

MEETING

EAST 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 EAST AREA PLANNING SUB-COMMITTEE (Quorum 3)

Chairman: Councillor Andreas Tambourides (Chairman),
Vice Chairman: Councillor Bridget Perry (Vice-Chairman)

Councillors

Alison Cornelius	Alan Schneiderman	Joanna Tambourides
Arjun Mittra	Stephen Sowerby	Jim Tierney
Barry Rawlings	Andrew Strongolou	

Substitute Members

Rowan Turner	David Longstaff	Lisa Rutter
Pauline Coakley Webb	Kath McGuirk	Brian Salinger
Brian Coleman	Alison Moore	
Anne Hutton	Robert Rams	

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

Aysen Giritli – Head of Governance

Governance Services contact: Maria Lugangira 020 8359 2761

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 (if any)	
5.	Members' Items (if any)	
6.	Report of the Acting Assistant Director of Planning and Development Management	
	East Finchley Ward	
7.	42 Church Lane, London, N2 8DT - F/02942/12	1 - 8
	High Barnet Ward	
8.	30 Grimsdyke Crescent, Barnet, Herts EN5 4AG - B/02356/12	9 - 16
	Oakleigh Ward	
9.	Rear of 39 Somerset Road, Barnet, Herts EN5 1RL - B/01631/12	17 - 28
	Totteridge Ward	
10.	Oaklands, Lime Grove, London, N20 8PX - B/04636/11	29 - 36
11.	Oaklands, Lime Grove, London, N20 8PX - B/04527/11	37 - 50
12.	Totteridge Village Hall, Badgers Croft, London, N20 8AH - B/01780/12	51 - 60
	Woodhouse Ward	
13.	Finchley Reform Synagogue, 101 Fallow Court Avenue, London N12 0BE - F/02183/12	61 - 82
14.	Any items that the Chairman decides are urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

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LOCATION: 42 Church Lane, London, N2 8DT
REFERENCE: F/02942/12 **Received:** 30 July 2012
Accepted: 01 August 2012
WARD(S): East Finchley **Expiry:** 26 September 2012

AGENDA ITEM 7

Final Revisions:

APPLICANT: Gallery Zadah Pension Fund

PROPOSAL: Change of Use from Class A2 to Class A1 Retail Shop.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, Drawings 1014-BA-100, 1014-BA-101, 1014-BA-102, 1014-BA-103, 1014-BA-104.

Reason:

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

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

Reason:

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

INFORMATIVE(S):

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

Adopted Barnet Unitary Development Plan (2006):

GParking, GTCR1, GTCR2, GBEEnv1, D2, M14 and TCR19.

Core Strategy (Adopted) 2012:

CS NPPF, CS1, CS5, CS6 and CS9.

Development Management Policies (Adopted) 2012:

DM01, DM02, DM04, DM12 and DM17.

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

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

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.

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 Unitary Development Plan Policies:

GParking, GTCR1, GTCR2, GBEnv1, D2, M14 and TCR19.

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, CS6 and CS9.

Development Management Policies (Adoption version) 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, DM12 and DM17.

Planning History

Application:	Planning	Number:	F/02392/11
Validated:	06/06/2011	Type:	APF
Status:	DEC	Date:	26/09/2011
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Demolition of existing outbuildings and erection of two storey self-contained residential unit adjoining the rear of 42 Church Lane.		
Application:	Planning	Number:	F/02936/10
Validated:	21/07/2010	Type:	APF
Status:	DEC	Date:	06/09/2010
Summary:	REF	Case Officer:	David Campbell
Description:	Three storey rear extension and extension of existing basement following demolition of existing rear extension and outbuildings to create a self contained office to the rear of the property. Associated alterations to South and West elevations and new parapet wall.		
Application:	Planning	Number:	F/02942/12
Validated:	01/08/2012	Type:	APF
Status:	PDE	Date:	
Summary:	APC	Case Officer:	David Campbell
Description:	Change of Use from Class A2 to Class A1 Retail Shop.		
Application:	Planning	Number:	F/04190/09
Validated:	18/11/2009	Type:	APF
Status:	APD	Date:	18/11/2010
Summary:	DIS	Case Officer:	David Campbell
Description:	Demolition of existing ground floor annexes and construction of new three storey dwelling house with basement and roof terrace to rear of 42 Church Lane fronting King Street.		
Application:	Planning	Number:	F/04409/10
Validated:	01/11/2010	Type:	APF
Status:	DEC	Date:	21/12/2010
Summary:	APC	Case Officer:	Fabien Gaudin
Description:	Conversion of existing offices on 1st & 2nd floors and rear ground floor to 5No. residential units with associated extension at basement level and formation of bin enclosure. Access fronting King Street.		

Consultations and Views Expressed:

Neighbours Consulted: 51 Replies: 0
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

No representations have been received for the application.

Date of Site Notice: 09 August 2012

The application has been brought to committee at the request of Councillor Arjun Mittra for the following reason:

"I have located a copy of the UDP and I am primarily concerned that this application does not comply with Policy GParking-Parking. I also do not believe the application is disabled access from memory, which is policy D8. I have a concern regarding D2, that the application does not respect the "surrounding street and movement pattern".

2. PLANNING APPRAISAL

Site Description and Surroundings: The application site lies on the corner of Church Lane and King Street within the East Finchley ward. The surrounding area is largely residential but does have a few other uses including the existing building at 42 Church Lane which is used as an advice service. This section of Church Lane is also a one way street and leads towards the High Road. The site does not fall within a conservation area.

Proposal: The application seeks consent for the change of Use from Class A2 to Class A1 Retail Shop.

Planning Considerations:

The National Planning Policy Framework paragraph 70, states that "To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

"plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments."

Policy TCR19 of the Unitary Development Plan (Neighbourhood Centres, Shopping Parades and Local Shops) states, 'In Neighbourhood Centres, free standing shopping parades and isolated shops, the change of use from a shop (class A1) to another use will be strongly resisted unless:

1. It can be demonstrated that there will be no significant diminution of local shopping facilities as a result; and
2. It can be demonstrated that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area; and
3. The proposed use is within use class A2, A3, A4, A5 or meets an identified local need; and

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

The council will encourage proposals for new retail or other development that meets the needs of the local community.

Policy DM12 of the Development Management Policies Adopted Version 2012, (Maintaining local centres and parades) states, 'The council will protect all retail uses (Class A1) in the existing local centres, parades and isolated shops unless it can be demonstrated that:

1. there will be no significant reduction of shopping facilities as a result; and
2. that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area; and
3. the proposed use is within Class A2, A3, A4, A5 or meets an identified local need; and
4. there is no demand for continued Class A1 use, and that the site has been marketed effectively for such use.

A proposal that either creates an over concentration of Class A2, A3, A4 and A5 uses or has a significant adverse effect on the amenity of existing residents will be refused.

Community uses will be expected to present an active frontage at ground floor and be able to demonstrate a similar weekday footfall to a Class A1 use. Proposals for residential use should not cause a break in a frontage.

It is therefore considered that the proposals are supported by national and local policy and as such there are no objections to the application either in principle or on policy grounds. It is also noted that the change of use from an A2 professional services unit to an A1 retail unit is not a development that normally requires planning permission and as such the development is also considered to be acceptable on these grounds as well.

There have been no objections to the application on the grounds of parking or any other issue relating to highways. The council's Traffic and Development Team have raised no objections stating that they consider that the proposals will not have a detrimental impact on the public highway. It is therefore considered that the application will be acceptable on these grounds also.

It is considered that the application will not give rise to any loss of amenity to any neighbouring property, or harm the appearance of the building, the surrounding area and the character of the street scene. It is considered that a new retail unit would enhance the area and contribute to the services available to local residents. There are therefore no objections to the application.

Access to the premises will remain as existing.

3. COMMENTS ON GROUNDS OF OBJECTIONS

No representations have been received for the application.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

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

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

SITE LOCATION PLAN: 42 Church Lane, London, N2 8DT

REFERENCE: F/02942/12



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LOCATION: 30 Grimsdyke Crescent, Barnet, Herts, EN5 4AG

REFERENCE: B/02356/12

Received: 18 June 2012

Accepted: 09 July 2012

WARD(S): High Barnet

Expiry: 03 September 2012

AGENDA ITEM 8

Final Revisions:

APPLICANT: Mr & Mrs Wood

PROPOSAL: New front porch. Single storey rear extension including raised patio with stairs and close boarded fence. First floor rear extension over existing flat roof, and alterations to main roof including increase to eaves height

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. SLP-001, PL101, PL103 and BA15440212/01 (received 18 June 2012), Drawing No BA15440212/02A (received 14 August 2012) and Drawing Nos PL102 Rev A and PL100 Rev A (received 7 September 2012).

Reason:

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

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

Reason:

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

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

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

4. The roof of the single storey rear extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason:

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

5. Before the single storey rear extension and rear patio area are first occupied, the 2 metre high boundary fence panel as shown on Drawing no. PL100 Rev A shall be erected in accordance with the details shown on the approved drawings and shall not be raised, extended or altered in any manner or removed without the prior specific permission of the Local Planning Authority.

Reason:

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

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) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the extensions hereby approved.

Reason:

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D4, D5 and H27, Supplementary Design Guidance Note 5: Extensions to Houses, and:

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

Development Management Policies (Adopted 2012): DM01 and DM02.

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

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This proposal is considered to accord with Council policies and 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, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

The Council Guide 'Extension to Houses' was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

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

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

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

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

Core Strategy (Adopted 2012)

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy (CS) and the Development Management Policies Development Plan Document (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:

CS NPPF, CS1 and CS5.

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

The Development Management Policies DPD 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 and DM02.

Relevant Planning History:

Application Number: N15861A/08
Decision: Approve with conditions
Decision Date: 17/07/2008
Proposal: **Single storey rear extension.**

Consultations and Views Expressed:

Neighbours Consulted: 10 Replies: 5 letters of objection received.
Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- The submitted survey drawings are inaccurate (Officer Note: The survey drawings were amended during the course of the application).

- Proposed extension would adversely affect the street scene and daylight received to neighbouring property.
- Increase in ridge height would result in the side element appearing too bulky, and would close the gap between the buildings.
- Proposed rear terrace would result in overlooking to neighbouring property.
- Proposed boundary fencing would dominate and overshadow rear garden of neighbouring property.
- Windows in first floor rear extension would overlook neighbouring property.

Internal /Other Consultations:

None.

Date of Site Notice:

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a detached two storey dwelling, located toward the northern end of Grimsdyke Crescent. The application site is on ground which slopes down from south to north, such that the existing dwelling is at a higher level to No. 32 to the north.

Proposal:

This application proposes a new front porch, a single storey rear extension including a raised patio area, a first floor rear extension and alterations to the eaves height of the existing side projection to the north of the dwelling.

The existing lean-to front porch roof is proposed to be replaced with a pitched roof 3.5 metres high. The position of the front door would remain unchanged. The single storey rear extension would measure 1.8 metres in depth adjacent to the common boundary with No. 32, and project 4.7 metres away from that boundary before extending a further 2.4 metres rearward, and returning to adjoin the existing single storey rear projection. It would have a flat roof 3 metres high. The rear patio area would wrap around this extension, and would match the floor level of the main dwelling. The patio level would extend 1.5 metres rear of the extension adjacent to No. 32. It would then be set 2 metres from the boundary with this neighbouring property before extending a further 5 metres rear. The patio area would be enclosed by a 0.9 metre high balustrade.

The proposed first floor rear extension would measure 1.4 metres in depth by 4.1 metres in width. It would have both ridge and eaves heights matching those of the main dwelling.

The alterations to the eaves level to the north of the dwelling will increase the height of the eaves such that they would match the eaves height to the main dwelling.

Planning Considerations:

The proposed single storey rear extension and patio, alterations to the front porch and first floor rear extension would not be clearly visible from outside the application site, and given their size and scale would not be detrimental to the character and appearance of the dwelling or the wider locality.

The increase to the eaves height of the two storey side projection would alter the appearance of this element. It is noted that the main roof to this element as existing has a ridge height matching that to the main dwelling. The eaves height would be increased to match that of the main dwelling, and this is to facilitate internal alterations to raise the floor levels to ensure internal floor levels match. The width of the extension would remain the same, and the spacing between the application dwelling and the neighbouring property to the north would remain as existing. The neighbouring property to the north is at a lower ground level to the application site, and there exists a natural step-down in heights between the buildings. The alterations to the eaves height would not remove this step-down, as the main buildings would remain at different heights. It is not considered that the alterations to the eaves height would result in the application dwelling appearing cramped within its plot, or detrimental to the character and appearance of the street scene. The Council's current Adopted Design Guidance would not require the dropped eaves height for an extension. It is therefore considered that the proposal would not be detrimental to the character and appearance of the dwelling, the street scene or the wider locality.

The proposed single storey rear extension would not project rear of the neighbouring property to the north, No. 32, and would not appear overbearing when viewed from this neighbouring property. The proposed rear patio would extend 1.5 metres rear of this rear extension adjacent to the common boundary with the neighbouring property. A 2 metre high fence panel would be constructed alongside this part of the patio. Whilst No. 32 is at a lower ground level, such that the proposed fence would appear taller than 2 metres, there is only a single fence panel proposed at this height and at this proximity to the neighbouring property, and it is not considered that this fencing would appear overbearing when viewed from No. 32. The remainder of the patio area would be set 2 metres from the boundary with No. 32, and given this distance it is not considered that the patio would appear overbearing or visually intrusive when viewed from No. 32, or adversely affect the privacy or amenities of the occupants of this neighbouring property. The remaining boundary fencing would be as existing, at the existing ground level.

The increase to the eaves height to the north of the dwelling would increase the height of this flank wall when viewed from No. 32. However, given the depth and height of the existing wall, and taking into account the roofslope and the existing outlook from the side glazed kitchen door at No. 32, which is a secondary light source to the room it serves, it is not considered that the increase in roof height would have a significant detrimental impact on the amenities of the occupants of this neighbouring property.

The proposed first floor rear extension would have a limited rearward depth, with one window facing rear over the garden to the application site. This window is in a similar position to the rear-facing windows to the existing dwelling. It is not considered that this element of the proposal would appear overbearing or visually intrusive when viewed from any neighbouring property, and it would not adversely affect the privacy of the occupants of any neighbouring property.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Comments raised are addressed in the appraisal above. It should be noted that property values are not a material planning consideration.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the

commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

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

SITE LOCATION PLAN: 30 Grimsdyke Crescent, Barnet, Herts, EN5 4AG

REFERENCE: B/02356/12



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LOCATION: Rear of 39 Somerset Road, Barnet, Herts, EN5
1RL

REFERENCE: B/01631/12

Received: 27 April 2012

Accepted: 27 April 2012

WARD: Oakleigh

Expiry: 22 June 2012

AGENDA ITEM 9

Final Revisions:

APPLICANT: Mr Davies

PROPOSAL: Demolition of existing three bedroom house and erection of two-storey house with rooms at lower ground floor level and in roof space.

APPROVE SUBJECT TO S106 AGREEMENT

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £4,150.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £334.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Monitoring of the Agreement £224.20**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: B/01631/12 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: DAT/9.0 and DAT/9.1 (received 15 May 2012), Drawing Nos. OS 00, P01, P02, P03, P04, P05, P06 and P07 (received 27 April 2012).

Reason:

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

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

Reason:

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

3. Before the dwelling hereby permitted is occupied the parking spaces shown on Drawing No. P01 received on 27 April 2012 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved dwelling. The parking spaces shall be constructed of a porous material, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

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

Reason:

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

6. 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 north east or south west flank elevations of the approved dwelling.

Reason:

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

7. No site works or works on this development shall be commenced before temporary tree protection has been erected around existing trees to the

rear of the site in accordance with details to be submitted to 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.

8. The screen wall to the front and side of the first floor terrace to the south western side of the dwelling hereby approved shall be permanently retained as shown on the submitted plans, and shall not be reduced in height or altered in any way.

Reason:

In order to protect the privacy and amenities of the occupants of the neighbouring properties.

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

Reason:

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

10. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken: Any works falling within Classes A-F of Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development Order)1995,as amended.

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.

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

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

INFORMATIVE(S):

1 The reasons for this grant of planning permission are as follows:

i) The proposed development accords with strategic planning guidance and policies as set out in the National Planning Policy Framework 2012, The Mayor's London Plan July 2011, and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, GParking, D1, D2, D4, D5, H16, H17, H18, M14, CS2, CS8, CS13, IMP1 and IMP2.

Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Heath Facilities.

Core Strategy (Examination in Public version) 2012: CS NPPF and CS5.

Development Management Policies (Examination in Public version)2012: DM01 and DM02

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

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This proposal is considered to accord with Council policies and guidance.

2. The applicant is advised that this grant of permission does not infer or imply the right to enter any land outside of the applicant's ownership. The consent should be obtained from any land owner prior to any works taking place to or on their property.

3. The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £4,970.

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

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 7 December 2012 the Acting Assistant Director of Planning and Development Management REFUSE the application ref: B/01631/12 under delegated powers for the following reasons:

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

THIS APPLICATION WAS DEFERRED FROM THE PLANNING COMMITTEE MEETING OF 12 JUNE 2012.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GParking, D1, D2, D4, D5, H16, H17, H18, M14, CS2, CS8, CS13, IMP1 and IMP2.

Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Health Facilities.

Core Strategy (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies:

CS NPPF and CS5.

Development Management Policies (Examination in Public version) 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.

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

Relevant Development Management Policies: DM01 and DM02.

Relevant Planning History:

Site Address: 39 Somerset Road Barnet Herts
Application Number: N07988A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 30/07/1986
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of house into four flats and conversion of garage at rear to from cottage. Dormer windows at side of house.**

Case Officer:

Site Address: 39 Somerset Road New Barnet
Application Number: N07988
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 26/09/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of existing double garage to ancillary residential accommodation**

Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 156 Replies: 22
Neighbours Wishing To Speak: 2

The objections raised may be summarised as follows:

- The excavation of the basement would cause subsidence to the foundations of Nos. 33-37 Somerset Road, the garages at No. 41, and would cause damage to the drainage sewer pipe running along the back gardens to properties in Somerset Road.
- Beaufort Court would be overlooked by the proposed development, especially from the proposed first floor terrace, causing a loss of privacy.
- The increased roof height would result in a loss of light to Beaufort Court, to Chiltern Court, and to the garden area at No. 41.

- The increased height and width of the proposal, and building over large areas of garden to provide terraces, and the roof terrace wall, would be unsightly and visually intrusive.
- The extra terraces, parking spaces and proximity to Beaufort Court would result in increased noise levels.
- Concern about disturbance caused by the building works.
- The existing property is not dilapidated, and is currently occupied.
- Existing dwelling is a converted garage with a small conservatory on the back. Proposed larger dwelling would be out of proportion to the current dwelling size and the size of the plot.
- Excavation may damage the roots of trees in the garden of Beaufort Court.
- Noise and disturbance would result from the increased use of the access adjacent to No. 39, both during construction and from the greater number of occupants associated with this larger house.
- The proposal would reduce existing views.
- Proposed replacement dwelling is not sustainable.
- Parking space provided is not sufficient and reduces possible green amenity space.
- Trees around the perimeter of the site will be adversely affected, and no tree survey has been submitted.
- Current building would not be permitted today.
- Concerns with regard to impact of excavation for the basement on neighbouring properties, and on sub-soil and water patterns.

One letter has also been received from The Rt Hon Theresa Villiers MP, requesting that her constituent's views are taken into account.

Internal /Other Consultations:

Thames Water no objection with regard to sewerage infrastructure.

Date of Site Notice:

10 May 2012

2. PLANNING APPRAISAL

This planning application was first presented to the planning Committee at the meeting on 12 June 2012. The application was deferred, with Members requesting further information be submitted relating to the concerns raised in representations relating to subsidence and unstable land.

Site Description and Surroundings:

The application site contains a detached single storey dwelling, with rooms in the roof space, and a single storey rear projection. The dwelling is located to the rear of No. 39 Somerset Road. The application site slopes down from south to north, such that the existing dwelling is at a lower ground level to No. 39 Somerset Road.

No. 39 is a two storey detached building containing four flats. The building to the north east of this, No. 41 Somerset Road, comprises a two storey building containing four flats. This building has garaging and an amenity area to the rear. The building to the south west of No. 39, Beaufort Court is a three storey block of flats, with a parking area and gardens to the rear. The application site is set to the rear of No. 39 and to the rear of the immediately neighbouring buildings, and is adjacent to the gardens serving the block of flats, and the gardens and garages serving No. 41.

Proposal:

This application proposes the demolition of the existing dwelling, and the construction of a replacement dwelling. The proposed dwelling would be L-shaped, and measure a maximum of 8 metres in depth by 10.6 metres in width at ground floor level, and 8 metres in depth by 9.3 metres in width at first floor level. The proposed dwelling would have a hipped roof to the front with a gable end to the rear. The proposed dwelling would have an eaves height of 4.2 metres and a ridge height of 6.4 metres when viewed from the front. However, due to the falling ground levels, it would have a ridge height of 9.3 metres when viewed from the rear. The proposed dwelling would have a lower ground floor level with a terrace area, and a first floor terrace area to the south west set approximately 1.1 metres from the common boundary to the south west. A dormer window structure would face onto this first floor terrace.

Planning Considerations:

Following the deferral, the applicant's representative has reviewed British geological Survey Maps, and has advised that there are no historic issues with land slippage or slope instability in the area. A map has been submitted which shows that in the vicinity of the application site, no landslides have been recorded. The applicant's representative has also advised that any building works would be subject to the engineering, structural and safety requirements of the building regulations. Site sampling and laboratory testing of soils would be undertaken to determine the characteristic soil properties of the existing London Clay soil in the area, in order to ascertain the allowable bearing capacity of the underlying soil. This would need to be undertaken to demonstrate compliance with Part A (structural safety) of the Building regulations. The Council's Building Control service have advised that from their records, this area of the borough is overlain with London Clay, and they are not aware of any ground instability problems in the area. They have advised that a detailed site and soil investigation will be required under the Building Regulations, to identify any site specific ground problems and assist in the choice of suitable foundation design.

Planning Policy have also advised that New Barnet is on London Clay, and British Geological Survey Maps show that Barnet and the rest of London has a very low potential for landslides.

Paragraph 120 of the National Planning Policy framework states that '@where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'.

Paragraph 121 states that planning policies and decisions should (also) ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation:
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 11A of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.

In addition, the British geological Survey advise that basements can contribute to instability, and the Council should therefore be assured about ground conditions in assessing such applications for basements as ground has been removed.

The applicant has submitted evidence that there have been no recorded land slips in the area. It is considered that the site would be suitable for its new use, with no issues of land instability having been demonstrated. The objectors who have raised issues of land slippage have not submitted any evidence to justify their claims.

Therefore, it is not necessary to request any further information relating to this requirement, and this application is therefore recommended for approval, subject to the necessary conditions.

The proposed replacement dwelling would be located to the rear of No. 39 Somerset Road, replacing an existing detached dwelling. The existing dwelling has a pitched roof with front and rear gables. In comparison, the proposed dwelling has a hipped roof to the front. The proposed dwelling would have a greater ridge height than the existing property, approximately 0.8 metres higher, and would be sited further rear within the site when compared to the existing dwelling. Given its siting with its plot, and its relationship with Somerset Road, the proposed dwelling would only be visible from Somerset Road when viewed from the access drive between Nos. 39 and 41. As such, it would not appear as a prominent feature within the street scene and would not be detrimental to the character and appearance of the general locality.

The existing dwelling on the site is located approximately 11 metres rear of No. 39 Somerset Road. In comparison, the proposal is set approximately 15 metres from No. 39. Given this distance, it is not considered that the proposed dwelling would appear overbearing when viewed from the rear-facing flats and amenity area of No. 39. The proposed dwelling is set further to the rear of its plot when compared to the existing, such that its flank elevation would be adjacent to the detached garage block serving the flats at No. 41 Somerset Road. The proposed dwelling would be set away from the boundary with No. 41, and would mainly be adjacent to the garages at No. 41, and as a result is not considered to appear overbearing when viewed from the rear amenity area of No. 41. At ground floor level, the proposed dwelling would be located in close proximity to the common boundary with Beaufort Court to the south west. Whilst the ground floor element of the proposal would be visible from Beaufort Court, protruding slightly above the boundary fence, the first floor terrace area above this would be stepped away from the garden at Beaufort Court. It is acknowledged that the ground level at Beaufort Court slopes down away from the application site and toward the rear, however given the distance between the proposed dwelling and the garden area at Beaufort Court, with the proposed dwelling stepped away from the boundary, it is not considered that the proposed dwelling would appear overbearing when viewed from the rear garden area or rear-facing windows at Beaufort Court. The two storey front and side walls of the proposed dwelling would be adjacent to the rear amenity area serving No. 39, however this area does not appear to be heavily used at present, and would remain open on both sides such that the proposal would not result in a sense of enclosure or be overbearing when viewed from this amenity space. As such, it is considered that the proposal would not be detrimental to the amenities of the occupants of any neighbouring property.

Policy H17 requires a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. The application dwelling has been designed with habitable room windows in the rear elevation and at first floor level in the south west flank elevation only. The window in the flank elevation would face onto the first floor terrace serving the dwelling, and the submitted plans show this to be screened by a 1.5 metre high wall. As a result, it is not considered that this first floor side window would result in any overlooking to the garden area at Beaufort Court. The neighbouring building to the north west, Chiltern Court, is at least 25 metres away from the rear boundary of the application site, and the rear facing windows in the proposed dwelling would be approximately 9.8 metres from the rear boundary of the site. The proposal would therefore meet the requirements of Policy H17 of the UDP. Windows are proposed to be inserted within the front and north east side elevations of the proposed dwelling. However, these windows would be small in size and would not serve habitable rooms. The first floor terrace area may result in some oblique views towards the neighbouring properties, however there is a considerable distance between the terrace area and the nearest neighbouring properties, and the terrace would be screened by a wall to the south east and south west sides. A low balustrade would be constructed to the north west side, however this is set away from the nearest properties to the north west. As such, it is not considered that the proposal would result in any overlooking toward the neighbouring properties, and the proposal would not be detrimental to the privacy of the occupants of any neighbouring property. It is considered both reasonable and necessary to restrict the insertion of any additional windows at first floor level or above in the flank elevation of the proposed dwelling, in order to protect the privacy and amenities of the occupants of the neighbouring properties.

Policy H18 requires at least 85 square metres of garden or amenity space to be provided for dwellings with up to seven or more habitable rooms. In this case, a lower ground level terrace is proposed to be provided, in addition to the rear garden area, a ground floor level terrace and a first floor terrace. It is considered that sufficient private garden and amenity space would be provided to comply with Policy H18.

Policy M14 requires between 1.5 and 2 parking spaces to be provided within the application site for detached houses. The existing house has space for at least two vehicles to park off-street, and the proposed dwelling would retain space for at least two vehicles to park off-street. The vehicular access to the dwelling would be the same as the existing, and no objections are raised with regard to parking provision or on highway grounds.

It is noted that the submitted plans show the location of a refuse store. However, no elevational details have been submitted relating to these. Given the distance between the proposed refuse store and the front of the site where such refuse would be collected from, and given the proximity of the proposed stores to No. 39, it is considered both reasonable and necessary to attach a condition requiring further details of the refuse stores to be submitted to and approved in writing by the Local Planning Authority, to ensure the stores are able to serve their purpose without detriment to the amenities of the occupants of either neighbouring property.

The trees in Beaufort Court are fairly small fruit trees, set away from the common boundary with the application site. Given the separation, the size of the trees, and the open nature of the remaining ground around the trees, it is not considered that

the proposal would be detrimental to these trees. In addition, the trees are not covered by a Tree Preservation Order and are not considered to be of a high quality such that additional protection could be given.

The application proposes the demolition of a three bedroom dwelling and the construction of a four bedroom dwelling. Given the creation of the additional bedroom, in accordance with Policies CS2, CS8 and CS13 a financial contribution is required to be provided to meet the extra costs for education and health arising from the proposed development. It is therefore necessary for a Legal Agreement to be entered into.

3. COMMENTS ON GROUNDS OF OBJECTIONS

- A number of comments have been submitted relating to property value, and to possible subsidence. These are not material planning considerations and objections cannot be raised with regard to these issues.
- The issues regarding the impact of the proposal on the amenities of the occupants of neighbouring properties, and with regard to the impact on the trees, are addressed in the Appraisal above

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. this proposal is considered to accord with Council policies and guidance.

**SITE LOCATION PLAN:
1RL**

Rear of 39 Somerset Road, Barnet, Herts, EN5

REFERENCE:

B/01631/12



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LOCATION: Oaklands, Lime Grove, London, N20 8PX

REFERENCE: B/04636/11

Received: 16 November 2011

Accepted: 16 November 2011

WARD(S): Totteridge

Expiry: 11 January 2012

AGENDA ITEM 10

Final Revisions:

APPLICANT: Mr & Mrs Akmal

PROPOSAL: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage. (CONSERVATION AREA CONSENT)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: PL-300, PL-301, PL-302, PL-303, PL-304, PL-305, PL-306, PL-307, PL-308, PL-309, PL-310, Design and Access Statement, Phelps Associates Arboricultural Tree Report (ref: PA.S654; latest revision 5th July 2012).

Reason:

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

2. This work must be begun not later than three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3. The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason:

To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site.

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

Reason:

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

5. No development or other operations shall commence on site in connection with the demolition and development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

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

6. The development and associated demolitions shall be carried out in strict accordance with the methodology and details specified in the Phelps Associates Arboricultural Report (reference PA.S654, latest revision dated 5th July 2012).

Reason:

To safeguard the health of existing trees which represent an important amenity feature and protect the character and appearance of the Totteridge Conservation Area.

7. Before the development hereby permitted commences a schedule of works (including all demolitions) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the Totteridge Conservation Area.

INFORMATIVE(S):

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

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

Adopted Barnet Unitary Development Plan (2006):

GBEnv4, HC1.

Core Strategy (Adopted) 2012:

CS NPPF, CS1, CS5.

Development Management Policies (Adopted) 2012:

DM06.

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

The loss of the existing building subject to a suitable replacement would have an acceptable impact on the character and appearance of the Totteridge Conservation Area in accordance with the aforementioned policies.

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:

GBEnv4, HC1.

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 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.

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:

DM06.

Relevant Planning History:

Site Address:	Oaklands Lime Grove LONDON N20
Application Number:	N01715C
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	12/07/1989
Proposal:	Erection of conservatory, front porch and first floor extension, and alterations to windows on north, south & west elevations, & change of use of vacant land formerly tennis courts to residential garden.

Site Address:	'Oaklands' Lime Grove N20
Application Number:	N01715A
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	08/05/1985
Proposal:	Two-storey side extension, part single, part two-storey rear extension and three car garage at front.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01409/10
Application Type: Full Application
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01410/10
Application Type: Conservation Area Consent
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage. CONSERVATION AREA CONSENT

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/04527/11
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Proposal: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage.

Site Address: Totteridge Village Hall, Badgers Croft, N20 8AH
Application Number: B/01780/12
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Proposal: Temporary roadway access for a period of 3 years to facilitate the proposed works to Oaklands, Lime Grove, London, N20 8PX (planning application reference B/04527/11 & B/04636/11: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage.)

Consultations and Views Expressed:

Neighbours Consulted: 0 Replies: N/A

Neighbours Wishing To Speak 0

Internal /Other Consultations:

Totteridge Conservation Area Advisory Committee:

This property is situated in the Green Belt and if the application is approved no further development should be permitted as this current proposal increases the footprint 25% which is at the limit of the acceptable size increase in the Green Belt. This property also occupies a prominent position where the roof will be very visible, and the committee therefore request that a high quality roof tile is specified. Any permission should condition protection for the two TPO oak trees.

Urban Design and Heritage:

The application site is located on the western side of Lime Grove, within Area 3: Totteridge Village, of the Totteridge Conservation Area. The site is located on Green Belt land. The adopted Totteridge Character Appraisal notes: "*Lime Grove at north of*

the Village is a narrow leafy lane of mainly chalet type bungalows of mediocre design". The existing property at the application site has no specific designation.

Overall it is considered that the proposed replacement dwelling is acceptable as has overcome previous concerns with scale and design and now poses no demonstrable harm to the application site or wider Conservation Area. As such approval should be recommended.

Trees and Landscaping:

No objections subject to conditions.

Date of Site Notice:

24 November 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached property on the private cul-de-sac of Lime Grove. It lies at the head (western-most point) of the Cul-de-sac and the land slopes upwards to this point in the street and thus the dwelling is at an elevated position.

The site within which the existing property lies slopes upwards from front to rear and thus the existing building is set down into the site with a small patio area surrounding it and steps up to the garden. The whole site lies within the Totteridge Conservation Area and Green Belt designated land. There are substantial TPO oak trees in the grounds which are clearly visible from the street around and beyond the existing building. There is a public footpath running along the front/ eastern boundary of the site and runs all the way from Totteridge Village through fields to Mays Lane.

The Totteridge Village Hall lies directly to the south of the site and open fields to the west. North of the site is detached dwelling house.

The existing building lies within substantial grounds. The land to the south contains a swimming pool and tennis court and lawns surround the property on three sides. To the front of the building is a large drive and detached garage.

The existing building is a chalet style property with the first floor accommodation within the roof space. It is the largest dwelling in the street set within the largest plot. However, the scale, massing and design of the existing property is reflective of those in the immediate locality and is of a modest appearance and style in keeping with the predominant character of dwellings on Lime Grove which are mainly bungalows.

Proposal:

The application seeks Conservation Area Consent for the demolition of the existing first floor level of the dwelling and demolition of the associated detached garage. The application is accompanied by an application for planning permission for the redevelopment of the property (reference B/04527/11) and an associated planning application for the construction of a temporary roadway to facilitate the proposed demolition and development works (reference B/01780/12).

The proposal involves the retention of part of the ground floor of the existing building but extensions to both sides of the building and to the front are proposed as well as a new roof structure containing first floor accommodation. The proposed building has been designed in an Arts and Crafts style and would not differ from the existing building occupying the site in terms of style and form and detailing.

The resultant building would have a maximum width of 19.5m at ground floor (existing 13.5m) and 15.8m at first floor (existing approximately 12m). The building would not be any deeper than the existing but the floor area would be greater. Whilst an extension is proposed to the front of the building it would not sit significantly further forward than the existing dwelling. The roof form would be the most significant part of the building with the main ridgeline reaching a maximum height of 8.5m. It would be articulated by a series of gable projections and dormer windows consistent with the Arts and Crafts style.

Planning Considerations:

The existing dwelling on site is of no historic or architectural significance and its substantial demolition (i.e. above ground floor level) subject to a suitable replacement is considered acceptable. The existing dwelling does relate well in scale and form to the character of Lime Grove and this part of the Totteridge Conservation Area in keeping with its semi-rural character and location. The proposal would take on a different design approach which although not found within Lime Grove itself, is a common form found elsewhere in the TCA and is considered to preserve the character and appearance of this part of the TCA and be a suitable replacement for the existing building.

The resultant building would be wider than the existing and taller with projecting gable features to the front and as such would appear more prominent in the street scene than the existing structure especially when taking into account its elevated position. However, the design of the building with varying ridge heights and stepped building lines is considered to successfully reduce the perceived bulk and prominence to an acceptable level that would still retain the spacious, open and rural character of the site as well maintaining glimpsed views to the trees to the rear of the site.

The existing detached garage sited along the front boundary of the site was built in the 1980's and is of no historic or architectural interest. Given its size and siting adjacent to the footpath the demolition of this structure would improve the openness of the area as perceived from the public footpath with the built form being pushed back into the main building occupying the site.

3. COMMENTS ON GROUNDS OF OBJECTIONS

N/A.

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 demolition works are considered acceptable in light of the suitability for the redevelopment proposals for the site. The proposals are in accordance with planning policy and guidance and approval subject to conditions is therefore recommended.

SITE LOCATION PLAN:

Oaklands, Lime Grove, London, N20 8PX

REFERENCE:

B/04636/11



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LOCATION: Oaklands, Lime Grove, London, N20 8PX
REFERENCE: B/04527/11 **Received:** 08 November 2011
Accepted: 16 November 2011
WARD(S): Totteridge **Expiry:** 11 January 2012 **AGENDA ITEM 11**

Final Revisions:

APPLICANT: Mr & Mrs Akmal

PROPOSAL: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: PL-300, PL-301, PL-302, PL-303, PL-304, PL-305, PL-306, PL-307, PL-308, PL-309, PL-310, Design and Access Statement, Phelps Associates Arboricultural Tree Report (ref: PA.S654; latest revision 5th July 2012).

Reason:

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

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

Reason:

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

3. Before the development hereby permitted commences, sample details of the materials to be used for the external surfaces of the building 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D or E of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwelling.

Reason:

To safeguard the character and appearance of the Totteridge Conservation Area and preserve the openness of the Green Belt.

5. Notwithstanding the details shown on the hereby approved drawings, the rooflights 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.

6. Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.

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

Reason:

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

8. 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 first floor north flank elevation.

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

12. 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.

13. No development or other operations shall commence on site in connection with the demolition and development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

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

14. The development and associated demolitions shall be carried out in strict accordance with the methodology and details specified in the Phelps Associates Arboricultural Report (reference PA.S654, latest revision dated 5th July 2012).

Reason:

To safeguard the health of existing trees which represent an important amenity feature and protect the character and appearance of the Totteridge Conservation Area.

15. The development hereby permitted shall not commence until the temporary access road subject of application B/01780/12 has been constructed.

Reason:

To safeguard the amenities of adjoining residents.

16. 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 and in the interest of highway safety.

- 17 Before the development hereby permitted commences a schedule of works (including all demolitions) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the Totteridge Conservation Area and preserve the openness of the Green Belt.

INFORMATIVE(S):

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

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

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D11, D12, O1, O3.

Core Strategy (Adoption version) 2012: CS NPPF, CS1, CS5.

Development Management Policies (Adoption version)2012: DM01, DM02, DM06, DM15.

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

The proposed development would have an acceptable impact on the amenities of the adjoining residents and would preserve the character and appearance of this part of the Totteridge Conservation Area. The proposals would have an acceptable impact on trees of special amenity value and would preserve the openness of the Green Belt. The proposals are in accordance with the aforementioned policies.

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

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, D12, D13, HC1, HC5, O1, O3 & H27.

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, DM06, DM15.

Relevant Planning History:

Site Address: Oaklands Lime Grove LONDON N20
Application Number: N01715C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/07/1989
Proposal: Erection of conservatory, front porch and first floor extension, and alterations to windows on north, south & west elevations, & change of use of vacant land formerly tennis courts to residential garden.

Site Address: 'Oaklands' Lime Grove N20
Application Number: N01715A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/05/1985
Proposal: Two-storey side extension, part single, part two-storey rear extension and three car garage at front.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01409/10
Application Type: Full Application
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01410/10
Application Type: Conservation Area Consent
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage. CONSERVATION AREA CONSENT

Consultations and Views Expressed:

Neighbours Consulted: 12 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Concern that no consideration has been given to the use of Badgers Croft and Totteridge Village Hall land for contractors access and unloading;
- Turning right onto Badgers Croft from Totteridge Lane is very difficult and parked vehicles along the initial length of the street restricts access;
- Access to the Village Hall unloading area is restricted with no space for lorries to turn and the route is just as unsuitable as Lime Grove;
- Quietness of the Conservation Area will be disrupted to the detriment of local residents for a period of up to 12 months;
- Potential damage to existing properties and garages on Badgers Croft due to the use by large vehicles;
- Where will tradesmen and workers park?
- By reason of the proposed mass, bulk and excessive height in relation to the neighbouring properties it would be an overbearing and obtrusive form of development detrimental to the rural and valued environmental aspect of the Lime Grove area;
- Lime Grove is an unadopted private road suitable for light domestic traffic only and not for heavy commercial traffic or construction vehicles;
- The sign attached to the entrance of Lime Grove (preventing lorries and cars etc) should be for the duration of the building operation not just 1 year;
- The mass of the proposed extensions, especially to the north is excessive and is not sympathetic to the size of other houses in the immediate area;
- The Character Appraisal Statement refers to Lime Grove as '*a narrow leafy lane of mainly chalet type bungalows*' and the proposals do not meet this criteria;
- The redesign is not common to Lime Grove, the Conservation Area and green belt area;
- The appraisal statement refers negatively to properties that have been extended in an unsympathetic manner reducing the space between neighbouring houses;
- The demolition of the existing garage building will open up and expose the mass of the large new house to users of the public footpath that runs immediately adjacent to the eastern boundary of Oaklands;
- The northern elevation has windows at first floor level and roof slope windows overlooking the neighbouring property to the north;
- The proposed glazing indicates a second storey is intended even though it is not referred to in the application;
- If approved it will create a precedent;

The Totteridge Residents Association have made the following comments in relation to the proposals:

The property is situated in the Green Belt and if the application is approved no further development should be permitted as this current proposal increases the footprint by 25%, which is at the limit of the acceptable size increase within the Green belt. Any permission should condition protection for existing TPO trees on the site and a high quality roof tile should be specified for the large roof which will be very visible.

Internal /Other Consultations:

Traffic & Development

No objections subject to the imposition of a construction management plan condition in the interest of Highway Safety.

Trees and Landscaping

No objections subject to conditions.

Urban Design & Heritage

The application site is located on the western side of Lime Grove, within Area 3: Totteridge Village, of the Totteridge Conservation Area. The site is located on Green Belt land. The adopted Totteridge Character Appraisal notes: "*Lime Grove at north of the Village is a narrow leafy lane of mainly chalet type bungalows of mediocre design*". The existing property at the application site has no specific designation.

This application follows a previous refusal dating from 2010. Since then there have been on-going pre-application discussions and negotiations which aimed to overcome the previous concerns and reasons for refusal.

Under this formal planning submission the previous concerns have been addressed. The width of the proposed replacement property has been reduced to 17m rather than the previously proposed 27m and 21m respectively, and this supported. Another concern related to the height of the new dwelling. It was considered that two storey eaves were not acceptable as they increased the perceived bulk of the replacement dwelling. However, these concerns have been addressed under this application and the overall height of the new dwelling has been further reduced to approximately 8.5m at its highest point.

I note from the plans of the proposed elevations that black uPVC rainwater goods are proposed. It would be a more fitting addition to the Conservation Area to provide black cast iron or similar.

Overall it is considered that the proposed replacement dwelling is acceptable as has overcome previous concerns with scale and design and now poses no demonstrable harm to the application site or wider Conservation Area. As such approval should be recommended.

Totteridge Conservation Area Advisory Committee

This property is situated in the Green Belt and if the application is approved no further development should be permitted as this current proposal increases the footprint 25% which is at the limit of the acceptable size increase in the Green Belt. This property also occupies a prominent position where the roof will be very visible, and the committee therefore request that a high quality roof tile is specified. Any permission should condition protection for the two TPO oak trees.

English Heritage

The proposals are not considered to have any affect on any historic assets or archaeological interest. Therefore the requirement for an assessment of the archaeological interest of the site in respect to the current application could be waived.

Date of Site Notice:

24 November 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached property on the private cul-de-sac of Lime Grove. It lies at the head (western-most point) of the Cul-de-sac and the land slopes upwards to this point in the street and thus the dwelling is at an elevated position.

The site within which the existing property lies slopes upwards from front to rear and thus the existing building is set down into the site with a small patio area surrounding it and steps up to the garden. The whole site lies within the Totteridge Conservation Area and Green Belt designated land. There are substantial TPO oak trees in the grounds which are clearly visible from the street around and beyond the existing building. There is a public footpath running along the front/ eastern boundary of the site and runs all the way from Totteridge Village through fields to Mays Lane.

The Totteridge Village Hall lies directly to the south of the site and open fields to the west. North of the site is detached dwelling house.

The existing building lies within substantial grounds. The land to the south contains a swimming pool and tennis court and lawns surround the property on three sides. To the front of the building is a large drive and detached garage.

The existing building is a chalet style property with the first floor accommodation within the roof space. It is the largest dwelling in the street set within the largest plot. However, the scale, massing and design of the existing property is reflective of those in the immediate locality and is of a modest appearance and style in keeping with the predominant character of dwellings on Lime Grove which are mainly bungalows.

Proposal:

The application seeks planning permission for extensions and alterations to the existing building involving demolition of the first floor and reconstruction. Given the substantial demolition works involved in the proposals an application for Conservation Area Consent has also been submitted in conjunction with this application (reference B/04636/11).

The proposal involves the retention of the ground floor but removal of the existing roof structure. Extensions to both sides of the building and to the front are proposed as well as a new roof structure containing first floor accommodation.

The proposed building has been designed in an Arts and Crafts style and would differ from the existing building occupying the site in terms of style, form and detailing.

The resultant building would have a maximum width of 19.5m at ground floor (existing 13.5m) and 15.8m at first floor (existing approximately 12m). The building would not be any deeper than the existing but the floor area would be greater. Whilst an extension is proposed to the front of the building it would not sit significantly further forward than the existing dwelling. The roof form would be the most significant part of the building with the main ridgeline reaching a maximum height of 8.5m. It would be articulated by a series of gable projections and dormer windows consistent with the Arts and Crafts style.

The existing detached garage would be demolished and forms part of the CAC application.

Planning Considerations:

The proposals have been subject to negotiations between council officers and the applicant in order to reach an acceptable scheme. The main issues in this case are:

- The impact on the character and appearance of the Totteridge Conservation Area;
- The impact on the openness and visual amenity of the Green Belt;
- The impact on the amenities of the adjoining residents;
- The impact on trees of special amenity value;
- Construction access to the site.

Impact on the Totteridge Conservation Area (TCA)

The existing dwelling on site is of no historic or architectural significance and its demolition subject to a suitable replacement is considered acceptable. The existing dwelling does relate well in scale and form to the character of Lime Grove and this part of the Totteridge Conservation Area in keeping with its semi-rural character and location. The proposal would take on a different design approach which although not found within Lime Grove itself, is a common form found elsewhere in the TCA and is considered to preserve the character and appearance of this part of the TCA.

The dwelling would be wider than the existing and taller with projecting gable features to the front and as such would appear more prominent in the street scene than the existing structure especially when taking into account its elevated position. However, the design of the building with varying ridge heights and stepped building lines is considered to successfully reduce the perceived bulk and prominence to an acceptable level that would still retain the spacious, open and rural character of the site as well maintaining glimpsed views to the trees to the rear of the site. The demolition of the existing detached garage along the front boundary of the site would improve the openness of the area as perceived from the public footpath with the built form being pushed back into the main building occupying the site.

Impact on the openness and visual amenity of the Green Belt

Within the details submitted with the application supporting information documenting the changes in footprint and volume have been assessed to show compliance with policies designed to protect the openness of the Green Belt. Policy DM15 states that *'extensions to existing buildings in the Green Belt will only be acceptable where they do not result in a disproportionate addition over and above the size of the original building'*.

Comparative floor areas of the existing and proposed building submitted with the application seek to show the increase would amount to 25%, a general guidance on the percentage increase in buildings that will be considered appropriate in Green Belt locations, subject to an acceptable impact on visual amenity and openness. However, it is noted that the existing floor areas quoted by the agent are based on the existing floor area, rather than the original which has been extended. In addition, the calculations include the detached garage on the site as part of the existing floor area. As such it is considered that the percentage increase over and above the size of the original building is likely to be much greater than 25%.

Despite the proposed increases to the floor area (and associated volume) the proposed extensions are not considered to be detrimental to the openness or visual amenity of the Green Belt. The ridge height is not significantly higher than the existing and although the width across the site would be greater and thus more

dominant, it would not appear inappropriate in its context and sufficient views around the building would be retained. The design of the dwelling is such the increase in size does not form an unduly bulky or obtrusive form of development and the openness and visual amenity of the Green Belt would be preserved.

Impact on the amenities of the adjoining residents

The extensions proposed are not considered to be detrimental to the amenities of adjoining residents. The extensions proposed to the north side of the building would be sited some 13.5m from the shared boundary with Bishops Croft, the adjoining property. At this distance the development is not considered to appear unduly obtrusive or overbearing to the occupiers of this adjoining property. There is an existing tree screen along the boundary which would be retained which also minimise any adverse impacts from the proposal.

2no. dormer windows are proposed to the north facing elevation. These windows would be greater than 10.5m to the adjoining garden and as such are not considered to result in a significant level of overlooking into the adjoining property. No facing habitable room windows at the adjoining property would be affected by the proposal. As such the privacy of the adjoining occupiers to the north are considered to be preserved.

The front window on the proposed extension to the north of the building would face onto the flank wall of the adjoining bungalow to the east, Little Fold, which is at a lower level than the application property. There would be approximately 21m between these facing windows (in accordance with policy H17 of the Adopted Barnet UDP) and as such it is not considered that the proposal would be detrimental to the privacy of the occupiers of this adjoining property. In addition, at the distance proposed the proposed works are not considered to be unduly overbearing or obtrusive as perceived from this adjoining bungalow.

Impact on trees

There are 2 mature oak trees to the west of the building, one of which is outside of the site and lies within the adjoining field. Both trees are recognised as 'Grade A' within the accompanying Arboricultural Tree Report submitted with the application and are considered to be of high public amenity value significantly contributing to the character and appearance of the TCA.

Subject to conditions regarding protection during construction and the details within the methodology for construction it is considered that the health of these trees would be safeguarded.

Access

Given the constraints of Lime Grove it is proposed to gain access for construction from Badgers Croft and through the adjoining Village Hall land to the south of the application site. Details of this arrangement and the associated method statement have been included within the Arboricultural report submitted with the application to ensure that any potential impacts on trees and the character and appearance of the TCA are mitigated against. In order to achieve access through this site a temporary access road would need to be constructed and as such an application for this development has been submitted (reference no. B/01780/12).

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 is considered to have an acceptable impact on the character and appearance of the Totteridge Conservation Area, the visual amenity and openness of the Green Belt and the amenities of adjoining residents. The proposals would have an acceptable impact on the health of existing trees and are in accordance with planning policy and guidance. Approval subject to conditions is therefore recommended.

SITE LOCATION PLAN:

Oaklands, Lime Grove, London, N20 8PX

REFERENCE:

B/04527/11



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LOCATION: Totteridge Village Hall, Badgers Croft, London,
N20 8AH
REFERENCE: B/01780/12
WARD(S): Totteridge

Received: 11 May 2012
Accepted: 25 May 2012
Expiry: 20 July 2012

AGENDA ITEM 12

Final Revisions:

APPLICANT: Dr M & S Akmal

PROPOSAL: Temporary roadway access for a period of 3 years to facilitate the proposed works to Oaklands, Lime Grove, London, N20 8PX (planning application reference B/04527/11 & B/04636/11) (Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage).

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, PL-400A, PL-401A, PL-402, Phelps Associates Arboricultural Tree Report (ref: PA.S654; latest revision 5th July 2012), PL-404, email from agent of 10/09/2012 and associated skip and vehicle details.

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 development hereby permitted shall only be carried out in association with the demolition and redevelopment works associated with Oaklands, Lime Grove subject to planning application references B/04527/11 and B/04696/11.

Reason:

To safeguard the character and appearance of the Conservation Area.

4. This permission, once implemented, shall be for a limited period only, expiring 3 years after initial implementation when the use of the roadway shall be discontinued and the works carried out under this permission shall be removed and the land reinstated in accordance with details approved by the Local Planning Authority in writing before any development commences.

Reason:

To protect the amenities of the area.

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

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties and minimise conflicting movements on the public highway.

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

Reason:

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

7. 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.

8. No development or other operations shall commence on site in connection with the demolition and development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

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

9. The development and associated demolitions shall be carried out in strict accordance with the methodology and details specified in the Phelps Associates Arboricultural Report (reference PA.S654, latest revision dated 5th July 2012).

Reason:

To safeguard the health of existing trees which represent an important amenity feature and protect the character and appearance of the Totteridge Conservation Area.

10. 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 and in the interest of highway safety.

INFORMATIVE(S):

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

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

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D11, D12, M11, M12, M13, HC1, HC5, O1.

Core Strategy (Adopted) 2012:

CS NPPF, CS1, CS5.

Development Management Policies (Adopted) 2012:

DM06.

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

The proposed temporary access is considered to be an acceptable form of development with minimal adverse long-term impacts on the character or appearance of the Totteridge Conservation or Area of Special Character. The development would have a limited impact on highway and pedestrian safety and the free flow of traffic and is in accordance with the aforementioned policies.

2. Wildlife and Countryside Act 1981 Obligations etc: TIN/TPO
Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
3. Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the method statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials.
4. The applicant should contact the Council on 020 8359 2000 to apply for a habitual crossing to allow construction vehicles to enter the site via the existing crossover and any other necessary licenses. The applicant is

advised that a deposit may be required for repair works of any eventual damages on the public highways.

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: GBEnv4, HC1, HC5, D11, D12, D13.

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 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.

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, DM06.

Relevant Planning History:

Site Address: Oaklands Lime Grove LONDON N20
Application Number: N01715C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/07/1989
Proposal: Erection of conservatory, front porch and first floor extension, and alterations to windows on north, south & west elevations, & change of use of vacant land formerly tennis courts to residential garden.

Site Address: 'Oaklands' Lime Grove N20
Application Number: N01715A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/05/1985
Proposal: Two-storey side extension, part single, part two-storey rear extension and three car garage at front.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01409/10
Application Type: Full Application
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/01410/10
Application Type: Conservation Area Consent
Decision: Refuse
Decision Date: 10/06/2010
Proposal: Demolition of existing two storey detached house and garage and construction of new two storey detached house with rooms in roofspace and integral garage. CONSERVATION AREA CONSENT

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/04527/11
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Proposal: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage.

Site Address: Oaklands, Lime Grove, London, N20 8PX
Application Number: B/04636/11
Application Type: Conservation Area Consent
Decision: Not yet decided
Decision Date: Not yet decided
Proposal: Demolition of existing first floor and erection of a new first floor level with pitched roof. Extensions to front and side elevations. Demolition of existing garage.

Site Address: Totteridge Village Hall Totteridge Lane N20
Application Number: N00424Z
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 06/10/1971
Proposal: new village hall

Site Address: Land R/O Village Hall Badgers Croft LONDON N20
Application Number: N00424BN
Application Type: Retention/ Contin. Use
Decision: Approve with conditions
Decision Date: 24/05/1994
Proposal: Retention and completion in accordance with plans of single storey scout hut.

Site Address: Land R/O Village Hall Badgers Croft LONDON N20
Application Number: N00424BJ
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/08/1992
Proposal: Single storey building to provide scout hut.

Consultations and Views Expressed:

Neighbours Consulted: 26 Replies: 8 (1 letter in support)
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Due to the activities that take place at the Village Hall the car park is usually full and overflow often fills the areas alongside the green croft area on either sides of the entrance to Badgers Croft blocking the path for larger vehicles;
- To allow commercial lorries to drive through Badgers Croft onto the Village Hall's narrow access would be a danger to pedestrians and children;
- Lime Grove is able to facilitate the traffic associated with the development and should be utilised;
- Disruption to neighbouring residents for a period of 3 years;
- Where will users of the village hall and car park during construction?
- Detrimental impact on the Conservation Area and wildlife;
- Why is 3 years required for the works? This is over the top;
- Impact on Badgers Croft road surface;
- It is not easy to enter Badgers Croft due to the density of traffic on the main road and there are no sight lines;
- Lots of detail on tree protection but no consideration of the nuisance to local residents;
- The planning committee must visit the site before a decision is reached;

Internal /Other Consultations:

Traffic and Development (CB) -

The proposal is for construction of a temporary access for a period of 3 years to facilitate works for partial demolition and alterations to existing 5 bedroom house to provide a 5 bedroom single dwelling on Oaklands, Lime Grove.

The application includes details of deliveries and construction vehicles arrangements which proposes for vehicles to enter the Village Hall site and deliver or collect materials at a drop off zone adjacent to Village Hall, which will then be transferred to and from Oaklands in smaller construction vehicles. Skips for demolition materials will also be located at the drop off zone.

The proposed arrangements including details of construction vehicles and swept paths as shown in drawing PL-404, are acceptable on highways grounds. No objections on highways grounds.

Totteridge Conservation Area Advisory Committee

Committee wishes to see the trees in the vicinity of the track protected. If the application is approved the period should be limited to 2 years and the land should be restored to its original condition at the end of the term.

Trees and Landscaping

The proposed access as set out in the Andrew Phelps' Arboricultural Report most recently updated 5th July 2012 would have implications for the Willow (T6) and Oak (T7) to the rear of the Village Hall.

The proposed treeworks outlined in Section 11 involve lifting the Willow canopy to 5m to facilitate vehicular access – the tree has not previously been lifted to this height and has the potential to leave the tree with a one-sided appearance, however, there is a significant split in the sizeable branch on the opposite side, and one of the branches to be lifted is significantly rubbing on the Oak and it would be reasonable to remove the rubbing branch on arboricultural grounds regardless of the proposed access.

Section 11 also proposes removal of one limb from the Oak. These treatments to the Willow and Oak would alter the appearance but given likely regrowth over time and subject to the landowner's consent it would not be justifiable to refuse. The proposed lifting of the Ash (T8) involves mainly dead branches (and the tree also appears to have a split out branch) – such work is reasonable on arboricultural grounds regardless of the proposed access.

Should approval be recommended, several conditions are recommended.

Date of Site Notice:

07 June 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to land occupied by the Totteridge Village Hall and Scout Hut which is accessed via Badgers Croft and the associated fields. The site is within the Green Belt and there are mature trees at and adjoining the site.

Proposal:

The application seeks planning consent for the construction of a temporary access in conjunction with the application submitted for the partial demolition of and extensions to Oaklands, Lime Grove which is sited to the north of the Village Hall. A method statement accompanies the application which considers the practicalities of the development at Oaklands and the associated mitigation measures for existing mature trees as well as managing construction vehicles.

Planning Considerations:

The main considerations in this case are:

- The impact of the access road on the character and appearance of the Totteridge Conservation Area;
- The impact on trees of important public amenity value;
- The impact on the public highway and free flow of traffic and highway and pedestrian safety as a result of the construction arrangements associated with the development.

The proposed access road is to facilitate the proposed works at Oaklands, which adjoins the Village Hall site to the north. A temporary surface would be constructed to enable construction vehicles to access the site for the duration of the works associated with proposals at that site. The existing vehicular access to the site is considered unsuitable given its restricted width and sharp turn up towards the property itself. It is proposed that the access road would remain in situ for a period of 3 years.

The main consideration is the potential lasting impact of the proposed access road on the character and appearance of the Conservation Area and area of special character. The access road is for a temporary period and subject to the reinstatement of the land the development is acceptable in terms of its impact on the character and appearance of the TCA and this area of special character. The access roadway would not be highly visible from adjoining land outside of the Village Hall site and is considered, given its temporary nature, to have an acceptable impact on the visual amenities of the general locality.

In order to facilitate construction vehicles along the access road works to existing mature trees are proposed. These works are detailed within the submission and are referred to above in the trees and landscaping comments. Given that the works proposed are generally considered reasonable on arboricultural grounds and would not have a significant or lasting detrimental impact on the character and appearance of the Conservation Area the proposals would be acceptable in terms of their impact on the visual amenity and rural character of the area.

The development is not considered to be detrimental to the free-flow of traffic. Details for the arrangements of vehicles movements and associated deliveries are considered to minimise disruption to the highway network and users of adjoining roads. Details submitted state ensure that vehicles using the access road are not to reverse or turn onto the existing car park at the Village Hall thereby minimising potential inconvenience to users of the car park and reducing conflicting movements between pedestrians and construction vehicles.

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

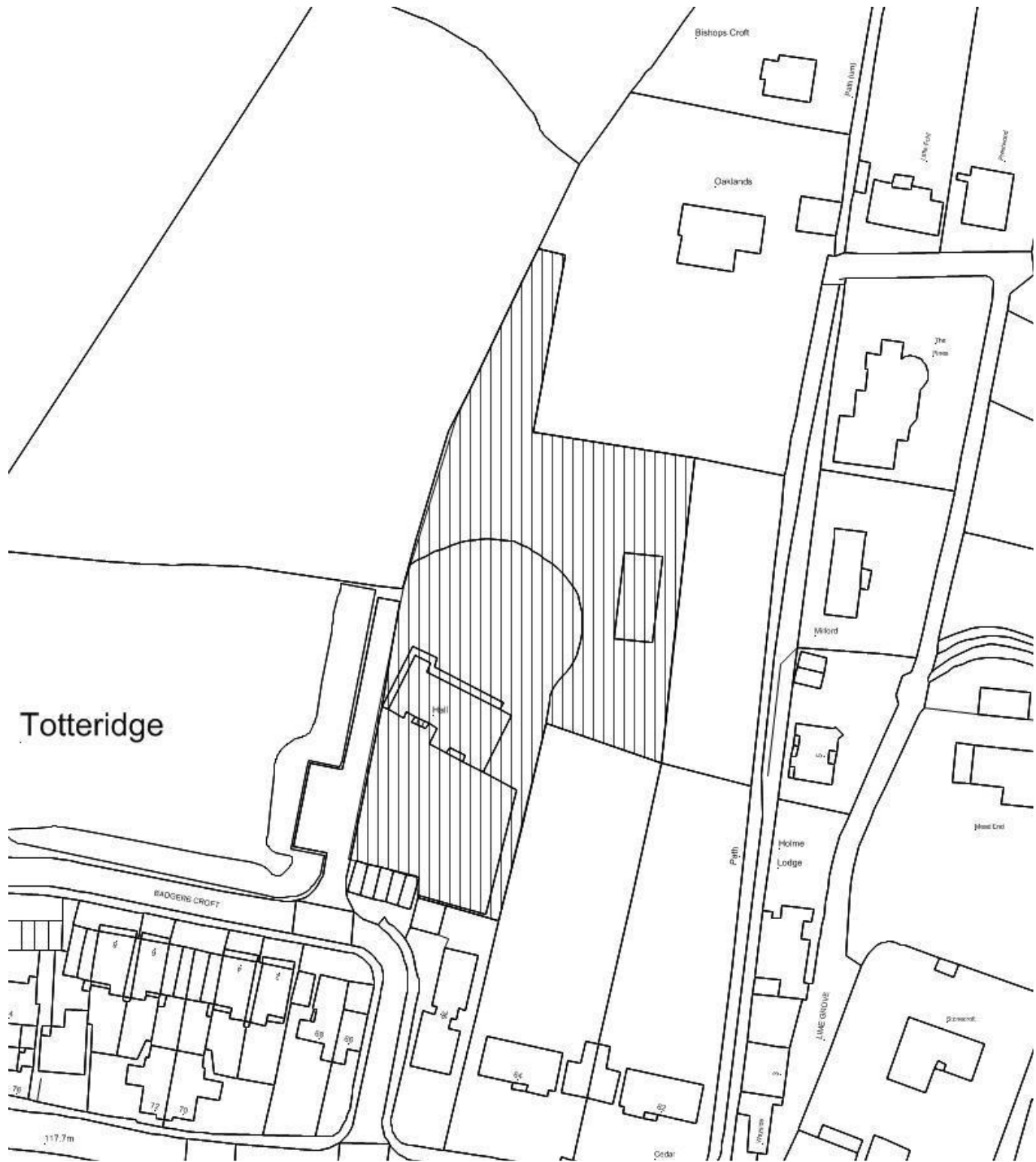
The proposals are considered to be in accordance with planning policy and guidance and approval subject to conditions and a temporary period of consent is recommended.

SITE LOCATION PLAN:
N20 8AH

Totteridge Village Hall, Badgers Croft, London,

REFERENCE:

B/01780/12



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LOCATION: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE

REFERENCE: F/02183/12

Received: 31 May 2012

Accepted: 09 July 2012

WARD: Woodhouse

Expiry: 03 September 2012

AGENDA ITEM 13

Final Revisions:

APPLICANT: Mr Davison

PROPOSAL: Part demolition of buildings ancillary to main hall and erection of new two storey extension to re-house existing kindergarden, function rooms and administration offices.

APPROVE SUBJECT TO THE COMPLETION OF A UNILATERAL UNDERTAKING

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Submission of Documentation** **£0.00**
Requirement to submit an Activities Management Plan for approval by the Council prior to occupation of the proposed development.
- 4 **Requirement to submit Travel Plan** **£5,000.00**
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: F/02183/12 under delegated powers subject to the following conditions: -

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1-361.001 rev A, 1-361.010, 1-361.011, 1-361.012, 1-361.020, 1-361.050, 1-361.051, 1-361.052, 1-361.060, 1-361.061, 1-361.099, 1-361.100, 1-361.101, 1-361.102, 1-361.200, 1-361.201, 1-361.210, 1-361.300, 1-361.301, Finchley Reform Synagogue Design and Access statement May 2012, Finchley Reform Synagogue Design and Access Statement - Appendices May 2012, Assessment of proposed redevelopment of Finchley Reform Synagogue in context of relevant planning policies ref CA/2661 (April 2012).

Reason:

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

3. Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 1-361.100 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

5. The premises shall be used for a synagogue and its ancillary activities and for no other purpose (including any other purpose in Class D1) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To 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.

6. No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8am or after 6pm on any other day.

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

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

Reason:

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

8. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

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

9. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the public parts of the building shall have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason:

To ensure adequate access levels within the development.

10. A noise assessment, by an approved acoustic consultant, shall be carried out that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before the use commences.

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

14. The building hereby approved shall be constructed so as to provide sufficient sound insulation against internally generated noise and provided with double glazing and additional means of ventilation so that the windows and other openings can be kept closed. A scheme for the necessary measures is to be provided to the LPA and agreed in writing before implementation.

Reason:

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

15. Before any development commences a Travel Plan shall be submitted setting out the synagogues transport policy to include the means of arrival and departure for users of the facility and details and means of transportation and car-pooling. The scheme as submitted shall be approved in writing by the local planning authority and the use shall be carried out in accordance with the Travel plan as approved.

Reason:

To ensure the minimum of vehicle movements into and out of the site in the interests of sustainability and highway safety.

16. the use of the premises for the purposes hereby permitted (other than during the hours of shabbat for religious functions and the use of the site during High Holy days and on Jewish Festivals*) shall only take place between the hours of 8.00am and 10.30pm Saturdays and Sundays and between 7.00am and 10.30pm on all other days.

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties.

*(High Holy Days means Rosh Hashana (2 days); Kol Nidre (1 evening); Yom Kippur (1 Day). Jewish festivals means Pessach (4 days); Shavout (1 evening and 2 days); Succot (3 days); Yom Hashoah (1 day); Chanuka (1 day); Purim (1 day) and Simchat Torah (1 day).

17. 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.

18. The development will be required to meet the 'Very Good' standard in the BREEAM (Building Research Establishment Environmental Assessment Method).

Reason:

To ensure that the development is sustainable and complies with strategic and local policies.

19. Prior to the occupation of the development an Activities Management Plan (AMP) shall be submitted to and approved in writing by the Local Planning Authority and the activities on the site shall be carried out in accordance with the approved AMP.

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties.

20. The number of children on the premises at any time in relation to the operation of the kindergarten use shall not exceed 42.

Reason:

To safeguard the residential amenity of neighbouring occupiers.

21. No child shall be on the premises for the purpose of the kindergarten use on any Saturday/Sunday or public holiday or any other day except between the hours of 8.30am-3.00pm.

Reason:

To safeguard the residential amenity of neighbouring occupiers.

22. A scheme for acoustic fencing along the boundary with 99 Fallow Court Avenue shall be submitted in writing and approved by the Local Planning Authority prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

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

23. That within three years of the commencement of Phase 1, Phase 2 shall be commenced and the retained kindergarten block and ancillary buildings shall be demolished.

Reason:

To ensure that sufficient parking is provided on site in the interests of pedestrian and highway safety and the free flow of traffic and to safeguard the residential amenity of the adjoining properties.

INFORMATIVE(S):

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

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011, 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):

1.1, 3.1, 3.16, 5.2, 5.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.15.

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, Env12, D1, D2, D4, D5, D6, D9, D11, M11, M12, M14 & CS1.

Local Development Framework:

Core Strategy (Adopted) 2012 – GSD, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, Env12, D1, D2, D4, D5, D6, D11, M11, M12, M14 & CS1.

Development Management Policies (Adopted) 2012 – DM01, DM02, DM03, DM04, DM11, DM13, DM15.

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

Having taken all material considerations into account, it is considered that the proposal would enable the redevelopment of a previously developed brownfield site within close proximity of a town centre. The proposal would see the modernisation of a community facility in line with Policy CS1 of the adopted UDP and Policies CS10 and DM13 of the Local Plan. The proposal has been designed to provide a landmark building which reflects the use proposed whilst taking into account the adjoining residential properties.

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.

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

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

RECOMMENDATION III

That if an agreement has not been completed by 30/11/2012, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/02183/12 under delegated powers for the following reason:

1. The development would require a Unilateral Undertaking and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting the costs of monitoring the traffic assessment scheme contrary to Policy M11 of the adopted Unitary Development Plan; contrary to DM17 of the Local Plan Development Management Policies (Adopted) 2012; and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.

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 27th March 2012. This is a key part of the Governments reform 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 a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would “significantly and demonstrably” outweigh the benefits.

The Mayors 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 policies to this case are: 1.1, 3.1, 3.16, 5.2, 5.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.15.

Relevant Unitary Development Plan Policies:

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

On 13th 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 are: GSD, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, Env12, D1, D2, D4, D5, D6, D9, D11, M11, M12, M14 & CS1.

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, CS6, CS7, CS9, CS10, CS12, CS13.

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, DM03, DM04, DM11, DM13, DM15.

Planning History:

Site Address: Rear of Granville Hall Montrose Crescent and Fallowcourt Avenue N12
Application Number: C00043
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 02/06/1965
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of temporary Synagogue and ancillary accommodation.**
Case Officer:

Site Address: Land at corner of Fallowcourt Avenue and Montrose Crescent N12
Application Number: C00043A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/01/1966
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension on to existing temporary synagogue.**
Case Officer:

Site Address: junction of Fallowcourt Avenue and Montrose Crescent London N12
Application Number: C00043B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/04/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: renewal of permission for retention of existing temporary prefabricated timber building for syna gogue.

Case Officer:

Site Address: Corner of Fallowcourt Avenue and Montrose Crescent Finchley London N12
Application Number: C00043C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/05/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of temporary consent for extension to synagogue**
Case Officer:

Site Address: Granville Hall Granville Road London N12
Application Number: C00043D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/02/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Fallowcourt Avenue; Montrose Crescent; Granville N12
Application Number: C00043E
Application Type: Full Application
Decision: Refuse
Decision Date: 16/12/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of new buildings for synagogue and ancillary uses**
Case Officer:

Site Address: Granville Hall and Finchley Reform Synagogue N12
Application Number: C00043F
Application Type:
Decision: Withdrawn
Decision Date: 28/05/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal:
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043G
Application Type: Full Application
Decision: Approve
Decision Date: 26/01/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **erection of a Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Granville Hall Granville Road N12
Application Number: C00043H
Application Type: Full Application
Decision: Approve
Decision Date: 30/05/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **erection of Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Corner of; rear of Fallowcourt Avenue; Montrose Crescent Granville Hall North Finchley N12
Application Number: C00043J
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/07/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of permission for prefabricated/timber all purposes building.**
Case Officer:

Site Address: REAR OF GRENVILLE HALL MONTROSE CRESCENT & FALLOWCOURT AVENUE LONDON N12
Application Number: C00043K
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/09/1976
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of permission for prefabricated timber building.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043L
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/02/1979
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part two storey side extension and additional car parking spaces.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043M
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/03/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of youth centre as kindergarten for 25 children on Monday to Friday mornings between 9.00 a.m. and 12.00 noon**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043N
Application Type: Full Application
Decision: Approve
Decision Date: 14/05/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of single storey building:- renewal of planning permission C.43K dated 22nd September 1976.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043P
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/10/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of small hall as kindergarten**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043Q
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 25/02/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey link building between hall and synagogue, brick cladding on hall, and 1.4 m (4 ft. 9 ins.) high wire fence and gates.**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043R
Application Type: Full Application
Decision: Approve
Decision Date: 22/07/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **CONTINUED USE OF SMALL HALL AS KINDERGARTEN**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043S
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/12/1991
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey side extension to main hall**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043T
Application Type: Full Application
Decision: Refuse
Decision Date: 20/04/1993
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground and first floor extensions. External staircase.**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043U
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/05/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: **First floor extension at the corner of Granville Road and Montrose Crescent.**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043V
Application Type: Material Minor Amendment/Vary Condition
Decision: Approve with conditions
Decision Date: 08/04/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation to condition 2 & 3 of planning permission Ref C43M to enable 26 children to be at the kindergarten at any one time and to extend the hours of use until 3pm on Monday to Fridays.**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043W/00
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/09/2000
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation of condition 2 of planning permission C00043V to enable 42 children to be at the kindergarten at any one time.**

Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043X/01
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 07/08/2002
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey extension between existing hall and 99 Fallow Court Avenue ancillary to existing use as a kindergarten.**

Case Officer:

Consultation and Views Expressed:

Neighbours Consulted: 121 Replies: 28
Neighbours Wishing To Speak 7

Date of Site Notice: 09 August 2012

The objections raised may be summarised as follows:

- Loss of light and privacy;
- Increase in noise and disturbance;
- Consultation occurred during the summer holiday period making it difficult for residents to comment.
- Traffic and congestion currently experienced will get worse;
- On-street parking is over subscribed and expansion will put further pressure on this;
- Insufficient parking provided on site to meet the needs of the use. Proposal will result in loss of parking space on site;
- Increase in noise and disturbance from children playing;
- Refuse bins are to be located adjacent to a residential boundary which will impact on amenity of adjoining residents;
- The building will be out of character with the adjoining residential street scene;
- The buildings are not community uses as they only serve the Synagogue community and are not available to the wider local community;
- The synagogue should relocate to a more appropriate site in a less residential area;
- Loss of trees;
- Design of the building and proposed materials are out of character;
- The proposal will result in an increase in membership and therefore an increased impact on the surrounding area;
- The building work will happen in a phased way as and when funds are raised which will mean that local residents will have the disruption of building works for a long period of time;
- Loss of value to surrounding properties;

- There is no transport statement provided;
- The site would be enclosed by a 2m high fence which is unnecessary and would be visually obtrusive;
- Concern over how lorries will access the site during construction.

The Finchley Society objected for the following reasons:

- The design is almost brutalist and has no relationship to the surroundings contrary to Policy DM01a.

Internal/Other Consultations:

Traffic and Development

No objection subject to s106 and conditions

Environmental Health

No comment

Trees and Landscaping

No comment

2. PLANNING APPRAISAL

Site Description and Surroundings:

Finchley Reform Synagogue is located at the corner of Granville Road, Montrose Crescent and Fallow Court Avenue in a predominantly residential area.

The site consists of a collection of interlocking buildings that form the Synagogue. These spaces include a large main hall; a kindergarten – including a temporary building; a small multi-use hall; offices; kitchen and ancillary spaces. The building heights vary between one and two storeys across the site. The roof form is predominantly flat.

The current buildings on site lack a coherent appearance as the style varies reflecting the ad-hoc development of the site, the main materials are brick, render and metal cladding.

The site is located on a corner junction and has two access points; the main entrance is located off Fallow Court Avenue, this services pedestrian and vehicular access while deliveries are made via Granville Road. Due to its prominent corner location the site is very visible within the street scene, providing a local landmark.

The surrounding area is predominantly residential and is characterised to the north and south by Edwardian housing to the west is a three storey block of purpose built flats.

Proposal:

Planning permission is sought for “*part demolition of buildings ancillary to the main hall and erection of new two storey extension to rehouse existing kindergarten, function rooms and administration offices*”.

There are three key elements to the proposal:

1. The Main Hall

The proposal would see the demolition of all buildings on the site with the exception of the main hall. This building would be modified by raising the parapet wall to screen the existing roof form and the building would be rendered to blend with the new elements. The building would increase in height by approx 2m.

A new parking area would be created to the south west of the hall providing 5 parking spaces (one of which would be for the use of blue badge holders). A new vehicular entrance from Granville Road would be created to access this area.

2. The Main entrance

Adjacent to the main hall a new entrance/foyer area is proposed, this would be a single storey structure, 4.2m high. It would project forward of the existing main hall by 2.2m and would form the main pedestrian access to the building accessed from Granville Road. The main entrance would be of a render construction with large glazed floor to ceiling panels. The building would wrap around the corner of the site and link into the third element of the scheme.

3. Part single/part two storey extension.

The third element of the scheme would consist of a part single, part two storey structure that would front onto Montrose Crescent and Fallow Court Avenue wrapping around the perimeter of the site. The building would be set 1.6m off the boundary with Montrose Crescent, pulling back a further 0.6m as the building turns into Fallow Court Avenue to give a 2.2m set off along this boundary.

The building would be two storey (approx 7m) along the Montrose Crescent frontage. As the building turns the corner into Fallow Court Avenue it would remain two storey for a further 16m before stepping down to 3.6m in height for a further 7.4m.

This main accommodation that this building would provide is a new hall space at ground floor level. Although linked to the Main Hall and Foyer the hall would have a separate pedestrian entrance on Fallow Court Avenue enabling it to operate separately from the rest of the building.

The two storey element of the building would be constructed of buff brick with a decorative brick work panel proposed for the corner of the building adjacent to Granville Road/Montrose Crescent. The single storey element would be rendered. Both elements would have a flat roof.

The existing vehicular access on Fallow Court Avenue would be relocated 12m further along the Fallow Court Avenue frontage to provide access to a new parking area for 6 cars which would be located along the boundary with 99 Fallow Court Avenue

A single storey (2.6m high) brick structure would be located to the front of the proposed parking area adjacent to the boundary with 99 Fallow Court Avenue effectively screening the parking area from the street scene. This building would provide an external store and refuse storage area.

To the rear of all three elements would be a garden area which would provide

outdoor play space for the kindergarten function during the week and an outside space for synagogue users at other times.

Cycle storage is provided adjacent to the main pedestrian entrance and within the site adjacent to the Fallow Court Avenue parking area.

The proposal would result in the removal of the existing boundary treatment which in the main consists of a mature hedge and a number of trees and replacement with a dwarf brick wall with metal railings to a height of 2.1m from pavement level. Planting is proposed behind this.

Planning Considerations:

The main issues in this case are considered to be:

- i. Principle of development
- ii. Intensification of use
- iii. Highway safety and parking provision
- iv. Impact on the street scene
- v. Impact on the residential amenity of adjoining properties
- vi. Sustainable design and construction
- vii. Section 106 contributions

General Policy GBEnv1 of the Unitary Development Plan (2006) aims to maintain and improve the character and quality of the environment.

Policy Env12 states that Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted.

Policies D1 and D2 of the Unitary Development Plan (2006) aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

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

Policy D4 states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Part of policy D5 of the Unitary Development Plan (2006) requires new development to safeguard outlook and light of neighbouring residential occupiers.

Policy DM01 of the Development Management Policies (Adoption version) 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.

Principle of development

The NPPF outlines that social infrastructure and services are needed in order to support new and existing economic development and to promote strong, stable and productive economies and communities. In addition both the London Plan and the UDP recognise that the provision of community facilities are required to support community needs and contribute to making an area more than just a place to live. Social infrastructure has a major role to play in supporting London's expected growth.

The existing buildings have developed in an ad hoc manner and no longer meet the needs of the organisation.

The proposals therefore would result in new modern facilities to cater for the needs of the current and future community which is consistent with Policies GCS1 of the adopted UDP and CS10 of the Local Plan (Core Strategy) which seek to ensure that an adequate supply of buildings are available for community facilities to meet the needs of the residents in the borough.

The principle of a community use in this location is well established with a synagogue existing on the site since the early 1970s.

Intensification of the use

The London Plan recognises that social infrastructure has a major role to play in supporting London's expected growth making residential areas more attractive and turning them into sustainable neighbourhoods and communities. The London Plan highlights the need to safeguard existing provision.

Policy 3.16 of the London Plan states:

"London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population."

A key guiding principle of the adopted UDP and the Boroughs corporate plan is to sustain the boroughs communities. Para 2.2.1 of the UDP states 'Adequate provision of education, health and welfare services will be needed to meet the requirements of Barnet's diverse communities.'

Policy CS1 of the adopted UDP advocates that proposals to develop or expand community and religious facilities will be permitted where they:

- are easily accessible by public transport, walking and cycling;
- if in a town centre location, would not be situated within the primary retail frontage;
- would not have a demonstrably harmful impact on the character of the surrounding area or the amenities of nearby residential properties and other uses; and
- are designed to be accessible by people with disabilities.

The use of this site as a synagogue is well established with a purpose built facility existing on the site since the 1970's. It is therefore considered that the principle of a religious facility in this location is well established.

The site is not in a town centre location and therefore not within a primary retail frontage.

Due to the existing building the noise and disturbance generated by its activities

already form part of the character of the area. The current proposal would see the erection of new buildings in such a way as to minimise impact upon adjoining residential properties by placing the noise generating activities further within the site. The building would be of high quality and be suitably insulated so as to minimise noise transference for those within the building and conversely neighbouring properties.

The proposals would result in the development of a new building which would need to comply with Part M of the Building Regulations and be compliant with the Disability Discrimination Act 1995(DDA). The majority of the public facilities are at ground floor level and a lift is proposed to provide access to the second floor.

The concerns regarding intensification therefore focus on the issue of the use of the building. Concerns have been raised by local residents that given the improved facilities there is the potential that the building may be used more intensively and the impact of visitors travelling to the site how this would impact on the local highways network.

The site is currently home to a Synagogue use and the list below details the services currently delivered at the premises:

- Religious worship, weekly on Friday evening and Saturday morning but also at other festival days throughout the year;
- Kindergarten for 60 children which runs from 9.15 to 12.15 Monday to Friday. A breakfast session is offered from 8.15 for children of working parents. When children reach the Swans Class they are given the opportunity to stay until 2.30pm three days a week to prepare them for school;
- Mother and Toddler group on Tuesdays from 9.30-11.30;
- Kochavim – religion school from 9.30-12.10 on Sundays (term time only);
- Youth Club from 4.30-6pm on Thursdays (term time only);
- Non-residential holiday courses during the summer holidays and February half term;
- Bridge Club from 2-4pm on Thursdays; and
- Friendship Club from 1.30-3.30pm on Wednesdays.

From the information submitted with the application it is advocated that services delivered from the new building would remain as above.

However, the proposal would result in an overall increase in the net floor area on the site from 606sqm to 708sqm (an increase of 102sqm or 16.8% of floor area). Documentation submitted with the application advises that the increase in floor area is wholly from the increase in foyer, lobbies and circulation space (which will increase from 47sqm to 137sqm). The synagogue floor area will not change. Whilst the internal breakdown of space alters the overall uses and intensity of use on the site will remain the same.

The current building has the benefit of an unrestricted use. Given the predominantly residential nature of the surrounding area it is recommended that should Members be minded to approve the application a condition be attached restricting the hours of use. It is therefore considered that the impact of any change in activity or intensification of use would be mitigated and would not adversely effect the amenity of surrounding residents.

The next issue that therefore needs to be considered is whether there are any

measures that can be taken to mitigate against the impact of trips to and from the site. The main mechanism for delivering this would be reducing the need for car borne travel and the means for achieving this is via a Travel Plan (TP). If Members are minded to approve the application a condition requiring the submission of a detailed TP is recommended.

As part of the redevelopment of Finchley Memorial Hospital a number of off site measures to improve the access to the hospital by non-car modes particularly the provision of pedestrian links; links from the public transport network and restrictions on movements into and out of the site and across the network are being implemented. These measures include:

- A contribution towards the enhancement of the bus stops to make them DDA compliant; provision of new bus shelters and ibus (countdown) displays
- A contribution towards the improvement of the pedestrian environment including upgrading the tactile paving at the junction of Granville Road and Bow Lane.

It is considered, given the proximity of this site to the hospital, that these measures will also benefit non-car access to the application site.

The site has a PTAL score of 1/2 indicating limited accessibility to public transport facilities. However, given the above the proposal is considered to comply with policy CS10 of the adopted UDP and CS1 of the Local Plan (Core Strategy) the potential of any intensification of use within the site is considered when balanced against the wider community needs for the Borough to be acceptable subject to an hours of use condition and satisfactory Travel Plan.

Highway safety and parking provision

The existing main access to the site is in Montrose Crescent in a predominantly residential road with a constrained capacity.

The current proposals would relocate the main access onto Granville Road which is considered to offer a better solution as this produces the least vehicular/pedestrian conflicts and minimises the impact upon adjoining residential properties.

Locating the main access on Granville Road optimises the opportunity for dispersing traffic that would be generated as a result of the proposal into the local road and junction network, thereby dissipating its impact. The Councils Highways Group has indicated that they consider that the network has the capacity to take these movements.

The site currently has 13 spaces marked out for parking. These are accessed via a dropped kerb and gate from Montrose Crescent. The current proposal would provide parking for 11 cars in two parking areas, one adjacent to the main hall and accessed via Granville Road and the second adjacent to the boundary with 99 Fallow Court Avenue accessed from Fallow Court Avenue. Both areas would include one parking space for blue badge holders.

Two areas of cycle parking are proposed. One adjacent to the proposed new pedestrian entrance on Granville Road and the other adjacent to the rear of the main hall adjacent to the Fallow Court Avenue car park area.

There is unrestricted on-street parking in the surrounding road network.

The Council's highways officers have no objections subject to conditions including the submission of a Travel Plan and an Activities Management Plan.

Impact on street scene

Policies in both the adopted UDP and emerging Local Plan advocate that new development should represent high quality design. However, proposals should be based on an understanding of local characteristics and should represent the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street and movement patterns and the overall character and quality of the area.

The application site is very prominent within the street scene partly due to the existing buildings use, design and materials. Given the sites prominent location and the type of building (a place of religious worship) proposed a landmark building of high quality design is considered appropriate.

The current proposals would see a building of individual design which would reflect the proposed use. It would sit well within the street scene echoing the existing bulk and mass of the buildings currently on the site.

The building through changes in height, massing and material has been broken up to provide visual diversity. The building has been set off the boundary to reflect established building lines and reduce its visual prominence by giving the opportunity to provide a soft landscape setting for the building.

The organisation of the buildings massing and disposition has regard to the adjoining buildings in respect of scale and boundaries. A variety of features and materials are proposed which are considered to help break up the building whilst creating a harmonious and symmetrical approach to its appearance. The proposal is therefore considered to comply with policies D1, D2, D3, D4, D5, D6, D9 and D11 of the adopted UDP and policies DM01, DM02, DM11 and DM15 of the Barnet's Local Plan (Development Management Policies) DPD.

Impact on the residential amenity of adjoining properties

Due to the triangular nature of the site the proposals would have a back to side relationship with the adjoining residential properties in Fallow Court Avenue and Granville Road and as a result the proposal is not considered to result in overlooking to these properties. The proposal will result in the current kindergarten building being removed from the boundary with 99 Fallow Court Avenue and the buildings pulled back further within the site.

The proposal would result in an increase in the height of the building adjacent to Glowhill Court as the mono pitch roof will be increased by between 0.1 and 2m to bring it level with the existing main flat roof. Those changes and their impact on the windows in the side elevation are not considered to warrant refusal for the application. Given the existing outlook from these properties onto a number of different roof forms the proposal to screen the roof by the erection of a parapet wall is considered to improve the outlook.

The current buildings have developed in an ad hoc manner over a period of time as a result with some of the uses of the building this has given rise to noise and disturbance to adjoining residential properties. The buildings have now been designed so that the noise generating uses such as the kindergarten are located

away from the residential boundaries. It is also considered that measures could be put in place internally to minimise further any impact. Therefore a number of conditions restricting hours of use and requiring sound insulation measures are recommended to minimise the potential noise and disturbance from people using the site.

Sustainable design and construction

The current proposals have been designed to maximise the natural benefits of the site and reduce energy consumption through numerous measures including solar shading, intelligent building and lighting controls, natural ventilation etc.

The orientation of the new hall to face north east through south west optimises day light from both aspects while being able to more easily control and limit solar gain. The use of natural day lighting across the buildings will result in a reduction in energy consumption within the building as well as delivering a high quality of light, making the spaces feel more uplifting.

The general form of the buildings allows for natural ventilation of the majority of the space which as well as resulting in energy savings will place less demand on plant and helps minimise the impact on the amenity of local residents.

Heating is proposed to be provided by air source heat pumps. Hot water demands are not constant and very low and as a result local electric point of use boilers are proposed which removes the storage and circulation losses associated with central systems

The inclusion of these initiatives as part of the proposals would reduce carbon emissions associated with the operation of the building and enhance the future of renewable energy resulting in a more sustainable form of development in accordance with adopted policy and the Three Strands Approach. It is recommended that these sustainability measures to be secured by planning condition.

Section 106 contributions

A £5000 contribution towards the monitoring of the Travel Plan and the submission of an Activities Management Plan are required and secured by way of a section 106 agreement.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of these have been considered in the main report.

4. CONCLUSION

Having taken all material considerations into account, it is considered that the proposal would enable the redevelopment of a previously developed brownfield site within close proximity of a town centre. The proposal would see the modernisation of a community facility in line with Policy CS1 of the adopted UDP and Policies CS10 and DM13 of the emerging Local Plan. The proposal has been designed to provide a landmark building which reflects the use proposed whilst taking into account the adjoining residential properties.

SITE LOCATION PLAN: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE

REFERENCE: F/02183/12



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