

MEETING

WEST AREA PLANNING SUB-COMMITTEE

DATE AND TIME

TUESDAY 22ND MAY, 2012

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

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

Chairman: To be appointed at Annual Council Meeting on 15 May 2012

Vice Chairman: To be appointed at Annual Council Meeting on 15 May 2012

Councillors

To be appointed at Annual Council Meeting on 15 May 2012

Substitute Ward Members

To be appointed at Annual Council Meeting on 15 May 2012

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

Aysen Giritli – Head of Governance

Governance Services contact: Paul Frost 0208 359 2205

Media Relations contact: Sue Cocker 020 8359 7039

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

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FACILITIES FOR PEOPLE WITH DISABILITIES

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LOCATION: 53 Ashley Lane, London, NW4 1PJ

REFERENCE: F/01012/12

Received: 14 March 2012

Accepted: 14 March 2012

Expiry: 09 May 2012

WARD(S): Finchley Church End

Final Revisions:

APPLICANT: Vintoni Development

PROPOSAL: Extension to the time limit for implementing planning permission F/00945/09 granted 20/05/09 for 'Erection of two storey detached dwelling house with rooms in basement and roof space.'

RECOMMENDATION: Approve Subject to Unilateral Undertaking Subject to a Section 106 Agreement

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £11,949.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £244.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £2,016.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £710.45**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/01012/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Design & Access Statement; AL/01; AL/03; AL/14; AL/NH/01; AL/NH/02; AL/NH/04.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:

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

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

To safeguard the visual amenities of the locality.

- 5 Before the 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.

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

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

- 7 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever.
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.

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

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

- 9 The use of the basement hereby permitted as part of this application shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate dwelling unit.
Reason:

To ensure that the development does not prejudice the character of the locality, the amenities of occupiers of adjoining residential properties and the amenities of future occupiers of the property.

- 10 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.

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

Reason:

To ensure a satisfactory appearance to the development.

- 12 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.

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

Reason:

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

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D & E of Part 1 to Schedule 2 of that Order shall be carried out within the area of dwelling hereby approved.

Reason:

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

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

Reason:

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

- 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.

- 17 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with Plans AL/03 and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of

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

- 18 Before the permitted development commences details of the refuse collection arrangements shall be submitted to and agreed by the Local Planning Authority.
Reason:

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, H1, H2, H16, M11, M13, M14, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Submission version) 2011: CS4, CS5.

Development Management Policies (Submission version)2011: DM01, DM06, DM14.

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

Having taken all material considerations into account, it is considered that the proposed development would be in keeping with the character and appearance of the surrounding area. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments and would provide good quality residential accommodation. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

- 2 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £12,063.45.

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

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

Further details and the application form can be downloaded from:

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

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

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

- 4 In case if any modification is proposed to the existing access of the public highway then it will be subject to a detailed investigation by the Highways Group. The proposed modification works including relocation of any existing street furniture would need to be done by the Highway Authority at the applicant's expense. You may obtain advice and an estimate for this and any associated work on public highway from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 5 In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged.
- 6 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition,

excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the on site provision of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

- 7 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover by providing vertical clear visibility over 0.6 metres.
- 8 **The application hereby approved relates solely to the erection of a two storey detached dwelling house with rooms in basement and roof space as applied for on the planning application form.**

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012

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

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

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

The Mayor's London Plan: July 2011

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

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

Policy 3.4 of the London Plan states that development should optimise housing output for different types of location taking into account local context and character,

the design principles set out in Chapter 7 of the London Plan and public transport capacity.

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

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

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

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

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

Relevant Unitary Development Plan Policies:

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

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

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

Relevant policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, H1, H2, H16, M11, M13, M14, CS2, CS8, CS13, IMP1 and IMP2.

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

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

On 21 February 2008, following public consultation, a Supplementary Planning Document "Contributions to Education" was adopted by the Council. The SPD, provides guidance and advice in relation to adopted planning policy to secure contributions towards education needs generated by new residential development. The contributions were increased on 1 August 2009.

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

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

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 (Submission Version) 2011

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

The Core Strategy will contribute to achieving the vision and objectives of Barnet's

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

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

Relevant Core Strategy Policies: CS4, CS5.

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

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

Relevant Development Management Policies: DM01, DM06, DM14.

Relevant Planning History:

Site Address: 53 Ashley Lane London NW4 1PJ
Application Number: C17142/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 01/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing house and erection of 3 No. four bedrooms houses.**

Case Officer: Fabien Gaudin

Site Address: 53 Ashley Lane, London, NW4 1PJ
Application Number: 01038/10
Application Type: Householder
Decision: Approve with conditions
Decision Date: 10/05/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension following demolition of existing garage and utility room. Construction of new bay windows at ground and first floor level to front elevation. Single storey side extension fronting the Hendon Golf Course. Alterations and extensions to roof including side and rear dormer windows. New front porch. (Addition from Planning permission F/00943/09 - basement with audio visual and laundry rooms).**

Case Officer: Junior C. Moka

Site Address: 53 Ashley Lane NW4
Application Number: W01711A

Application Type: Outline Application
Decision: Approve with conditions
Decision Date: 28/03/1984
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of three detached houses with integral garages.**
Case Officer:

Site Address: 53 Ashley Lane, London, NW4 1PJ
Application Number: 02610/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 03/09/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of single garage to front. Installation of electric gate and railings to front of property.**
Case Officer: Junior C. Moka

Site Address: Land adjacent to 53 Ashley Lane, London, NW4 1PJ
Application Number: F/04085/11
Application Type: Full Application
Decision: Refuse
Decision Date: 13/12/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a new two storey detached single family dwelling house with a basement and rooms in the roofspace.**
Case Officer: Junior C. Moka

Site Address: 53 Ashley Lane, London, NW4 1PJ
Application Number: 00943/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/05/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension following demolition of existing garage and utility room. Construction of new bay windows at ground and first floor level to front elevation. Single storey side extension fronting the Hendon Golf Course. Alterations and extensions to roof including side and rear dormer windows. New front porch. (Amended Description)**
Case Officer: Junior C. Moka

Site Address: 53 Ashley Lane, London, NW4 1PJ
Application Number: 00945/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 20/05/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of two storey detached dwelling house with rooms in basement and roof space.**
Case Officer: Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted: 25 Replies: 3
Neighbours Wishing To Speak 0

Internal /Other Consultations:

Development Team, Highways Group

3 Parking spaces are being proposed in total comprising 1 garage in each of the property and 1 additional off street parking space for the existing property. However, the site can accommodate more than 3 parking spaces therefore the parking provision is in accordance with the parking standards set out in the UDP 2006.

A new vehicular crossover is proposed for the new property and the existing crossover is retained for the existing property.

Although the Design and Access Statement refers to provision for the refuse storage and collection, it is not shown on the attached drawings. The refuse collection point must be within 10 metres of the public highway and at ground level.

The applicant will be required to submit a construction management plan before starting work.

Recommendation:

No objections on highways grounds subject to the following conditions and informatives.

Date of Site Notice: 29 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a currently a plot of land with a 1930s house and a large garden to the north. This part of Ashley Lane is a dead end and the application site is the last on this side of the road. There is a relatively recent housing development opposite around a mews street. Ashley Lane is characterised by different types of houses of different styles and periods including recent developments at 47 Ashley Lane and opposite the site.

Proposal:

The proposals relate to the extension to the time limit for implementing of planning permission F/00945/09 granted 20/05/09 for 'Erection of two storey detached dwelling house with rooms in basement and roof space.'

Planning Considerations:

Planning permission was granted in 2009 for the development of the site, this was conditioned with a three year time limit, this time limit is close to expiry and as such the application is to extend the time limit. There have been no significant material changes to the application site since the previous approval that would warrant a different recommendation.

The following issues must be addressed in view of circumstances or policies that have changed since the 2009 permission was granted:

- Barnet Supplementary Planning Document - Contributions to Health Facilities from Development (2009)

Since the previous approval the SPD- Contributions to Health Facilities from Development (2009) has been introduced. The SPD supplements policies of Barnet's *Unitary Development Plan* (UDP), adopted in 2006. This document does not introduced new policies. This SPD will be taken into account as a material planning consideration when planning applications are being considered. A contribution to health care as a result of development is now required.

This is to be secured by unilateral undertaking along with obligations to education, libraries and monitoring.

Policy Changes:

- Core Strategy (Publication Stage) 2010

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

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

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

Relevant policies include CS1, CS5, CS6, CS8, CS9, CS10, CS11, CS13, CS15,

DM01, DM04, DM11, DM13, DM14 and DM17. The introduction of the Core Strategy is not considered to warrant a different recommendation on the application, the proposal is still considered to be in compliance with policy.

- London Plan 2011

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

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

Policy 3.4 Optimising Housing Potential- states that 'taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in table 3.2. Development proposals which compromise this policy should be resisted. The proposal complies with the standards set out in the density matrix of table 3.2.

Policy 3.5 of The London Plan requires minimum internal space standards for new residential development as set out in table 3.3, the new house proposed complies with these requirements.

The residential element of the development is now expected to be built at Code Level 4 of the Code for Sustainable Homes and the original condition has been amended accordingly.

- National Planning Policy Framework (2012)

The NPPF has superseded all previous PPGs and PPSs.

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

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

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

In paragraph 21, the government encourages the effective use of land by reusing

land that has been previously developed (brownfield land).

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

The general message of Section 6 of the NPPF 'Delivering a wide choice of high quality homes' advises that Local Planning Authorities should enable the provision of good quality new homes in suitable locations.

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

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

- Barnet Supplementary Planning Document - Contributions to Education (2010)

This document supersedes the council's previous supplementary planning guidance, *Education Contributions from Residential Development (2000)*. This SPD has been prepared as part of the Local Development Framework. The Local Development Framework is made up of a 'folder' of separate documents that will together, in time, fully replace the *Unitary Development Plan*.

The education requirements will be secured by unilateral agreement.

Other changes on site:

Since the 2009 approval, a garage has been built at 53 Ashley Lane. When determining the garage application, officers took into account the extent permission for a new house on the application site and considered that both the garage and the house could be implemented without detriment to the character of the area.

The remainder of the assessment remains as per 2009.

The potential of the site to accommodate further development was recognised at the time of granting permissions in the 1980s and in 2007 and in view of the recent planning history on surrounding sites it is still considered acceptable in the current policy context.

The nature of the development is not in itself considered to harm the residential character of the area. It is noted that the area is characterised by detached dwellings.

The design of this dwelling is considered to complement the variety of styles of

properties on this part of Ashley Lane and the general locality on Ashley Close and Woodtree Close. The straight lines and edges, and traditional fenestration finishes are a common feature of existing buildings. The proposed design is considered to blend in effectively with the surrounding area where there are different styles of buildings. A small design change would help add interest within the streetscene.

The integration of the garage within the ground floor footprint would result in a subordinate addition to the property which would respect the character of properties on this part of Ashley Lane and Woodtree Close.

The height of the proposed building has been designed to correspond to the ridge height of the previously approved work (F/00943/09) at 53 Ashley Lane to 49 Ashley Lane by the junction with Ashley Close. The proposed side and rear dormer windows within this roof design would result in subordinate additions to the application site which would be in character with the surrounding properties on Ashley Lane as the locality is characterised by similar styled roofs. The principle of the side and rear dormer windows proposed are considered acceptable. The dormers proposed are considered to be of an appropriate size and siting.

The site has a significant level change. There is a change of about 5m from one end of the site to the other as you move towards the boundary of Hendon Golf Course. It is considered that the basement has been designed in a way in which will not be obtrusive in the street scene. It is considered that to the majority of neighbours, the basement will be almost invisible. The lightwell located to the front of the property, under the proposed kitchen window will be screened by landscaping to ensure that this remains the case.

The basement is proposed for purposes ancillary to the main dwelling and the application is conditioned accordingly. The proposal is not considered to cause harm to the character and appearance of the area. The proposal is considered not to impact detrimentally on the residential amenity of neighbouring occupiers. The development is not considered to represent an overdevelopment of the application site.

A large garden will be provided to the rear of both the existing and the new dwelling. This meets the council's minimum standards. Given that the buildings will be occupied as 4 bed dwellings and family homes, the amenity space standards that apply to houses are considered to be applicable in this instance. The development is considered to provide an acceptable level of amenity.

The applicant has not highlighted their commitment to delivering a sustainable project. The Design & Access Statement does not demonstrate that a reduction in carbon emissions through on-site generation will be achieved and does not commit the proposal to achieving certification from the council's preferred environmental assessment schemes. Therefore, the proposal fails to meet the council's objectives of sustainable development set out in the adopted Sustainable Design & Construction SPD (June 2007) and Barnet's Adopted Unitary Development Plan (2006). However, this is to be enforced by an attached EcoHomes or Code for Sustainable Homes condition.

Highway:

The Highways Group originally advised that the parking provision is in accordance with the Parking Standards set out in the UDP and that the proposal is acceptable on highways grounds subject to the conditions attached above.

The Community Infrastructure Levy Regulations 2010:

The contributions listed in the above recommendation are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

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

UDP Policy CS2 indicates that the Council will seek to enter into planning obligations in conjunction with new developments to secure the provision of community and religious facilities. Policy CS8 states that where a residential development creates a need for school places contributions will be secured for such purposes via planning obligations. Policy CS13 states that the Council will seek to enter into planning obligations in conjunction with new residential developments to secure the provision of health and social care facilities.

The purpose of planning obligations is to make acceptable development which would otherwise be unacceptable in planning terms. Circular 05/2005 supports the use of planning obligations to secure contributions towards community infrastructure to mitigate the impacts of new development, provided that they are directly related to the development proposal, the need for them arises from its implementation, and they are related in scale and kind.

Para. B5 of the Circular sets out five policy tests that must be met by the LPA when seeking planning obligations. In addition, Regulation 122 of the Community Infrastructure Levy Regulations, which came into force on 6 April 2010, makes it unlawful for a planning obligation to be taken into account in determining a planning application if it does not meet the three tests set out in Regulation 122. These statutory tests are based upon three of the five policy tests in Circular 5/2005 at paragraph B5 (tests (ii), (iii) and (iv)).

The recovery of costs for the monitoring of planning obligations is set out in Section 8 (para's 8.3 & 8.4) of the Planning Obligations SPD.

Education needs generated by the development:

Circular 05/2005 supports the use of planning obligations to secure contributions towards educational facilities, provided that they are directly related to the development proposal, the need for them arises from its implementation, and they are related in scale and kind.

The proposal would provide an additional residential unit that it is considered would generate an increased demand for educational facilities in the area. The calculation

of additional demand (SPD para's 4.6-4.14), existing facilities and capacity (SPD para's 5.5-5.12), method of calculating the required contribution (SPD para's 3.1-3.15 and 4.1-4.5), and use of the contributions (SPD para's 5.13-5.14) are set out in the Council's SPD "Contributions to Education" adopted in 2010.

It is considered that a financial contribution towards future education facilities is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this.

To accord with UDP Policy CS8 and the SPD the proposed scheme requires a contribution of £11,949 plus a monitoring fee of 5%.

Contributions to library services:

The increase in population resulting from development is expected to place serious pressures on libraries, which are already required to meet all the needs of Barnet's diverse community. Developer contributions are therefore necessary to ensure service provision mitigates the impact of their development activity.

The adopted SPD "Contributions to Library Services" sets out the Council's expectations for developers contributions to the provision and delivery of a comprehensive and efficient library service, with the aim of opening up the world of learning to the whole community using all media to support peoples educational, cultural and information needs. The SPD provides the calculation of additional demand (para's 4.10-4.12), existing facilities and capacity (para's 1.1-1.4 & 2.5), method of calculation (para's 2.4 & 3.1-3.11), and use of funds (para's 5.1-5.7).

It is considered that a financial contribution towards library services is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this. To accord with UDP Policy CS2 and the SPD the proposed scheme would require a contribution of £244 plus a monitoring fee of 5%.

Contributions to Health facilities:

The proposal would provide an additional residential unit that it is considered would generate an increased demand for health facilities in the area. The calculation of additional demand / method of calculating the required contribution (SPD para's 6.1-6.4), existing facilities and capacity (SPD para's 5.7-5.18), and use of the contributions (SPD para's 8.1-8.4) are set out in the Council's SPD "Contributions to Health" adopted in July 2009.

It is considered that a financial contribution towards future health care facilities is justified in terms of Circular 05/2005 and that a suitably worded legal agreement / undertaking could secure this. To accord with UDP Policy CS13 and the SPD the proposed scheme would require a contribution of £2,016 and a monitoring fee of 5%.

The education, library services, health facilities & monitoring fee of 5% contributions will be secured by Section 106 Agreement.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Nil

4. EQUALITIES AND DIVERSITY ISSUES

The proposal should accord with building control accessibility requirements.

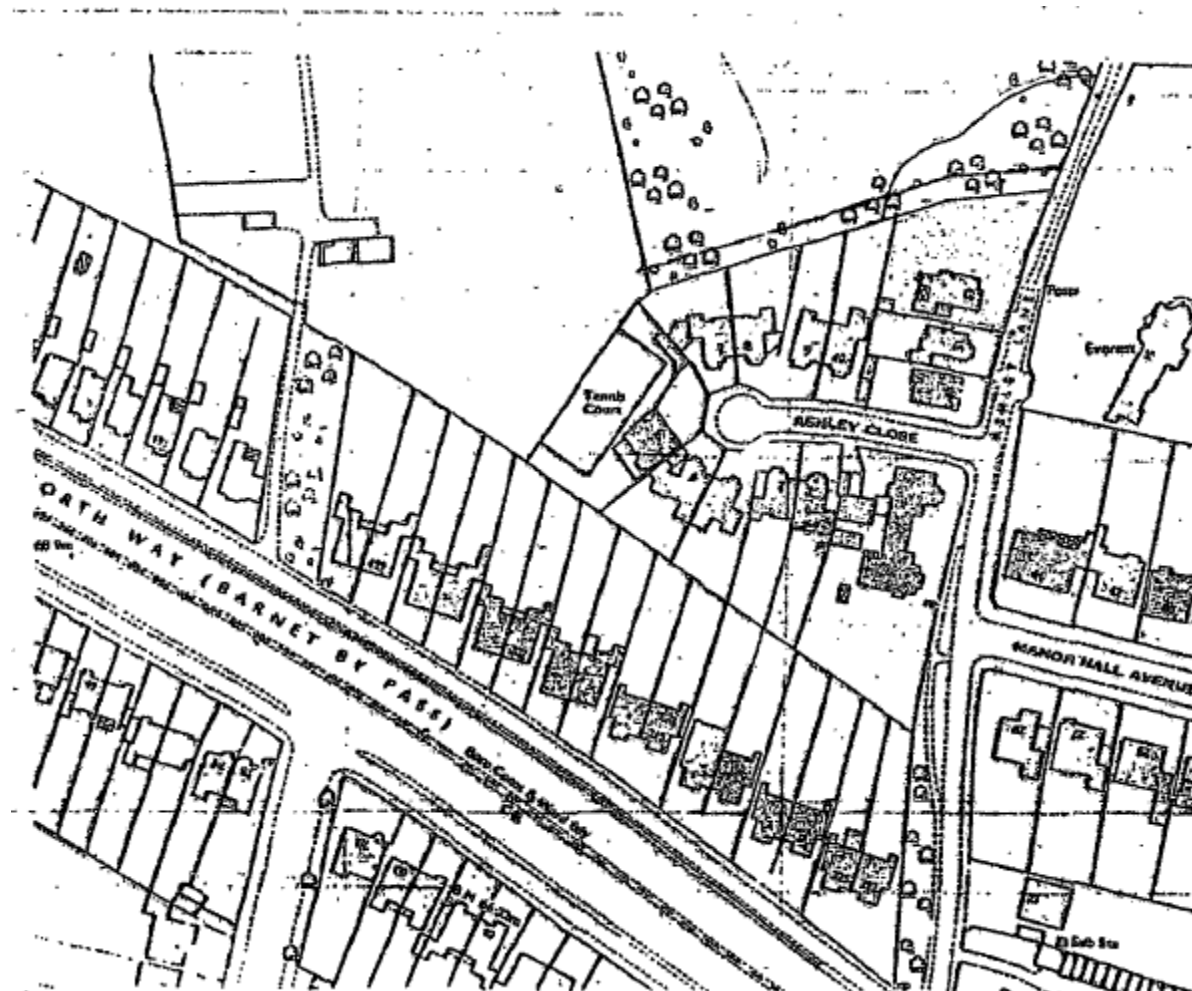
5. CONCLUSION

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

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

SITE LOCATION PLAN: 53 Ashley Lane, London, NW4 1PJ

REFERENCE: F/01012/12



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LOCATION: Garages to the rear of 1-12 Gloucester Court, Golders Green
Road, London, NW11 9AA **AGENDA ITEM 6b**

REFERENCE: F/05000/11 **Received:** 15 December 2011

Accepted: 15 December 2011

WARD(S): Golders Green **Expiry:** 09 February 2012

Final Revisions:

APPLICANT: Z A S Investments

PROPOSAL: Partial demolition and conversion of existing garages to the rear of Gloucester Court into 2no residential units. Alterations to include new front wall, windows and door with a new roof (Amended description).

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, Design and access statement, Drawings EMP/1, EMP/2, EMP/3, EMP/4; Chain of emails from applicant (Mr Zevy Shainfeld), dated 05/03/2012.

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

Reason:

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

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

Reason:

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

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the floor plan layout as shown on the hereby approved plans must not be changed.

Reason:

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

7 The roof 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.

- 8 No windows or doors other than those expressly authorised by this permission shall be constructed in any elevations of the self contained units hereby approved facing the neighbouring properties.

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

- 9 Before the building hereby permitted is occupied a sample of the proposed windows in the elevation facing Gloucester Court shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D & E of Part 1 to Schedule 2 of that Order shall be carried out within the area of the dwellinghouse hereby approved without the prior written permission of the local planning authority.

Reason:

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

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

Reason:

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

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, D1, D2, D3, D4, D5, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

Core Strategy (Submission version) 2011:

CS5.

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

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

The conversion of the garages into two self contained flats and proposed alterations are considered to be acceptable, in character with the surrounding area. The proposal would protect the character of this part of Golders Green and respect the setting of nearby buildings. The proposal would provide acceptable standards of amenity for future occupiers and respect the amenity of existing neighbouring occupiers. The proposal is acceptable on highways grounds.

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

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

Further details and the application form can be downloaded from:

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

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy:

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

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

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

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

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

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

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

The Mayor's London Plan: July 2011

The Mayor of London, The London Plan, Spatial development strategy for Greater London, Consolidated with Alterations since 2004 is the development plan in terms of strategic planning policy. Relevant strategic policy includes 3.5.

Relevant Unitary Development Plan Policies:

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

Supplementary Planning Guidance:

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

Supplementary Planning Document on Contributions to Education (2008).

Supplementary Planning Document on Contributions to Library Services (2008).

Supplementary Planning Document on Contributions to Health and Social Care (2009).

Core Strategy (Submission Version) 2011:

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

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

Policy: CS5.

Relevant Core Strategy Policies:

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

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01, DM02, DM08, DM17.

Relevant Planning History:

Site Address: Garages to the rear of 1-12 Gloucester Court, Golders Green Road, London, NW11 9AA
Application Number: F/04319/10
Application Type: Full Application
Decision: Refuse
Decision Date: 16/12/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Conversion of existing garages to the rear of Gloucester Court into 2no self-contained studio flats.
Case Officer: Fabien Gaudin

Consultations and Views Expressed:

Neighbours Consulted:	84	Replies: 23
Neighbours Wishing To Speak	0	

The objections raised may be summarised as follows:

- Overlooking, loss of privacy
- Noise and disturbance
- Loss of view
- Loss of property value
- Construction works
- Overcrowding
- Inaccurate information
- Environmental impact – waste disposal facilitates, impact on sewage
- No change in the proposal since the previous refusal
- Blocking the fire escapes at the rear of Gloucester Court
- Shortage of street parking, garage availability and affordability
- Introduction of gas and electricity – fire hazard
- Security issues
- Pollution and congestion
- Studios proposed are one bedroom – no idea how many people will be accommodate
- No turning space between garages and external stairs – cars are parked outside

the garages

- The applicant has not carried out consultation in regard to the conversions of the garages, residents general view was that the conversion would not be a good idea
- No effort has been made to bring the garages into use for car parking or storage purposes
- Unsuitable location
- No amenity provision
- Restricted access for emergency services
- Landlord has intentionally not maintained the garages - eyesore
- Garage 10 is owned by a separate party
- Legal ownership issues in regard to the garages
- Current leases have a clause that the garages are to be used only for purpose of garaging and not be converted
- Appearance of the proposal

Internal /Other Consultations:

- Traffic & Development - No objection.

Date of Site Notice: 22 December 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a row of garages to the rear of Gloucester Court in Golders Green. The rear of the main building at Gloucester Court is used as access to some of the flats.

Proposal:

The proposals relate to the conversion of the existing garages to the rear of Gloucester Court into 2 self-contained studio flats. There will be external alterations which include the insertion of windows and doors to the external appearance of the garages. There will be partial demolition of the garages, which includes the roof to ensure that the building is compliance with building regulations.

Planning Considerations:

Character:

The proposed external alterations are considered acceptable. They would not harm the character of the area which is mixed.

Amenity:

There was a previous application (F/04319/10) at the application site for *conversion of existing garages to the rear of Gloucester Court into 2no self-contained studio flats*

which was refused in December 2010 on the grounds that the scheme did not provide acceptable levels of amenity standards and that there were issues of overlooking from outside into the proposed habitable rooms. The current planning application has addressed the Council's previous concerns and is not considered to be acceptable.

The application is in line with the National Planning Policy Framework (2012) which states that the government encourages the effective use of land by reusing land that has been previously developed (brownfield land). The garages are considered to fall under brownfield land and thus the proposal is considered to be acceptable.

It is considered that there is sufficient space to allow the occupants unrestricted movement within the premises. The flats exceed Barnet's minimum size of 30m² and the minimum space standards within The London Plan, policy 3.5.

In relation to the first issue (overlooking) for which the previous application was refused, it is considered that the applicant has now demonstrated that there will not be any issues of overlooking or loss of privacy. The agent has provided details within the Design and Access Statement which includes a film to be applied to the windows to prevent issues of overlooking and loss of privacy, this will be a permanent non removable material. The agent has confirmed that the glazing manufacturer will provide a sealed double glazed unit with the privacy film inserted between the glazing at the manufacturing stage. This is a permanent solution and cannot be removed for the lifetime of the windows.

Therefore, the proposed units along the access to flats on Gloucester Court would not give rise to unacceptable levels of overlooking from existing residents onto the habitable rooms of the proposed self contained units.

In addition, the vast majority of the existing flats on Gloucester Court have their rear windows and doors fitted with obscured glass, thus there would be no overlooking from the occupants of the existing flats to the future occupiers of the proposed self contained flats.

Although the site is within an area identified as being deficient in open space, there is a park within a walking distance and the proposed units will have other locational advantages in being close to transport and services as a result of it's edge of town centre location. Therefore, the Local Planning Authority does not consider that this in itself would be a sufficient reason to refusal.

Planning application (C/16786/06 – October 2006) at No. 20-31 Gloucester Court was approved for two self contained flats which is in extreme proximity to the application site. The officer's report stated that *"although the proposal does not include the provision of external amenity space, it is considered that, in this location, such development may be acceptable. In this particular case, the site is within a short distance walk to Golders Hill Park which provides good standards of amenity."*

It is not considered that the conversion would result in a demonstrable harm to the immediate area which will be detrimental to the character and appearance of Golders Green.

Highways:

The proposal is for the conversion of existing lockup garages at the rear of Gloucester Court and to provide 2 self contained studio flats. The garages have been unused and vacant for a long time.

There are also difficulties with the access to the garages as it is narrow (less than 2ms wide) and it is difficult for cars to manoeuvre from Gloucester Gardens due to an existing old side extension which partly blocks the access road. Cars cannot turn into the access road easily due to poor visibility.

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

- The proposal is for a conversion
- The site is within a CPZ

Taking into consideration the above on balance the proposal is acceptable on highways grounds.

Contributions:

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

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

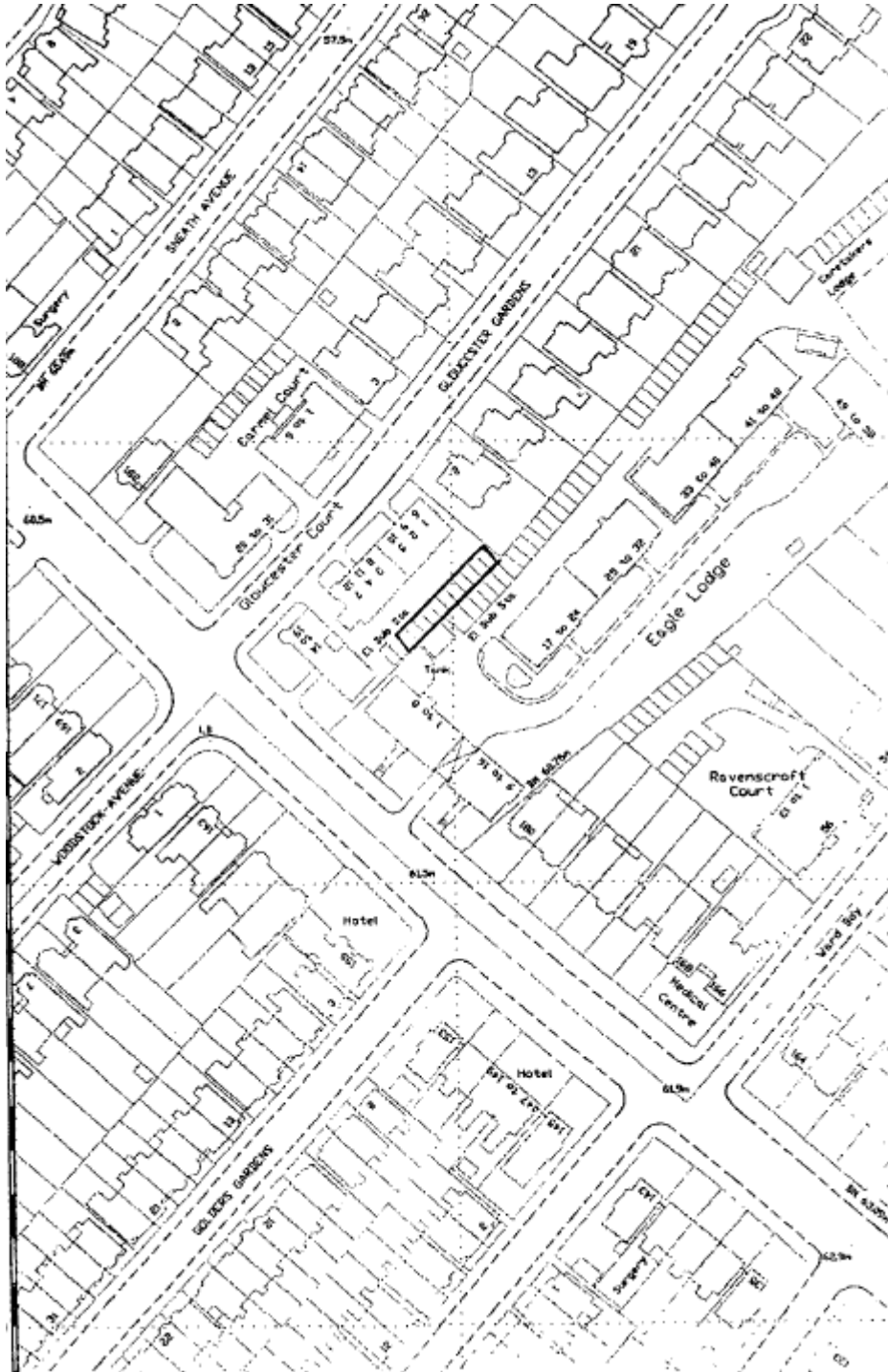
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

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

SITE LOCATION PLAN: Garages to the rear of 1-12 Gloucester Court, Golders Green Road, London, NW11 9AA

REFERENCE: F/05000/11



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LOCATION: 8 Cumbrian Gardens, London, NW2 1EF

REFERENCE: F/00671/12

Received: 18 February 2012

Accepted: 20 February 2012

Expiry: 16 April 2012

WARD(S): Golders Green

Final Revisions:

APPLICANT: Property Ideal Ltd

PROPOSAL: Part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CG11-PP-EX-01; CG11-PP-02 RevA.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.
Reason:
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in the elevations of the extension hereby approved facing the neighbouring properties, unless agreed in writing by the Local Planning Authority.
Reason: To safeguard the privacy and amenities of the occupiers of the adjoining properties.
- 6 The floor plan layout and rear garden amenity area as shown on the hereby approved plans must not be changed without the prior written permission of the local planning authority.
Reason:
To safeguard the amenities of neighbouring occupiers and the general locality.
- 7 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any

subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

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

Reason:

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

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, D1, D2, D3, D6, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H16, H18, H23, H26, H27, M14
Supplementary Planning Document on Sustainable Design and Construction (June 2007).
Supplementary Planning Document on Contributions to Education (2008).
Supplementary Planning Document on Contributions to Library Services (2008).
Supplementary Planning Document on Contributions to Health and Social Care (2009).
Design Guidance Note 7 - Residential Conversions.

Core Strategy (Publication Stage) 2010: Policy CS5, DM01, DM02, DM06.

- ii) The proposal is acceptable for the following reason(s): -
The conversion of the property into eight self contained flats and proposed extension is considered acceptable, in character with the surrounding area. The proposal would protect the character of this part of Golders Green and respect the setting of nearby buildings. The proposal would provide acceptable standards of amenity for future occupiers and respect the amenity of existing neighbouring occupiers. The application is acceptable on highway grounds.

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

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

Further details and the application form can be downloaded from:

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

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

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

- 3 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £792.05.

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

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

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

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework (2012):

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

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

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

The Mayor's London Plan: July 2011:

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:

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

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

Supplementary Planning Document on Contributions to Education (2008).

Supplementary Planning Document on Contributions to Library Services (2008).

Supplementary Planning Document on Contributions to Health and Social Care (2009).

Design Guidance Note 7 - Residential Conversions.

Core Strategy (Submission version) 2011

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

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

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

The Council submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies:

CS4, CS5, CS9.

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.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01, DM06, DM14.

Relevant Planning History:

Site history for current landparcel :

79140 - 8 Cumbrian Gardens, London, NW2 1EF

Case Reference: **F/00671/12**

Application:	Planning	Number:	F/00671/12
Validated:	20/02/2012	Type:	APF
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.		

Application:	Planning	Number:	F/03852/11
Validated:	14/09/2011	Type:	192
Status:	DEC	Date:	15/11/2011
Summary:	LW	Case Officer:	Elizabeth Thomas
Description:	New front porch. Single storey rear extension. Single storey outbuilding in the rear garden ancillary to the main house. Roof extension including hip to gable with rear dormer window to facilitate a loft conversion.		

Consultations and Views Expressed:

Neighbours Consulted: 56 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Clutter the road with more cars.
- More noise.
- Drainage problems.
- Work has already been started without permission.
- Overlooking and loss of privacy.
- The appearance of the area would be ruined and the area is family orientated.
- Traffic and parking would be a great problem.
- Concerned builders are working at 7, drilling and banging. Not fair on neighbours in the area with small children.
- Object to another house being turned into flats. Many in the road already or single rooms lets.
- The effect on traffic flow, parking and access for the emergency services have already been in play last year when a fire engine could not gain access to our road.
- Mains pipe for all amenities was laid to accommodate small houses built especially for small families.
- Salubrious and beautiful Golders Green Estate is fast growing into a slum.
- Only a certain percentage of the original house/garden area is permitted to be built on.
- There is no overhead buildings allowed to ground floor extensions.
- Enlarged and improved properties have ruined pavements for others. The registered owners of these properties should be made to repair/make payment for the damage caused to public property caused by personal building works. When persons fall who pay the compensation.

Internal /Other Consultations:

Date of Site Notice: 01 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a semi detached dwelling located in the Golders Green ward. The property falls in a predominately residential location and does not fall within a conservation area. A certificate of lawfulness has been issued for various extensions to the property including a new front porch. Single storey rear extension. Single storey outbuilding in the rear garden ancillary to the main house. Roof extension including hip to gable with rear dormer window to facilitate a loft conversion.

Proposal:

The proposal relates to a part two-storey, part single storey side extension extensions and conversion of existing garage into habitable room. First floor rear extension. Conversion of single dwelling house in to three self contained flats.

Planning Considerations:

Principle of self contained units

The principle of converting the premises into three self contained flats would not harm the residential character of the area and would not represent the over intensive use of the property. There are examples of conversion permissions in the Golders Green Estate as follows:

- 54 Cumbrian Gardens - 3 flats in 2007
- 34 Pennine Drive - 2 flats in 2010
- 77 Pennine Drive - 2 flats in 2009
- 71 Pennine Drive - 2 flats in 2011
- 57 Cleveland Gardens - 2 flats in 2011
- 10 Cleveland Gardens - 2 flats in 2011
- 145 Cheviot Gardens - 2 flats in 2011
- 5 Cheviot Gardens - 2 flats in 2007
- 80 Cheviot Gardens - 3 flats in 2009
- 76 Cotswold Gardens - 2 flats in 2011
- 56 Cotswold Gardens - 2 flats in 2009
- 124 Cotswold Gardens - 2 flats in 2007
- 44 Cotswold Gardens - 2 flats in 2011

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

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of

established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The proposal is not considered to be out of character within its context and would not result in harm to the surrounding area.

Living conditions of future occupiers

The proposed units comply with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan July 2011. The proposal is considered to provide adequate internal space for the future occupiers.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This will be enforced by condition.

Living conditions of neighbouring occupiers

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

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

The proposed extensions to the property are considered to be acceptable and appropriate. The extensions proposed will not result in an overdevelopment of the site and are considered to harmonise well with the existing property. There are other examples in the surrounding area where two storey side extensions have been implemented and therefore this element of the proposal is not considered to be harmful to the streetscene. By virtue of the bulk, design, size, height and siting of the proposed extensions it is not considered that there will be any loss of amenity to the neighbouring residential occupiers.

Other matters

In accordance with the Councils Supplementary Planning Documents in relation to Health, Education and Libraries, the proposed development would require a financial contribution (plus associated monitoring costs) towards health, educational places/library provision within the borough. This matter is conditioned.

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012. The proposal would be liable to pay the Mayoral CIL contributions.

The provision of 3 parking spaces meets the Council's maximum standards.

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring properties or be out of context. Given its street context, the bulk and mass of the proposed development is considered acceptable. The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 8 Cumbrian Gardens, London, NW2 1EF

REFERENCE: F/00671/12



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LOCATION: 1 Romney Close, London, NW11 7JD

REFERENCE: F/00098/12

Received: 09 January 2012

Accepted: 09 January 2012

Expiry: 05 March 2012

WARD(S): Garden Suburb

Final Revisions:

APPLICANT: Mr C & Mrs N Weber

PROPOSAL: Conversion of garage into habitable room, including bay extension at the rear and new link from garage to existing house, and the installation of a new garage door.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - 06/601/Loc01; Plan No's: 06/601/Sur01; 06/601/Sur02; 06/601/Sur03; 06/601/Sur04; 06/601/P10C; 06/601/P11C; 06/601/P12C; 06/601/P13E; 06/601/P14C; 06/601/P19B.

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 use of the extension forming part of this application hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, HC15.

Local Development Framework:

Core Strategy Policies (Submission version) 2011 – CS1, CS5, CS7.

Development Management Policies (Submission version) 2011 – DM01, DM02, DM04, DM06, DM15, DM16.

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

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012:

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

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

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

The Mayor's London Plan July 2011:

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 Unitary Development Plan. 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. The Direction and accompanying schedule and a letter from the Government Office for London.

One overall theme that runs through the plan is 'sustainable development'. Policy

GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

Relevant policies to this case: GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D5, HC1, HC5, HC15.

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, 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.

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

Core Strategy (Submission version) 2011:

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

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

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 to this case: CS1, CS5, CS7.

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

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

Relevant Development Management policies to this case: DM01, DM02, DM04, DM06, DM15, DM16.

Relevant Planning History:

Site Address: 1 Romney Close London NW117JD
Application Number: C08959D/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/03/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension. Alterations to rear terrace.**
Case Officer: Fabien Gaudin

Site Address: 1 Romney Close London NW117JD
Application Number: C08959F/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 30/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension. Alterations to rear terrace. (Amendment to planning permission C08959D/07 dated 09.03.07.)**
Case Officer: Fabien Gaudin

Site Address: 1 Romney Close London NW117JD
Application Number: C08959E/07
Application Type: Full Application
Decision: Refuse
Decision Date: 16/05/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension. Altered rear terrace. Single storey side extension linking house to garage with new rear door.**
Case Officer: Fabien Gaudin

Consultations and Views Expressed:

Neighbours Consulted:	6	Replies:	2
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- No objection with the concept of the alteration, however think the proposed plan is ugly and very much out of character with the design and philosophy of the area. The proposed alteration from the front elevation especially looks out of proportion and peculiar;
1. Concerned about the store to the rear of the garage;
 2. Loss of hedges and front garden area.

Internal /Other Consultations:

Hampstead Garden Suburb, Conservation Area Advisory Committee
Object to the proposal.

It should be noted that the objections were made before substantial amendments to the application were received.

Date of Site Notice: 12 January 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a large detached dwellinghouse designated as a locally listed building located on Romney Close within the Hampstead Garden Suburb Conservation Area which is identified in the Unitary Development Plan as an area of special character. The site is located within the part of the Conservation Area that has an Article 4 Direction.

Proposal:

The proposal relates to the conversion of garage into habitable room, including bay extension at the rear and new link from garage to existing house, and the installation of a new garage door. The application has been substantially amended since first being received.

Planning Considerations:

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

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

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its

inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an “Area of Special Character of Metropolitan Importance”. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

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

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

The Conservation Area Advisory Committee for Hampstead Garden Suburb at the meeting on 18 April 2012 comments are noted above.

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

It is considered the proposals as amended from that original submission would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area and area of special character.

It is considered that the proposed use of the extension is acceptable. A condition will be attached to this recommendation to ensure that at all times will be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

The proposals would not impact detrimentally on trees of special amenity value.

3. COMMENTS ON GROUNDS OF OBJECTIONS

These points have been addressed following amendments received.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

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

APPROVAL is recommended.

SITE LOCATION PLAN: 1 Romney Close, London, NW11 7JD

REFERENCE: F/00098/12



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LOCATION: 18 Bigwood Road, London, NW11 7BD

REFERENCE: F/00667/12

Received: 21 February 2012

Accepted: 21 February 2012

Expiry: 17 April 2012

WARD(S): Garden Suburb

Final Revisions:

APPLICANT: Dr David and Mrs Helen Stone

PROPOSAL: Two storey rear extension with a ground floor bay window. Addition of a conservation rooflight in the rear roofslope. Relocate existing French door and dormer window to the extended side elevation. Replace existing shed in the rear garden. Alterations to the front driveway including re-paving and works to hedges. Associated Internal and external alterations.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 11/756/Loc01, 11/756/Sur01, 11/756/Sur02, 11/756/Sur03, 11/756/Sur07, 11/756/Sur08, 11/756/Sur09, 11/756/Sur10, 11/756/P01, 11/756/P02, 11/756/P03, 11/756/P04, 11/756/P05, 11/756/P06, 11/756/P07, The Apex Shed details and Design and Access Statement.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The shed hereby permitted shall be dark stained to the satisfaction of the Local Planning Authority.
Reason:
To safeguard the character and appearance of the Conservation Area.
- 5 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.
Reason:
To safeguard the character and appearance of the Conservation Area.
- 6 The hereby approved windows shall match the original windows in material and style and be single glazed.
Reason:
To protect the character of the house and the Hampstead Garden Suburb Conservation Area.
- 7 Before the building hereby permitted is occupied the proposed window(s) in the side elevations shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.
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, GBEnv4, D1, D2, D4, D5, HC1, HC5 and H27.

Core Strategy (Submission version) 2011:

Relevant policies: CS5

Development Management Policies (Submission version)2011:

Relevant Policies: DM01, DM02, DM06

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 conservation area, the existing building or the amenities of any neighbouring property.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GBEnv4, D1, D2, D4, D5, HC1, HC5, HC15, H27.

Core Strategy (Submission version) 2011

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

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

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: CS5

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

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

Relevant Development Management Policies: DM01, DM02, DM06

Site Address: 18 Bigwood Road LONDON NW11
Application Number: C09571
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 13/08/1987
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Alterations to rear and side elevations

Consultations and Views Expressed:

Neighbours Consulted: 8 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

1. A second dormer will be out of keeping with the house.
- The two storey rear extension would:
 - cut off views
 - reduce light
 - out of proportion with the property
 - impact on the watertable
 - impact on foundations of neighbouring properties
 - interrupt wildlife
- Previous similar extensions lots of building works in the immediate area.
- Noise and disturbance of building works.
- The shed is too high.
- The adjacent property has put up sheds without permission.
- If the hedge is reduced, the shed will be visible.
- There has never been a shed in the garden.
- It is not clear what is happening in the loft.

Internal /Other Consultations:

- Urban Design & Heritage - No comments

The HGS CAAC have objection to the application on the grounds that volume added is too great and will impact on the character of the house and the group of houses. They have also stated that a site visit would be necessary to properly assess the application.

Date of Site Notice: 01 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a single family detached dwelling house located in a residential area of the HGS Conservation Area.

Proposal:

The application seeks consent for a two storey rear extension with a ground floor bay window, addition of a conservation rooflight in the rear roofslope, to relocate the existing French door and dormer window to the extended side elevation, to replace the existing shed in the rear garden, alterations to the front driveway including re-paving and works to hedges and associated Internal and external alterations.

Planning Considerations:

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

The two storey rear extension is the most significant part of the scheme. It is acknowledged that this is larger than would normally be permitted in the conservation area. However, given the distance to neighbouring properties, and the fact that the house is not part of any group, it is not considered to be unacceptable on this occasion. The property is locally listed, but it is considered that the extensions to respect its distinct character and appearance. The extension have been designed to fully respect the design of the existing house and as such there is not considered to be an issue.

The ground floor bay window is larger than bays the council would normally permit, given the width of the elevation it is considered to be acceptable. it is considered that it compliments the existing property and would improve the appearance of the rear elevation.

The side dormer replaces an existing dormer on the same elevation and will be place more centrally to the extended property. This part of the application is welcomed and will improve the appearance of the extended property. The dormer is the same size as the existing dormer. There are no objections to the rooflight either.

There are also no objections to the relocation of the shed, French doors, the replacement of the existing shed in the rear garden and alterations to the front driveway as these are considered to respect the character and appearance of the

original property.

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

3. COMMENTS ON GROUNDS OF OBJECTIONS

The grounds of objection and CAAC comments are considered to have been taken into consideration in the main report.

4. EQUALITIES AND DIVERSITY ISSUES

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

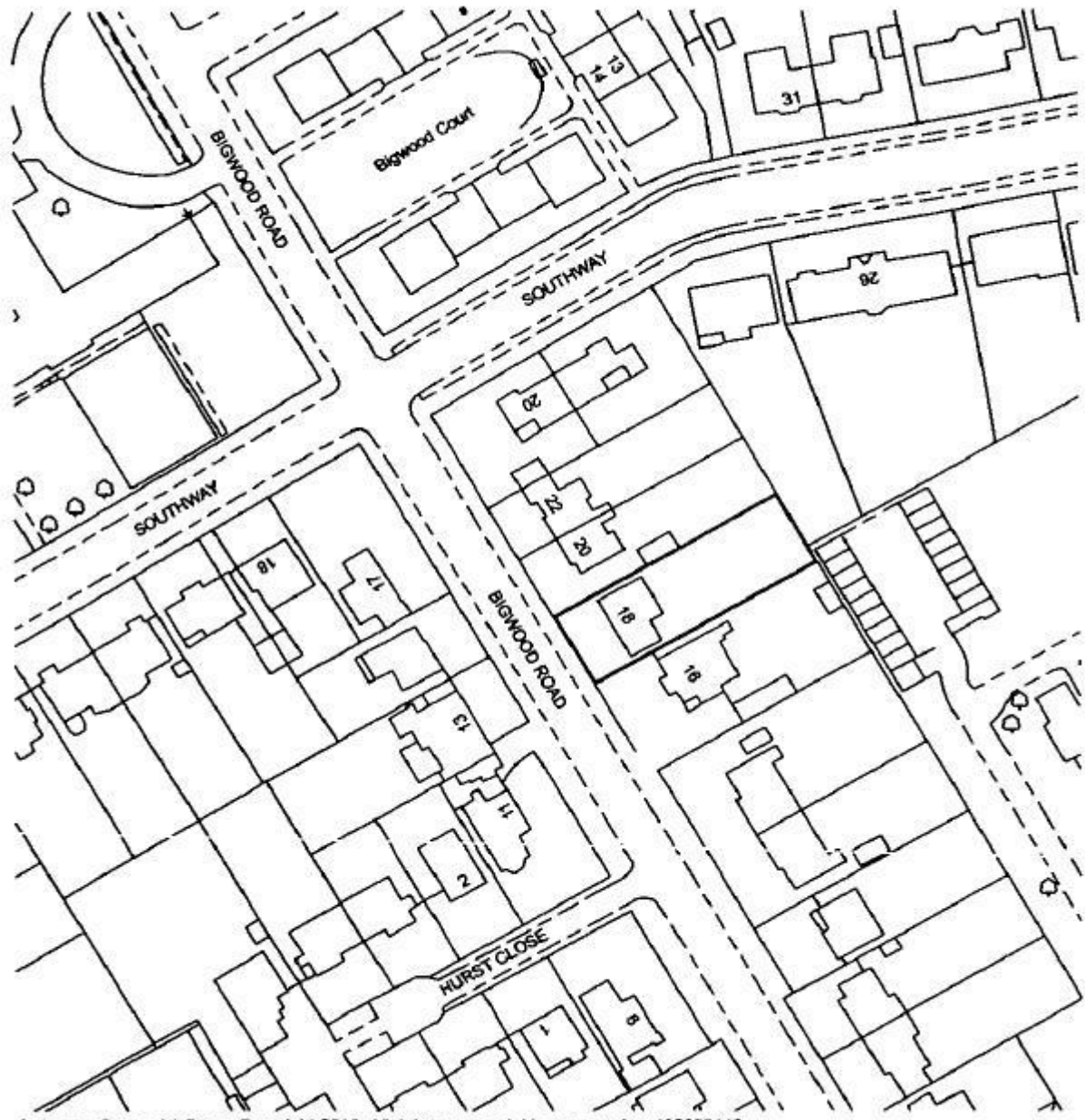
5. CONCLUSION

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

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

SITE LOCATION PLAN: 18 Bigwood Road, London, NW11 7BD

REFERENCE: F/00667/12



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LOCATION: 4 Winnington Close, London, N2 0UA

REFERENCE: F/00839/12

Received: 01 March 2012

Accepted: 01 March 2012

Expiry: 26 April 2012

WARD(S): Garden Suburb

Final Revisions:

APPLICANT: Mrs E Basrawy

PROPOSAL: Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.

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 01a, 02e, 03d, 04e, 05d, 06c, 07d, 08c, 09f, 10e, 11d, 18b, ex01, ex02, ex03, ex04, ex05.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To safeguard the visual amenities of the locality.

5 Before the 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.

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

Reason:

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

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

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

- 11 No siteworks or works on this development shall be commenced before a method statement detailing precautions to minimise damage to the Eucalyptus tree in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

- 15 Before development hereby permitted is occupied, underground parking spaces as per approved drawing shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 16 Before the permitted development commences details of the refuse collection arrangements shall be submitted to and agreed by the Local Planning Authority.

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

- 17 A Construction Management Plan must be submitted to and approved by the Local Planning Authority.

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

National Planning Policy:

National Planning Policy Framework

London Plan (2011):

3.4, 3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, HC1, HC5, M8, M11, M13, M14.

Local Development Framework:

Core Strategy Policies (Submission version) 2011 – CS4, CS5.

Development Management Policies (Submission version) 2011 – DM01, DM02, DM04, DM06, DM15, DM16, DM17.

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

Having taken all material considerations into account, the proposed dwellinghouse is considered to be a suitable replacement for the existing house and the existing house is not considered to be of such great architectural merits as to ensure its retention. The proposed replacement house meets the requirements of the UDP and would be in keeping with Council Policies and Design Guidance that seek to preserve the amenities of neighbouring occupiers. The house would not be overbearing or cause unacceptable overshadowing, loss of light, privacy or outlook. The size and design of the house complies with Council Policies and Design Guidance that seek to preserve the character of areas and individual properties as well as Policies which seek to preserve and enhance the character and appearance of the Borough's conservation areas.

2 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

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 £23,767.10.

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

4 Highways informatives:

The applicant is advised that prior to any alteration to the public highway (including pavement) will require consent of the local highways authority. You may obtain an estimate for this work from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Any highway approval as part of the planning process for the alteration to the

existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2 nd Floor, Oakleigh Road South, London N11 1NP

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012:

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

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

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

The Mayor's London Plan July 2011:

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

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

Policy 3.4 of the London Plan states that development should optimise housing output for different types of location taking into account local context and character, the design principles set out in Chapter 7 of the London Plan and public transport capacity.

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

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

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

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

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

Relevant Unitary Development Plan Policies:

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

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

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

Relevant policies: GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, HC1, HC5, M8, M11, M13, M14.

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.

HGS Character Appraisal

HGS Design Guidance

Core Strategy (Submission version) 2011:

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

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

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 to this case: CS4, CS5.

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

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

Relevant Development Management policies to this case: DM01, DM02, DM04, DM06, DM15, DM16, DM17.

Relevant Planning History:

Site Address: 4 Winnington Close, London, N2 0UA
Application Number: F/00107/09
Application Type: Full Application
Decision: Approve with conditions

Decision Date: 02/04/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.**
Case Officer: Fabien Gaudin

Site Address: 4 Winnington Close, London, N2 0UA
Application Number: F/00108/09
Application Type: Conservation Area Consent
Decision: Approve with conditions
Decision Date: 02/04/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing property.**
Case Officer: Fabien Gaudin

Site Address: 4 Winnington Close, London, N2 0UA
Application Number: F/00899/12
Application Type: Conservation Area Consent
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing property. (CONSERVATION AREA CONSENT)**
Case Officer: Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted: 33 Replies: 5
Neighbours Wishing To Speak 1

4 objections and 1 letter of support have been received.

The 4 objections raised may be summarised as follows:

- proposed building out of scale
- overdevelopment
- possible impact on water board strip
- impact of building works
- impact on water table
- loss of light

Internal /Other Consultations:

HGS CAAC - No objection
Conservation and Design: No objection

Date of Site Notice: 15 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located on the northern side of Winnington Close, a cul-de-sac situated off Winnington Road within Area 15 of the Hampstead Garden Suburb Conservation Area. The existing property on site is a detached two storey brick built single family dwelling with rooms in the roofspace. The Conservation Area Character Appraisal notes "*Winnington Close runs off the western side of the road and contains 1950s, 1960s and more modern houses which add little of architectural note. There are some overdone and unsympathetic added features which detract from the character of the road at this point. For example, modern doors and porches on Neo-Georgian houses, over elaborate doors, too many decorative features out of scale with front elevations. Some of these features are currently being changed by owners*".

It is a focal point of the street. This part of the Hampstead Garden Suburb Conservation Area is one of the later parts to be developed and the application site and surrounding building were originally built in the 1960s. Houses at 1, 3, 5 and 7 are new and were built in the last few years.

This application follows an approval for demolition and rebuild at the application site for similar scheme under application reference F/00107/09 dated April 2009. Therefore the principle of demolishing the existing dwelling on site has already been deemed acceptable.

Proposal:

The application seeks planning permission for demolition of the existing property and erection of a two storey detached house with rooms in the roofspace and basement. The applicant has also applied for conservation area consent for the demolition of the existing two-storey dwelling

This application follows the previously consented scheme, F/00107/09.

Planning Considerations:

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

Main changes since the previous permission:

The main changes between the applications according to the agent's covering letter are as follows;

- The roof pitch has been reduced from 55 degrees to 52.5 degrees.
- The widths of the projecting wings to the front and rear have been reduced in width to allow the main ridge height to be lowered by 850mm.

- The footprint of the main body of the house has been pulled 665mm away from the rear boundary and the central projecting section has been pulled back a further 345mm. In addition, the right hand projecting wing has been removed at both first and second floor levels.
- The first floor windows to the former right hand wing have been omitted leaving six first floor windows facing Charlton Drive which matches the number of windows in the existing building.
- All dormer windows to the rear elevation have been omitted and velux windows have been substituted in lieu.
- The previously proposed stonework detailing has been reduced to all single storey parapet walls and the planting space between the garage an boundary to No. 5 Winnington Close should be increased to 1.2m.

As a result of the amendments the replacement property is now over 41m² smaller than the previously approved scheme. The principle of providing a smaller replacement property on site is supported.

There is no objection to the alterations proposed to the front elevation. There were initial concerns with the rear elevation of the amended scheme which have been addressed by the submission of a further amendment.

Principle of the demolition

It is considered that the application property makes a neutral contribution to the character and appearance of the Conservation Area as per the HGS Character Appraisal.

It is considered that the application complies with Policies 133 and 134 of the NPPF which are relevant in assessing the proposal to demolish the existing building on site.

This policy states; "where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use."

Policy 134 of the NPPF states that; "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The Local Planning Authority raises no objection to the principle of demolishing the existing dwelling providing a suitable replacement dwelling is proposed which can make a greater contribution to the Conservation Area than what already exists within Area 15 of the Hampstead Garden Suburb Character Appraisal.

This replacement building has been applied for under planning application F/00899/12.

Proposed Design / Impact on amenity

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

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

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

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

The Conservation Area Advisory Committee for Hampstead Garden Suburb at the meeting on 28 March 2012 commented:- "*No character issues.*"

It is considered that the proposed siting of the replacement building is considered

acceptable in that it would respect the building lines created by other houses on this part of Winnington Close. The general proportions and bulk of the house are considered acceptable when compared to that of existing and previously approved.

The proposed house overall would be in keeping with Council Policies and Design Guidance that seek to preserve the amenities of neighbouring occupiers. The house would not be overbearing or cause unacceptable overshadowing, loss of light, privacy or outlook. The size and design of the house complies with Council Policies that seek to preserve the character of areas as well as Policies which seek to preserve and enhance the character and appearance of the Borough's conservation areas.

Trees & Landscaping

The trees in the Hampstead Garden Suburb Conservation Area are an important part of the character of the street and their retention is critical to any development. The trees on the street also offer a relief from the buildings and act as a screen for the building. The application is considered acceptable subject to conditions.

3. COMMENTS ON GROUNDS OF OBJECTIONS

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

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, the proposed dwellinghouse is considered to be a suitable replacement for the existing house and the existing house is not considered to be of such great architectural merits as to ensure its retention. The proposed replacement house meets the requirements of the UDP and would be in keeping with Council Policies and Design Guidance that seek to preserve the amenities of neighbouring occupiers. The house would not be overbearing or cause unacceptable overshadowing, loss of light, privacy or outlook. The size and design of the house complies with Council Policies and Design Guidance that seek to preserve the character of areas and individual properties as well as Policies which seek to preserve and enhance the character and appearance of the Borough's conservation areas. **APPROVAL** is recommended.

SITE LOCATION PLAN: 4 Winnington Close, London, N2 0UA

REFERENCE: F/00839/12



LOCATION PLAN

scale 1:1250

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LOCATION: 4 Winnington Close, London, N2 0UA

REFERENCE: F/00899/12

Received: 01 March 2012

Accepted: 01 March 2012

Expiry: 26 April 2012

WARD(S): Garden Suburb

Final Revisions:

APPLICANT: Mrs E Basrawy

PROPOSAL: Demolition of existing property.

(CONSERVATION AREA CONSENT)

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - 01A; Design & Access Statement - February 2012; 02E; 03D; 04E; 05D; 06C; 07D; 08C; 09F; 10E; 11D; 18B.

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.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

National Planning Policy Framework

London Plan (2011): 3.4, 3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, HC1, HC5, M11, M13, M14.

Local Development Framework:

Core Strategy Policies (Submission version) 2011 – CS4, CS5.

Development Management Policies (Submission version) 2011 – DM01, DM02, DM04, DM06, DM15, DM16, DM17.

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

Having taken all material considerations into account, the proposed development is acceptable as the existing house is not considered to be of such great architectural merits as to ensure its retention.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework 2012:

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

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

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

The Mayor's London Plan July 2011:

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

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

Policy 3.4 of the London Plan states that development should optimise housing output for different types of location taking into account local context and character, the design principles set out in Chapter 7 of the London Plan and public transport

capacity.

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

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

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

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

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

Relevant Unitary Development Plan Policies:

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

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

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

Relevant policies: GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, HC1, HC5, M8, M11, M13, M14.

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.

HGS Character Appraisal

HGS Design Guidance

Core Strategy (Submission version) 2011:

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

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

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 to this case: CS4, CS5.

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

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

Relevant Development Management policies to this case: DM01, DM02, DM04, DM06, DM15, DM16, DM17.

Relevant Planning History:

Site Address:	4 Winnington Close, London, N2 0UA
Application Number:	F/00107/09
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	02/04/2009
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.

Case Officer: Fabien Gaudin

Site Address: 4 Winnington Close, London, N2 0UA
Application Number: F/00108/09
Application Type: Conservation Area Consent
Decision: Approve with conditions
Decision Date: 02/04/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing property.**
Case Officer: Fabien Gaudin

Site Address: 4 Winnington Close, London, N2 0UA
Application Number: F/00839/12
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.**
Case Officer: Junior C. Moka

Consultations and Views Expressed:

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

Internal /Other Consultations:

Urban Design & Heritage -
No objection

Hampstead Garden Suburb, Conservation Area Advisory Committee
No objection.

Date of Site Notice: 15 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a two storey detached house at the end of Winnington Close. It is a focal point of the street. The site is located within the Hampstead Garden Suburb Conservation Area and Article 4 Direction Area. This part of the Hampstead Garden Suburb Conservation Area is one of the later parts to be developed and the application site and surrounding building were originally built in the 1960s. Houses at 1, 3, 5 and 7 are new and were built in the last few years.

Proposal:

The application seeks conservation area consent for the demolition of the existing two-storey dwelling. This application follows the previously consented scheme F/00108/09.

Planning Considerations:

It is considered that the application property makes a neutral contribution to the character and appearance of the Conservation Area (as per HGS Character Appraisal).

It is considered that the application complies with Policies 133 and 134 of the NPPF which are relevant in assessing the proposal to demolish the existing building on site.

This policy states; "where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use."

Policy 134 of the NPPF states that; "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The principle of demolition and replacement has been established in the street (see planning history above) and although it is not considered to be the most sustainable method to update residential accommodation, this point alone does not warrant refusal for the application subject to the environmental standard condition detailed above. It should be noted that each case must be dealt with on its own merit and the fact that permission is granted for one house to be demolished and rebuilt in one particular street does not necessarily mean that the council will support the demolition of all houses in that same street. Indeed, the demolition of 1 Winnington Close without permission was considered unacceptable.

This application follows an approval for demolition and rebuild at the application site for similar scheme under application reference F/00108/09 dated April 2009. Therefore the principle of demolishing the existing dwelling on site has already been deemed acceptable.

A replacement building has been applied for under planning application F/00839/12.

The Conservation Area Advisory Committee for Hampstead Garden Suburb at the meeting on 28 March 2012 commented:- "*No character issues.*"

3. EQUALITIES AND DIVERSITY ISSUES

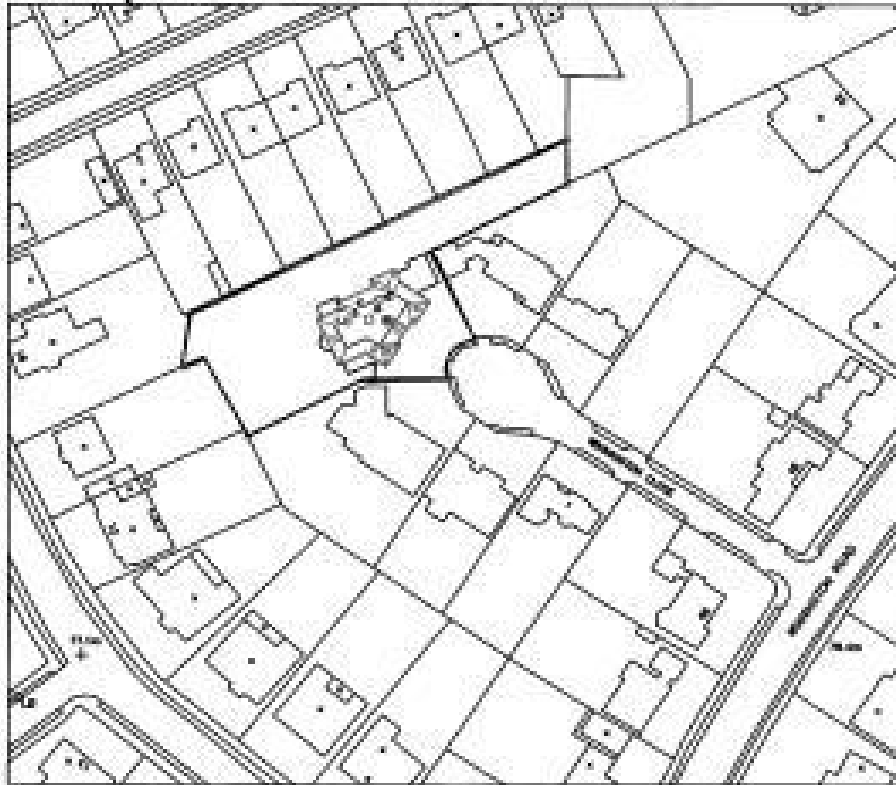
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

4. CONCLUSION

Having taken all material considerations into account, the proposed development is acceptable as the existing house is not considered to be of such great architectural merits as to ensure its retention. **APPROVAL** is recommended.

SITE LOCATION PLAN: 4 Winnington Close, London, N2 0UA

REFERENCE: F/00899/12



LOCATION PLAN

scale 1:1250

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