: Withdrawn
Decision Date: 07/11/2001
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing house and replacement with 2 storey semi detached building comprising of 2 flats, with rear facing dormer window associated with a loft conversion.**

Case Officer:

Site Address: 27A Holders Hill Drive, London, NW4 1NL
Application Number: F/02724/11
Application Type: Section 191
Decision: Unlawful Development
Decision Date: 21/10/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of single dwelling house.**
Case Officer: Robert Marchant

Site Address: 27A Holders Hill Drive, London, NW4 1NL
Application Number: F/04826/11
Application Type: Section 191
Decision: Lawful Development
Decision Date: 01/02/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: Retention of 1no. self-contained residential unit
Case Officer: Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted: 39 Replies: 6
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

1. Overcrowding in the road,
2. Pressure on on-street car parking;
3. The development is not in keeping with the street as the street is characterised by semi detached properties;
4. Overlooking concerns;
5. Loss of privacy;
6. Increased noise resulting from its use
7. Overdevelopment of the site;
8. Disagrees with statements made in the Design & Access Statement;
9. Design concerns.

Internal /Other Consultations:

Highways - F&GG, Development Team -
No objection

Date of Site Notice: 26 July 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site, is 27 Holders Hill Drive (main dwelling) a semi detached property within the Finchley Church End ward and its side extension (27A). 27A is accessed from the front of the building and was determined in February 2012 was the use of a Section 191 Lawful Development Certificate on the balance of probability to have been used as a self contained flat for more than 4 years.

Proposal:

The proposal relates to the demolition of existing house at no.27a followed by the creation of a new 2 storey house with side and rear dormer windows and a single storey rear extension to no. 27.

This proposal has been amended from its original submission, following a site visit by the planning officer as there were concerns about the impact of an extension to the character of the area and the amenities of neighbouring occupiers.

Planning Considerations:

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both

the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The main issues are considered to be:

- i. Policy Context;
- ii. Principle of redevelopment and whether harm would be caused to the character and appearance of the area and street scene;
- iii. Design of the new dwelling;
- iv. The living conditions of adjoining occupiers;
- v. Sustainability;
- vi. Parking, Access and Vehicle Movements.

Policy Context:

The proposed development is considered to be compliant with national policy (NPPF), the London Plan, and local policy within the UDP. The general message of Section 6 of the NPPF 'Delivering a wide choice of high quality homes' advises that Local Planning Authorities should enable the provision of good quality new homes in suitable locations.

Paragraph 53 states that "Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". As the site is extending to the front of the existing dwelling which is considered to be the front garden land and does not fall within the definition of previously developed land. However, in itself that does not necessarily preclude development on the site. The site is in a sustainable location and development of it would conform with the requirement in the NPPF.

The proposed development is considered to be compliant with the requirements of NPPF, which states in policy 57, 'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.

Principle of Redevelopment and Character

The principle of demolition is considered acceptable. The property is not within a conservation area.

The location of the proposed dwellinghouses would be in keeping with Planning Policy Guidance and Regional Policy Guidance recommending the need for the effective use of land within urban areas and the use of previously developed land as far as possible.

Council Policies state that new residential developments must harmonise with and respect the character of the area. The proposed traditional approach to the design is

welcomed in this part of the road.

Design:

It is considered the design of the proposed dwelling would compliment the design of neighbouring existing buildings and is not would not have any adverse visual effect on the character of the locality or the street scene generally. The success of the building will depend on the quality of the materials to be used and the materials to be used in the construction of the dwelling will have a conditioned to this recommendation to ensure that the proposed materials are acceptable.

The proposed buildings would be located within the site to align with adjoining buildings retaining a common 'building' line on the street frontage.

The proposed height of the new building would remain as per the neighbouring existing properties' heights to ensure that the proposed buildings respects the heights of these other surrounding properties.

The surrounding area is characterised by semi detached houses of a uniform design, appearance and size. In this context, it is considered that the design and sitting of the proposal is acceptable and would be compatible with adjoining properties, the character of the surrounding area and the streetscene. As noted, street is characterised by semi detached houses but this will group will be a terrace. It is considered that this proposed new dwelling will result in the improvement to the appearance of this part of the road compared to the current situation.

Policy DM01 of the Development Management Policies (Adopted) 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

It is considered that the depth of both the new dwelling and the single storey rear extension complies with the guidance outlined in the Council Design Guidance on Extensions to Houses.

The living conditions of adjoining occupiers:

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

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

As well as requiring that new residential developments harmonise with and respect the character of the area in which they are situated, UDP policy H16 states that they

provide and preserve adequate daylight, outlook and residential amenity, provide a safe and secure residential environment, maintain privacy and provide adequate private gardens or amenity space neighbouring properties.

In considering Policy DM01 of the Development Management Policies (Adopted) 2012, it is considered given the distance between the proposed building and neighbouring buildings, it would not detract from the amenities of adjoining occupiers in terms of the loss of light, outlook or privacy to an unacceptable level.

There are side and rear dormer windows and these are considered to be acceptable.

The development would not be obtrusive and would preserve an adequate outlook for the neighbouring occupiers in accordance with adopted policies.

Sustainability:

Sustainable development is a key priority of Central Government and the Council. Any new residential development in Barnet is expected to meet Code Level 3 of the Sustainable Homes - the applicant has indicated in his sustainability submission that this will be achieved (this is to be enforced by a Code for Sustainable Homes condition).

Parking, Access and Vehicle Movements:

No parking spaces are being provided. The proposed development would need to provide 3 parking spaces to meet the parking standards as set out in the UDP 2006.

However, taking into consideration the following:

- Good public transport accessibility;
- Our site observation indicated that there is on street parking available in on roads in the vicinity of the site.

On balance the proposal is acceptable on highway grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Since the application was originally submitted, the proposal has been amended and is considered to comply with the National, London Plan, and Council Policies and Guidelines. As a result it is considered that the planning related concerns raised on this application relating to design and amenities are not sufficient to constitute a reason for refusal.

Highway related planning matters are considered to have been covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

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

statutory equality responsibilities.

5. CONCLUSION

The proposal complies with the requirements of NPPF, which states in policy 57, 'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.

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

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

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

SITE LOCATION PLAN: 27 & 27A Holders Hill Drive, London, NW4 1NL

REFERENCE: F/02521/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number LA100017674.

This page is intentionally left blank

LOCATION: Land rear of 698 Finchley Road, London, NW11 7NE
REFERENCE: F/00869/12
WARD(S): Garden Suburb
APPLICANT: Walnut Investments
PROPOSAL: Reserved matters application seeking approval for i) Appearance and Landscaping pursuant to Appeal decision reference APP/N0590/A/11/2157809 dated 21/11/2011.

AGENDA ITEM 9
Received: 05 March 2012
Accepted: 19 July 2012
Expiry: 18 October 2012
Final Revisions:

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - LOC - 01; P-100 Rev P1; P-101 Rev P1; P-200 Rev P1; Landscaping Note – Details of Trees to Rear Garden read in conjunction with Dwg. No. 10029 P-90.
Reason:
For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011, the Adopted Barnet Unitary Development Plan (2006) and the Local Plan (2012).
In particular the following polices are relevant:
National Policy:
National Planning Policy Framework
London Plan (2011):
3.4, 3.5A, 3.5B, 7.4A
Adopted Barnet Unitary Development Plan (2006):
GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv4, GParking, D1, D2, D3, D4, D5, D11, M4, M5, M11, M12, M13, M14, O7, H2, H5, H16, H17, H18, H20, H21.
Local Development Framework:
Core Strategy (Adopted) 2012 – CS NPPF, CS1, CS4, CS5, CS9.
Development Management Policies (Adopted) 2012 – DM01, DM02, DM6, DM17.
 - ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, it is considered that all relevant policies contained within the Local Plan, the Mayor's London Plan, National Policies and Supplementary Planning Documents, have been complied with.

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.

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published on 27 March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

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

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

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.

Policy 3.5A states that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment taking account of strategic policies to protect and enhance London's residential environment and attractiveness as a place to live.

Policy 3.5B indicates that the design of all new housing developments should enhance the quality of local places taking into account, amongst other things, physical context, local character and density. Table 3.3 sets out minimum space standards for new dwellings.

Policy 7.4A states that, development should have regard to the form, function, and structure of an area, place or street, and the scale, mass and orientation of surrounding buildings. The policy goes on to say at 7.4B that buildings should provide a high quality design response that, amongst other things, is informed by the surrounding historic environment.

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 to this case: GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv4, GParking, D1, D2, D3, D4, D5, D11, M4, M5, M11, M12, M13, M14, O7, H2, H5, H16, H17, H18, H20, H21.

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 has also adopted (June 2007), following public consultation, an SPD "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the UDP, and sets out how sustainable development will be delivered in Barnet. Part 4 recognises that noise can be a significant nuisance, and can undermine quality of life. In order to meet standards for internal noise appropriate levels of insulation will be required. Paragraph 4.16 indicates that the Council requires the acoustic performance of party walls and floors between dwellings to be designed to exceed the minimum requirements set out in Part E of the Building Regulations. 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 (Adopted) 2012:

Barnet's 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 (Core Strategy and Development Management Policies documents) 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 was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. 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, CS4, CS5, CS9.

Development Management (Adopted) 2012:

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.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. 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 Development Management Policies: DM01, DM02, DM6, DM17.

Relevant Planning History:

Site Address: Land rear of 698 Finchley Road, London, NW11 7NE
Application Number: C06012AC/00
Application Type: Full Application
Decision: Deemed Refusal
Decision Date: 02/04/2001
Appeal Decision: Allow subject to conditions
Appeal Decision Date: 02/04/2001
Proposal: **Erection of part two, part four storey building comprising two 6 bedroom and one 5 bedroom self-contained residential units. Provision of two car parking spaces.**

Case Officer:

Site Address: Land rear of 698 Finchley Road London NW11 7NE
Application Number: C06012AD/05
Application Type: Full Application
Decision: Finally disposed of
Decision Date: 03/11/2006
Appeal Decision: Allow subject to conditions
Appeal Decision Date: 03/11/2006
Proposal: **Erection of a three-storey building comprising of 10 self-contained units with 2no Car Parking spaces and cycle storage. (OUTLINE)**

Case Officer:

Site Address: Land rear of 698 Finchley Road London NW11 7NE
Application Number: C06012AE/05
Application Type: Full Application
Decision: Finally disposed of
Decision Date: 05/04/2006
Appeal Decision: Dismissed
Appeal Decision Date: 05/04/2006
Proposal: **Erection of a three-storey comprising of 10 self-contained units with 2no car parking spaces and cycle storage. (OUTLINE DUPLICATE)**

Case Officer:

Site Address: Land at the R/O 698 Finchley Road, London, NW11 7NE
Application Number: F/03964/09
Application Type: Details Application

Decision: Refuse
Decision Date: 18/12/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of reserved matters pursuant to condition 1 (external appearance of the building and landscaping), appeal decision APP/N5090/A/06/2016758 dated 03/11/06. (Planning reference C06012AD/05)**
Case Officer: Fabien Gaudin

Site Address: 698 Finchley Road, London, NW11 7NE
Application Number: C06012AG/07
Application Type: Full Application
Decision: Withdrawn
Decision Date: 13/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing ground floor offices and flats. Erection of a five-storey building comprising of offices at ground floor and nine flats on the upper floors and associated landscaping.**
Case Officer: Fabien Gaudin

Site Address: 698 Finchley Road, London, NW11 7NE
Application Number: C06012AH/07
Application Type: Full Application
Decision: Refuse
Decision Date: 13/11/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of building and erection of a 5 storey building with offices (Class A2) at ground floor and 9 self contained flats on upper floor. Provision of 11 car parking spaces at basement level accessed via Hoop Lane and associated landscaping.**
Case Officer: Fabien Gaudin

Site Address: 698 Finchley Road London NW11 7NE
Application Number: C06012AJ/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/05/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of building and erection of a 5 storey building with offices (Class A2) at ground floor and 9 self contained flats on upper floor. Provision of 11 car parking spaces at basement level accessed via Hoop Lane and associated landscaping.**
Case Officer: Fabien Gaudin

Site Address: 698A Finchley Road, London, NW11 7NE
Application Number: F/03301/08
Application Type: Full Application
Decision: Withdrawn
Decision Date: 06/11/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of 5 /6 storey building comprising of car lift, 10No. self contained flats, with 8No. car parking spaces and 10No. bicycle parking spaces.**

Case Officer: Fabien Gaudin

Site Address: Land at the R/O 698 Finchley Road, London, NW11 7NE
Application Number: F/04014/09
Application Type: Conditions Application
Decision: Refuse
Decision Date: 18/12/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of conditions 5 (materials), 6 (boundary treatments) and 7 (refuse) of appeal decision APP/N5090/A/06/2016758 dated 03/11/06. (Planning reference C06012AD/05).**

Case Officer: Fabien Gaudin

Site Address: Land rear of 698 Finchley Road, London, NW11 7NE
Application Number: F/00147/11
Application Type: Outline Application
Decision: Refuse
Decision Date: 09/05/2011
Appeal Decision: Allow subject to conditions
Appeal Decision Date: 21/11/2011
Proposal: **Erection of a four-storey building comprising 10 self-contained units with 2 car parking spaces and cycle storage. (OUTLINE - Access, Layout and Scale)**

Case Officer: Fabien Gaudin

Site Address: 698 Finchley Road, London, NW11 7NE
Application Number: F/00550/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 06/05/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension to the time limit for implementing planning permission C/06012/AJ/07 dated 06/05/08 for 'Demolition of building and erection of a 5 storey building with offices (Class A2) at ground floor and 9 self contained flats on upper floor. Provision of 11 car parking spaces at basement level accessed via Hoop Lane and associated landscaping.'**

Case Officer: Fabien Gaudin

Site Address: Land rear of 698 Finchley Road, London, NW11 7NE
Application Number: F/00869/12
Application Type: Details 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: **Reserved matters application seeking approval for i) Appearance and Landscaping pursuant to Appeal decision reference APP/N0590/A/11/2157809 dated 21/11/2011.**

Case Officer: Junior C. Moka

Site Address: Land At The Rear Of, 698 Finchley Road, London, NW11 7NE
Application Number: F/02782/12
Application Type: Conditions 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: Submission of details of conditions 13 (Desk-top Study and Site Reconnaissance), 18 (Sustainability Strategy), pursuant to planning permission reference F/00147/11 (Appeal decision APP/N5090/A/11/2157809 dated 21/11/2011).

Case Officer: Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted: 190 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Design inappropriate;
- Effect on the listed building;
- Impact on trees and effect on nature conservation;
- Loss of amenity;
- Lack of sustainability;
- Security and safety;
- Loss of light to church;
- Overlooking and the loss of privacy;
- Impact on the Hampstead Garden Suburb;
- Noise and traffic concerns.

Date of Site Notice: 02 August 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a modest rectangular plot with a frontage along Hoop Lane of some 24 metres. It lies close to a junction with the busy Finchley Road and beside the imposingly solid early twentieth century 'gothic-styled' church of St Edward the Confessor, a 'locally listed building'. Once the site accommodated an Express Dairy, the foundations of which still remain. It is now used as a small car park. A four storey block of flats stands on the western boundary and the expanse of the Jewish Cemetery extends eastwards. Solid suburban semi-detached houses line the opposite side of Hoop Lane, which provides a partially treelined approach to the idyll of Hampstead Garden Suburb; 2 of those trees (attractive and protected plane trees) stand in the pavement beside the application site.

Proposal:

The proposal relates to a reserved matters application seeking approval for condition 1 in respect to appearance and landscaping pursuant to appeal decision reference APP/N0590/A/11/2157809 dated 21 November 2011 following the refusal to grant planning permission for application reference F/00147/11 dated 9 May 2011 for the development described as the 'erection of 4-storey building comprising 10 self contained units with 2 car parking spaces and cycle storage (outline – access, layout and scale).'

Planning Considerations:

Compliance with Parameters of the Outline Planning Permission

This reserved matters application has been submitted in accordance with the development parameters established by the outline planning permission. These parameters are set out in a number of approved drawings and documents. Condition 1 of the outline permission which requires all reserved matters submissions to be in accordance with these drawings as follows:

'Details of the appearance and landscaping (hereinafter called the reserved matters)' shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.'

The main considerations are:

1. Whether harm would be caused to the character and appearance of the area;
2. Whether the landscaping scheme is acceptable.

Appearance:

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

Architectural features of neighbouring properties such as materials, details of the fenestration or the proportion of the window design are all used as a 'borrowed feature' of this proposed development.

The detailed design approach reflects the need to provide transition between the houses and the larger blocks of flats. The detailed design and appearance of the proposed building is considered to represent high quality.

In considering the appearance of this block it is considered that this design would not cause any significant harm to the character of the area. In that respect, it would not conflict with relevant saved policies of the Barnet Unitary Development Plan (UDP) and Development Management Policies (Adopted) 2012.

It would comply with policy GBEnv1, which seeks to protect and enhance the quality and character of the built environment, and with the aims of UDP policies GBEnv2 and D1 with respect to high quality design. In the terms of UDP policy D2, local character would be preserved, and the appearance, scale, bulk, height and pattern of surrounding buildings, and the overall character and quality of the area, would be respected. The proposal would harmonise with and respect the character of the area, as required by UDP policy H16.

It is also considered to comply with policy DM01 of the Development Management

Policies (Adopted) 2012 states in put that all development should represent high quality design.

Landscaping:

The scheme provides shared amenity space. This includes soft landscape with a communal area to the of the site.

The proposed landscape layout is considered to be acceptable and in accordance with the principles established by the indicative landscape strategy submitted with the Outline application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The principle of this development has been allowed by the Inspector appointed by the Secretary of State for Communities and Local Government on the outline planning permission. It is considered that the appearance and landscaping scheme proposed ensures that trees new trees will be planted within the rear garden.

The Inspector when determining the appeal was quoted as saying, "Indeed, it is accepted that the overall scale, density, massing and height of the proposal, as well as the car parking arrangements, would be similar, both in relation to neighbouring buildings and to the local area, to the previously permitted project; such matters would not warrant a reason for refusal.

During the refused application and the appeal decision, the Local Planning Authority and the Planning Inspectorate didn't have any objections to the proposal on highway grounds. These matters are not considered relevant to this current application.

As a result it is considered that the planning related concerns are not sufficient to constitute a reason for refusal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that all relevant policies contained within the Local Plan, the Mayor's London Plan, National Policies and Supplementary Planning Documents, have been complied with. Accordingly, the application is recommended for **APPROVAL**.

**SITE LOCATION PLAN:
7NE**

Land rear of 698 Finchley Road, London, NW11

REFERENCE:

F/00869/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number LA100017674.

LOCATION: 15 Brunner Close, London, NW11 6NP
REFERENCE: F/02859/12

Received: 25 July 2012 **AGENDA ITEM 10**

Accepted: 30 July 2012

WARD(S): Garden Suburb

Expiry: 24 September 2012

Final Revisions:

APPLICANT: Mr & Mrs Isaacs

PROPOSAL: Variation of condition 1 of planning permission F/03343/11 dated 11/01/2012 for Alterations to entrance and new first floor front extension with pitched roof to match existing. Conversion of garage into habitable room including new doors and windows to front and rear elevations and new parapet. Extension to existing sunroom. Two-storey side extension. Alterations to roof including new dormer windows to rear and side elevations and roof lights to side elevation to facilitate a loft conversion. New windows to match existing. New basement level. Amendment is to raise crown roof height by 210mm.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Design and Access Statement & Photographs; Covering Letter dated 12th March; Method Statement in Relation to Protected Trees by J & Z Construction Ltd; Construction Management Plan by J & Z Construction Ltd; Phase II Arboricultural Impact Assessment by Russell Ball & Associates; Document reference 2660011 470 dated 02/06/2012 including Trial holes photographs by Russell Ball & Associates; 265/PL/05 Rev B; 265/PL/06 Rev A; 265/PL/07 Rev B; 265/PL/08 Rev B; 265/EX/05; 265/EX/06; 265/EX/07; 265/EX/08; 266/L/01; 266/L/02; 266/EX/01; 266/EX/02; 266/EX/03; 266/PL/01 Rev A; 266/PL/02; 266/PL/03; 266/PL/04 Rev B; 265/PL/05 Rev A; 265/PL/06; 265/PL/07 Rev A; 265/PL/08 Rev A; 266/PL/02; 266/PL/03; 266/PL/04 Rev B; 266/PL/04 C; D/002 Rev T1; D/100 Rev T2; Drawing no. AEC155000111 Tree Protection Plan; Drawing no.01 Site Plan as Existing; Drawing no. 04 Site Plan with Proposed Ground Floor Plan; Drawing no. 05 Site Plan with Proposed Basement Plan (date received 25-Jul-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 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason:

To safeguard the character and appearance of the Conservation Area.

5 No construction work resulting from the planning permission shall be carried

out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

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

- 6 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

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

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

Reason:

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

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

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

Reason:

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

- 9 No development shall take place until details of a construction management plan have been submitted to and approved in writing by the local planning authority.

Reason:

To safeguard residential amenity.

- 10 No siteworks or works on this development shall be commenced before a method statement, expanding on the principles of the Russell Ball & Associates Phase II arboricultural Impact Assessment dated 16/08/ 2011, detailing precautions to minimise damage to protected trees, in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

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

Reason:

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The 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, D3, D5, D11, D13, HC1, HC5 and H27.
Core Strategy (Adopted) 2012:
Relevant policies: CS NPPF, CS1, CS5
Development Management Policies (Adopted)2012:
Relevant Policies: DM01, DM02, DM04 and DM06.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 design, size and siting of the alteration is such that, as conditioned, they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, area of special character and trees of special amenity value.
- 2 The applicant and agent are advised that any conditions discharged under application F/03343/11 dated 11/01/12 do not need to be discharged again under this application, unless the details have changed.

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: GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, D11, D13, HC1, HC5 and 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 (Adopted) 2012:

Barnet's 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 (Core Strategy and Development Management Policies documents) 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 was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. 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.

Development Management Policies (Adopted) 2012:

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.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. 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 Development Management Policies (Adopted) 2012: DM01, DM02, DM04 and DM06.

Relevant Planning History:

Application:	Planning	Number:	C/13559/A/03/TRE
Validated:	10/04/2003	Type:	TIN
Status:	DEC	Date:	22/05/2003
Summary:	NMT	Case Officer:	
Description:	2x Oak - Reduce density by 20%. 2x Oak - Remove.		
Application:	Planning	Number:	F/01017/12
Validated:	13/03/2012	Type:	CON
Status:	DEC	Date:	09/05/2012
Summary:	AP	Case Officer:	David Campbell
Description:	Submission of details of conditions 6 (Details of Excavations for Services to Trees), No.9 (Construction Management Plan), 10 (Trees - Method Statement) and No.11 (Tree Protection) pursuant to planning permission Ref: F/03343/11 dated: 11/1/2012.		
Application:	Planning	Number:	F/01018/12
Validated:	13/03/2012	Type:	CON
Status:	REG	Date:	
Summary:	DEL	Case Officer:	David Campbell
Description:	Submission of details of conditions 7 and 8 (Noise from Site Plant and Noise Report for Site Plant) ; pursuant to planning permission F/03343/11 dated 11/1/2012.		
Application:	Planning	Number:	F/01860/12
Validated:	17/05/2012	Type:	S96A
Status:	DEC	Date:	29/05/2012
Summary:	APC	Case Officer:	Alissa Fawcett
Description:	Non-material minor amendment for planning permission F/03343/11 dated 11/01/2012 for 'Alterations to entrance and new first floor front extension with pitched roof to match existing. Conversion of garage into habitable room including new doors and windows to front and rear elevations and new parapet. Extension to existing sunroom. Two-storey side extension. Alterations to roof including new dormer windows to rear and side elevations and roof lights to side elevation to facilitate a loft conversion. New windows to match existing. New basement level.' Amendments to include extension of approved basement level under full width patio to rear.		
Application:	Planning	Number:	F/02859/12
Validated:	30/07/2012	Type:	S73
Status:	REG	Date:	
Summary:	DEL	Case Officer:	David Campbell
Description:	Variation of condition 1 of planning permission F/03343/11 dated 11/01/2012 for Alterations to entrance and new first floor front extension with pitched roof to match existing. Conversion of garage into habitable room including new doors and windows to front and rear elevations and new parapet. Extension to existing sunroom. Two-storey side extension. Alterations to roof including new dormer windows to rear and side elevations and roof lights to side elevation to facilitate a loft conversion. New windows to match existing. New basement level. Amendment is to raise crown roof height by 210mm.		
Application:	Planning	Number:	F/03343/11
Validated:	18/08/2011	Type:	HSE
Status:	DEC	Date:	13/01/2012
Summary:	APC	Case Officer:	David Campbell
Description:	Alterations to entrance and new first floor front extension with pitched roof to match existing. Conversion of garage into habitable room including new doors and windows to front and rear elevations and new parapet. Extension to existing sunroom. Two-storey side extension. Alterations to roof including new dormer windows to rear and side elevations and roof lights to side elevation to facilitate a loft conversion. New windows to match existing. New basement level.		

Consultations and Views Expressed:

Neighbours Consulted: 13 Replies: 8
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Raising height of roof will be visually obtrusive;
- Proposed increase in height is set to match height of no.16 however immediate neighbours are no.13 and no.17;
- Concern over scale and height of structure.
- Continuous audible hum of air conditioning will destroy the quiet and rural nature of the Suburb
- Repositioning of air-conditioning plant will impact amenities, should be sited in the direction of the allotments;
- Adverse effect of basement on water course in area that is prone to flooding;
- Root damage of Oak tree as a result of excavations;
- Building not in keeping with character of Brunner Close;
- Overly dominant building;
- 95% of demolition carried out without consent- no regard for planning law or the Conservation Area;
- Construction of basement causes considerable noise and disturbance
- Large vehicles/ machinery causing the road to subside;
- Noise disturbance of machinery and lack of compliancy to minimise disruption to other residents;
- Suburb not built for this type of intrusion- roads too narrow for size of vehicles;
- The property has over the years already been extended beyond its original form;
- Continued lack of information is misleading- drawings submitted are inaccurate, inconsistent and contradictory;

Internal /Other Consultations:

The HGS CAAC objected to the original application for the following reasons:

- The basement would endanger the oak trees.
- The front should match 16 Brunner Close
- The garage should not be converted
- Overdevelopment
- Fenestration and dormers out of keeping

Trees and Landscape - No objections subject to conditions.

Date of Site Notice: 09 August 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

15 Brunner Close is a detached property designated a locally listed building for its

group value, located at the far, west end of a symmetrically arranged cul-de-sac of similarly designed dwellings. The application site is adjacent to the footpath running between Southway and Middleway and shares a side boundary with the rear boundaries of properties on Southway. The oak trees close to the house are protected by a Tree Preservation Order.

Proposal:

The application seeks consent for the variation of condition 1 of planning permission F/03343/11 dated 11/01/2012.

The original permission was granted for:

- Alterations to entrance
- New first floor front extension with pitched roof to match existing, approximately 2.8m further forward than the existing.
- Conversion of the garage into a habitable room including new doors and windows to front and rear elevations and new parapet,
- Extension to the existing sunroom, from 3.4m wide to 6.7m wide
- Two-storey side extension which will be 3m further out into the garden
- Alterations to roof including new dormer windows to rear and side elevations and roof lights to side elevation to facilitate a loft conversion,
- New windows to match existing
- A new basement level which will not extend beyond the profile of the extended house

The proposed amendment in the current application is to raise crown roof height by 0.21m.

Planning Considerations:

It is not considered that the raising of the crown of the roof by 21cm will give rise to any loss of neighbouring amenity and will not harm the character and appearance of the conservation area. There are therefore no objections to the amendment.

The details of the previous report are as follows:

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.

Section 54A of the Town and Country Planning Act 1990 introduced a presumption in favour of development proposals which are in accordance with the development plan. (Also see PPS1 paragraph 28) Section 38(6) of the 2004 Act says the determination must be in accordance.

The supplementary planning guidance for the Suburb is the Hampstead Garden

Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:

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

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

The ethos of the original founder, was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a ‘who’s who’ of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 – 1939.

The 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 alterations to the front entrance of the proposals are considered to be an improvement on the existing situation which has currently has an usual angled profile which is not in keeping with other properties in the road. The proposed front door and associated windows are also considered to be acceptable.

The new first floor front extension is considered to match that approved at 16 Brunner Close and as such would restore balance to the group of houses which is considered to be important in Brunner Close. The resultant building will be approximately 1m away from the neighbouring 17 Brunner Close, the same as existing and as such is not considered to give rise to any loss of amenity.

There are no objections to the loss of the garage, as it was noted on site that there will still be off street parking on the driveway. There are no objections to the changes to fenestration or the increase in the height of the parapet, as no neighbour is

considered to be adversely affected.

There are also no objections to the increase in the size of the sun room. The extended area is to be built on an adjoining footpath and as such it is not considered to impact on protected trees, even though it is acknowledged it would be within the root protection area. The extension would also be far enough away from neighbours not to cause loss of amenity.

The extension into the garden would be 4.7m away from 17 Brunner Close and is not therefore considered to give rise to any loss of amenity. The extension would be constructed with matching materials and would be similar to the extension approved at 16 Brunner Close. There are therefore no objections to this part of the application either.

The size of the side and rear dormer windows are considered to be subordinate feature within each roof slope and are not considered to cause harm to the character and appearance of the host property, street scene or wider conservation area. The proposed rooflights located on the side elevations would be concealed from public view. A number of properties in the area have been previously extended through the addition of dormer windows. There are no objections to any of the other changes in fenestration.

There are no objections to the basement as it would be entirely within the built form of the extended house. The lightwells are considered to be acceptable and will not be visible from the surrounding area. They have also been reduced in size from the original application.

The size of the basement has been reduced since the application was first submitted, and will now be under the existing footprint of the main house. There has been additional information submitted in relation to the protected Oak Trees. It is now considered that the development will have an acceptable impact on the proposed trees and should not result in harm to them. Conditions have also been attached which seek to further protect these trees. There are therefore no objections on these grounds.

It is considered the proposed extension and alterations would be in keeping with the character and appearance of the existing locally listed building. It is considered to preserve the character and appearance of the Hampstead Garden Suburb Conservation Area, and would have an acceptable impact on the character and appearance of the general locality.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The grounds of objection have been addressed in the main report. Others have been addressed below:

- It is considered that subject to conditions, the trees will be protected.
- The conversion of the garage is considered to be acceptable.
- The proposals are considered to be in character with the conservation area and would not represent overdevelopment.

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 design, size and siting of the alterations are such that, as conditioned, they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, area of special character.

APPROVAL is recommended.

SITE LOCATION PLAN: 15 Brunner Close, London, NW11 6NP

REFERENCE: F/02859/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012. All rights reserved. Ordnance Survey Licence number LA100017674.