

MEETING

WEST AREA PLANNING SUB-COMMITTEE

DATE AND TIME

THURSDAY 28TH JUNE, 2012

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

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

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

Councillors

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

Substitute Members

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

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

Aysen Giritli – Head of Governance

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

Media Relations contact: Sue Cocker 020 8359 7039

CORPORATE GOVERNANCE DIRECTORATE

ORDER OF BUSINESS

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1.	Minutes	
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AGENDA ITEM 6a

LOCATION: 2 Elm Walk, London, NW3 7UP

REFERENCE: F/05087/11

Received: 21 December 2011

Accepted: 31 January 2012

WARD(S): Childs Hill

Expiry: 27 March 2012

Final Revisions:

APPLICANT: Mrs L Meir

PROPOSAL: Two storey side extension following removal of existing garage and single storey rear elevation. Two storey front extension including new front porch; Creation of lower ground floor including lightwells at both sides and rear; Extension to roof including 3no rear dormers to facilitate a loft conversion.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 911369; 06.914.01; 06.914.02; 06.914.03 Rev B; 06.914.04 Rev B; 06.914.05 Rev B; 06.914.06 Rev B; 06.914.07 Rev B; Report on Ground Investigation prepared by W J C Wallace of K F Geotechnical dated 26 March 2012 - Ref G/031213/001.

Reason:

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

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

Reason:

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

3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the local planning authority.

Reason:

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

4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority: The insertion of windows in any part of the approved development.

Reason:

To safeguard the amenities of neighbouring residents.

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

Reason:

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

- 7 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.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, D1, D2, D3, D5, D6, H16 & H27.

Local Development Framework:

Core Strategy Policies (Submission version) 2011 – CS1, CS5, CS6.

Development Management Policies (Submission version) 2011 – DM01, DM02, DM14, DM15.

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

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

better for people."

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

The Mayor's London Plan July 2011:

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

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

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

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

Relevant Unitary Development Plan Policies:

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

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

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.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D3, D5, D6 & H27.
Design Guidance Note No 5 – Extensions to Houses

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

separate public consultation.

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

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

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

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

Core Strategy (Examination in Public version) 2012:

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

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

Relevant Core Strategy Policies: CS1, CS5.

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

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

Relevant Development Management Policies: DM01, DM02.
Relevant Planning History:

Site Address: 3 Elm Walk, London, NW3 7UP
Application Number: C/10877/A/03
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 27/06/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground floor and first floor side extension.**
Case Officer:

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: C/10958/D/03
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 08/12/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Loft conversion involving 3 No. dormer windows to rear roof.**
Case Officer:

Site Address: 4 Elm Walk, London, NW3 7UP
Application Number: C/12385/A/07
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 15/03/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension. Loft conversion and provision of 3 dormer windows to rear.**
Case Officer: Junior C. Moka

Site Address: 4 Elm Walk, London, NW3 7UP
Application Number: F/02307/08
Application Type: Section 192
Decision: Lawful Development
Decision Date: 29/08/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension.**
Case Officer: David Campbell

Site Address: Glass House, Elm Walk, London, NW3 7UP
Application Number: F/02995/08
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 09/10/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor side extension to create additional bedroom.**
Case Officer: Junior C. Moka

Site Address: 4 Elm Walk, London, NW3 7UP
Application Number: F/00078/09
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 03/03/2009

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension.**
Case Officer: David Campbell

Site Address: 12 Elm Walk, London, NW3 7UP
Application Number: F/02083/10
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 28/07/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part two storey side and rear extension and new rear patio area. Extension to roof including 3no rear dormers to facilitate a loft conversion.**
Case Officer: Elizabeth Thomas

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: F/02276/10
Application Type: Section 192
Decision: Lawful Development
Decision Date: 18/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extensions to roof including rear dormer window with roof light to front elevation to facilitate a loft conversion.**
Case Officer: Elizabeth Thomas

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: F/02282/10
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 25/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor rear terrace with 1.4m high privacy screen and glazed balustrade. Alterations to roof of ground floor rear projection.**
Case Officer: Elizabeth Thomas

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: F/02283/10
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 06/08/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension, and alterations to garage.**
Case Officer: Elizabeth Thomas

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: F/03518/10
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 26/10/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor side extension. Single storey rear extension. Alterations to roof of existing rear projection and first floor rear terrace with glass balustrade. Extensions to roof including rear dormer window.**
Case Officer: Elizabeth Thomas

Site Address: 6 Elm Walk, London, NW3 7UP
Application Number: F/04678/09
Application Type: Full Application
Decision: Approved with conditions
Decision Date: 11/02/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Roof extension involving three rear roof dormer windows to facilitate loft conversion.**
Case Officer: Elizabeth Thomas

Consultations and Views Expressed:

Neighbours Consulted: 10 Replies: 3
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

1. The proposed extensions are unduly large in relation to the original building and are unacceptable because they dominate the existing building and will have a harmful impact on the street scene.
2. Overdevelopment of the site;
3. Out of character with the host building and surround properties;
4. The depth of the rear extension is over 5 metres;
5. The roof of the side storey is set down only 0.2 metres not in line with the design guidance;
6. Neighbouring ground water conditions should not be adversely affected as a result of the basement but not evidence has been submitted;
7. In relation to the front extension, whilst this is 649mm deep, the height of this projection will have a negative effect on the character of the street scene;
8. Adverse impact on the outlook from neighbouring house and garden;
9. Concerns about the principle of the basement;
10. Subsoil and geological considerations in the form of building subsidence from the effects of excavations, especially of a deep nature, are to an extent unpredictable, especially in Hampsteads geography/geology;
11. Damage to the built environment is matched by damage to trees and plant life generally, whose existence is totally dependent on water;
12. Nuisance during construction;
13. Concerned that the result of the borehole trial may not be representative, given the drought conditions currently being experienced. It is apparent from walking in Golders Hill Park and on the West Heath that springs and streams are very dry. The fact that water was not found in the boreholes until 4.3 m is not representative of normal conditions - normally the water table would be significantly higher. It is suggest that the results of these boreholes should be treated with caution.
14. Concerned with the removal of spoil from the site. Elm Walk is a narrow road which can only take one car in one direction at any time. Even deliveries of building material cause significant problems. There is a footway only on one side of the road. It is a dead end. If heavy lorries enter the road to remove spoil, access will be completely blocked for both pedestrians and vehicles - any one living beyond number 2 (virtually the whole road) will be blocked in (or out). There is no way in which spoil can be removed without causing extraordinary

disruption to all but a couple of residents for an extended period.

15. Disagree with the findings and result of the Report on Ground Investigation prepared by W J C Wallace of K F Geotechnical dated 26 March 2012 - Ref G/031213/001;

16. There is some incorrect referencing with the Report on Ground Investigation.

The application was referred to the Planning Sub-Committee at the request of Councillor Jack Cohen for the following reason:

"...to examine the impact of the basement proposal... and the disruption from construction works generally."

Internal /Other Consultations:

Building Control Department -

Satisfied by the findings and believes the report to have reasonable results for clay subsoil.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site which measures approximately 23 metres width to the front (12 metres to the rear) by 33.2 metres in depth and is located some 81 metres from the prominent corner of West Heath Road and Elm Walk. The materials used for the elevations are brick. The street is a cul-de-sac and this is one of the first few properties as one comes into the street.

Proposal:

The proposal relates to a single storey rear extension; two storey front extension including new front porch; the creation of basement including lightwells at both sides and rear; and a Extension to roof including 3no rear dormers to facilitate a loft conversion.

The two storey side extension will follow the demolition of the projection front element of the garage; and incorporates the element of the garage to the side of the dwelling and the rear utility room.

The application was amended since first being submitted and the extensions reduced in size.

Planning Considerations:

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

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

The living conditions of neighbouring residents

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 and H16 seek, amongst other things, to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to this issue in each case.

The proposed single storey rear extension element has a rearward projection of 4 metres from the rear building line of the dwelling (reduced from 5.015 metres as originally submitted). The proposed extension is not full width (6.572 metres in width closest to the boundary with no. 4) and has a height of 3.5 metres with a flat roof. Any potential impact of the extension is considered to be mitigated by the depth of the extension at no. 4. This is considered to ensure the amenities of neighbouring occupiers are protected.

The proposed two storey side extension is set 1.1 metres away from the boundary to the neighbouring detached properties at no. 4. It is considered that this proposed extension would also comply with Council Policies that seek to preserve the amenities of neighbouring occupiers.

There are no windows in the side elevations facing the application site from no. 4 and as a result this proposal is not considered to result in a loss of outlook from and light to the front and rear windows or increased sense of enclosure to 4 Elm Walk and would comply with policy D5.

Character and appearance

In seeking the achievement of high quality design, NPPF says at policy 56 that 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 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 the area that is defined by the type and size of buildings, the layout, intensity, and relationship with one another and their surroundings. Established local character and townscape quality can be harmed by insensitive development that is out of scale and unrelated to the street scene. Proposals involving the development 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 properties.

Design Guidance (Note No. 5 – Extensions to Houses) indicates that double storey

side extension should:

- Be subordinate to the original house;
- Be set in a minimum of 1 metre from the boundary;
- The height of the extension should normally be lower than the height of the original building to help minimise the impact on the street scene;
- The extension should be in proportion both in its own right and in relation to the original building, achieved by setting the extension back a metre from the front building line.

The proposed side extension would in the main accord with the Council Policies that seek to maintain the character of areas and individual properties. It is considered that the placement of the proposed extension on the boundary with no. 4 would create an acceptable relationship in this circumstance.

Although the Design Guidance (Note No. 5 – Extensions to Houses) states that extensions should have a metre set back from the front building line, it is considered in this particular case that the extension will still appear subordinate.

The proposed rear extension would comply with the Design Guidance (Note No. 5 – Extensions to Houses). The proposed extensions would comply with Council Policies that seek to preserve the character of areas and individual properties. The design and siting of the extension is such that it would not have a detrimental impact on the character of either the original property or the area.

The proposal for the basement (will be linked to the ground floor by an internal stair) is considered to be an acceptable addition. It is considered that in many cases within the borough basements are not acceptable. However, given the arrangement of the properties within Elm Walk, it is considered acceptable. The proposed basement extension is considered to be designed in a way in which it is not considered to be obtrusive in the street scene. It is considered that to all neighbours, the basement will be virtually invisible due to its internal access.

The proposed number and size of the rear dormer windows accords with Council Guidance (Note No.5 – Extensions to Houses). It is not considered that these extensions would cause any significant detriment to the amenities of neighbouring occupiers as stated in Design Guidance (Note No. 5 – Extensions to Houses). There are numerous examples of properties within the area where similar dormer windows have been constructed.

The addition of a two storey front extension including a new front porch is considered acceptable as it doesn't harm the character of the area or the amenities of neighbouring occupiers (including 2c, Magnolia House and 4 Elm Walk).

The proposal as a whole would not cause any significant harm to the street scene. In that respect, it would not conflict with relevant saved policies of the Barnet Unitary Development Plan (UDP). It would comply with policy GBEnv1, which seeks to protect and enhance the quality and character of the built environment, and with the aims of UDP policies GBEnv2 and D1 with respect to high quality design. In the terms of UDP policy D2, local character would be preserved, and the appearance,

scale, bulk, height and pattern of surrounding buildings, and the overall character and quality of the area, would be respected. The proposal would harmonise with and respect the character of the area.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Since the application was originally submitted, the proposal has been greatly amended and is considered to comply with the Design Guidance, as a result it is considered that the planning related concerns raised on this application relating to design are not sufficient to constitute a reason for refusal.

The attachment of a condition to this planning decision requiring restricting the installation of windows in the side elevations are considered to address the concerns of the objectors with regards to overlooking and the loss of privacy.

The Council's Building Control Department Principal Structural Engineer commented on the submitted Report on Ground Investigation prepared by W J C Wallace of K F Geotechnical dated 26 March 2012 - Ref G/031213/001 and he is satisfied by the findings and believes the report to have reasonable results for clay subsoil. It is considered that the planning related concerns raised on this application relating to the principle of the basement and the two borehole tests provided are not sufficient to constitute a reason for refusal.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

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

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

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

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

therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 2 Elm Walk, London, NW3 7UP

REFERENCE: F/05087/11



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AGENDA ITEM 6b

LOCATION: 77 Golders Green Road, London, NW11 8EN
REFERENCE: F/00901/12 **Received:** 07 March 2012
Accepted: 07 March 2012
WARD(S): Childs Hill **Expiry:** 02 May 2012
Final Revisions:

APPLICANT: J H Ventures Ltd
PROPOSAL: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats. (LISTED BUILDING CONSENT)

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: SV.01, SV.02, SV.03, SV.04, SV.05, SV.06, GA.01 Rev: A, GA.02 Rev: A, GA.03 Rev: B, GA.04 Rev: A, GA.05, GA.06 Rev: A, SK.01, SK.01, .
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 materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.
Reason:
To safeguard the character and appearance of the Conservation Area.
- 5 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
Reason:
In order to safeguard the special architectural or historic interest of the Listed Building.

INFORMATIVE(S):

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

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GParking, GH1, TCR13, D1, D2, D5, HC1, HC10, H23, H26, CS2, CS8 IMP1 of the Adopted Barnet Unitary Development Plan (2006).

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

Development Management Policies (Examination in Public version)2012: DM01, DM02, DM06, DM08, DM17

ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, would preserve or enhance the character of the conservation area and would not cause unacceptable harm to the amenities of the area.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GParking, GH1, TCR13, D1, D2, D5, HC1, HC10, H23, H26, CS2, CS8 IMP1 of the Adopted Barnet Unitary Development Plan (2006).

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS5

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, DM08, DM17

Application: Planning **Number:** F/00900/12
Validated: 07/03/2012 **Type:** APF
Status: PDE **Date:**
Summary: APL **Case Officer:** David Campbell
Description: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats.

Application: Planning **Number:** F/00901/12
Validated: 07/03/2012 **Type:** LBC
Status: PDE **Date:**
Summary: APC **Case Officer:** David Campbell
Description: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats. (LISTED BUILDING CONSENT)

Site Address: 77 Golders Green Road NW11
Application Number: C02272B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/06/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of new shopfront**

Site Address: 77 Golders Green Road NW11
Application Number: C02272C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/09/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **New shopfront**

Site Address: 77 Golders Green Road NW11
Application Number: C02272D
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 05/09/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Illuminated fascia sign and projecting box sign.**

Site Address: 77 GOLDERS GREEN ROAD LONDON NW11
Application Number: C02272
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 27/01/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Advert**

Site Address: 77, Golders Green Golders Green Road NW11
Application Number: C02272A
Application Type: Full Application
Decision: Approve
Decision Date: 27/01/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists

Proposal: Installation of new shop front

Site Address: 77 Golders Green Road, London, NW11 8EN
Application Number: F/00901/12
Application Type: Listed Building 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: **Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats. (LISTED BUILDING CONSENT)**
Case Officer: David Campbell

Consultations and Views Expressed:

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

The objections raised may be summarised as follows:

- This is a conservation area.
- Overlooking.
- The buildings are too high and the windows are out of character.
- Over development
- The building should be restored to its original use.
- The area doesn't need any more flats.

Internal /Other Consultations:

- Urban Design & Heritage - No objections.

Date of Site Notice: 15 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the flat located in a mixed use area of Golders Green, above 77 Golders Green Road with a commercial use on the ground floor. The property is Grade II listed and falls within the Golders Green Town Centre Conservation Area.

Proposal:

The application seeks listed building consent for roof extensions at the rear with 4no. rooflights, internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats.

The External Works:

The design of the new hipped roof is similar to recently granted proposals for other

such extensions on properties in the road. The proposed roof line would be below that of the existing roof line that can be seen from the main front elevation, and therefore could not be viewed from the main thoroughfare. Whilst it can be viewed from within Golders Green Road, such roof extensions now form part of the character of the street and as such cannot be considered to be harmful to the character and appearance of the Conservation Area.

It was pointed out by the architect on the site visit that the proposed velux window that would overlook the upper floor balcony of the property of No. 75 Golders Green Road could be made frosted, if there were complaints as to overlooking. This was agreed to in an email of 27th March 2012.

The Internal Works:

First floor: The principal works to this floor, involve the creation of a single flat utilizing the existing layout of the floor. A new en suite bathroom is to be created in the current dining room and there will also be the creation of new cupboard and entrance to the flat. A drawing has been provided at scale 1:10 of a internal door, to match the original doors in design but provide half hour fire resistance.

It is proposed to replace the first 3 steps of the first floor staircase to winders. The reason for doing this, which would appear to be an unnecessary change to the fabric of a listed building, is that it is required to form a reasonable lobby into flat 1 without incursion into the front room. The staircases have some architectural merit and they should be preserved and replicated where necessary. It has been confirmed that only the three winding set will be new fabric, and that other original structural elements of the original staircase will be renewed where possible.

Second floor: Whilst much of the existing layout will remain towards the front of this floor, it will be in the existing rear extension where the greatest change will take place, where in order to create flat no. 2 the rear rooms will be sealed off and all partitions removed. A new staircase will be formed to allow access to the new proposed roof extension.

The front rooms on this floor will become flat no. 3 with the rear of the existing bedrooms having an en suite inserted and a new cupboard created at the flats entrance. From within the hallway, a new staircase and flat entrance will be created to allow access to the proposed loft extension, which will become flat 4. The new staircase will replicate the details of the existing newels and banisters, or incorporate them where possible.

Third floor: the existing roof void and proposed rear roof extension will become, to the front of the building flat no. 4 and to the rear, the upper floor of flat no. 2. The new staircase for flat no. 4 will continue on in the same layout as that of the original staircase below. As all walls in these areas are new, the proposed works cannot be considered to be damaging to the significance of a listed building.

In order to obtain light to the room at the front of the building, a skylight and tunnel is proposed, in order to avoid placing a window on the front of the building.

Planning Considerations:

The council's Conservation team have been consulted on the application and have made the following comments:

The new hip roof to the rear extension will match previously approved examples at number 85, 87, 89 and 91, 93 and 95. The use of materials matching the original bricks and roof tiles will further confirm this protection. It is proposed to match the existing building materials, and as such, cannot be considered harmful to the significance of a heritage asset.

The internal wall fabric of the upperparts of this building will remain largely undisturbed with the existing original skirting and architraves retained where possible. It has been confirmed that all skirting, architraves, cornices and picture rails should be replaced where they are now missing, to match that of the existing like for like, in an email of the 4th April 2012 .

There are few original pieces of cornice remain especially in the circulation spaces most affected by alteration.

The existing fireplaces are clearly indicated as being retained in the proposed new layout. Whilst it is acknowledged that the retention of fireplaces are significant, confirmation needs to be provided as to whether it is desired by the applicant to open the fireplaces up, in order to establish whether grates remain insitu, or whether they are to remain sealed during the works and only the fire surround to be refurbished. It was confirmed in an email of the 4th April 2012, that the fireplaces will remain sealed and the surrounds re-decorated during the works.

No new external pipework will be required. The existing pipes will be used to connect to any new internal soil and waste connections. The running of all new pipework should be clearly indicated on the plans, indicating where it runs into the existing pipework. Such plans were provided on the 24th April 2012. The new pipework is acceptable as it is not damaging to the significance of a heritage asset.

Any new ventilation outlets required for the bathrooms shall be terminated in brick vents cut neatly into the rear external walls or terminated in tile vents in locations not seen from the ground. Locations of the vents should be detailed on the plans and details should be provided of the proposed tile vents. Such plans were provided on the 24th April 2012. The location of vents are acceptable as it cannot be considered damaging to the significance of a heritage asset.

Whilst it is appreciated that there is no intention to undertake works to any windows, the possibility of them being repainted should be taken into consideration by the applicant. Such works would help to improve the character and appearance of a listed building and would make a positive contribution to a heritage asset. It was confirmed that it is intended to re-decorate the windows and that they will be properly stripped and painted in white oil paint over primer in an email of the 4th April 2012.

It is considered that the alterations are acceptable.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning grounds of objection have been discussed 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.

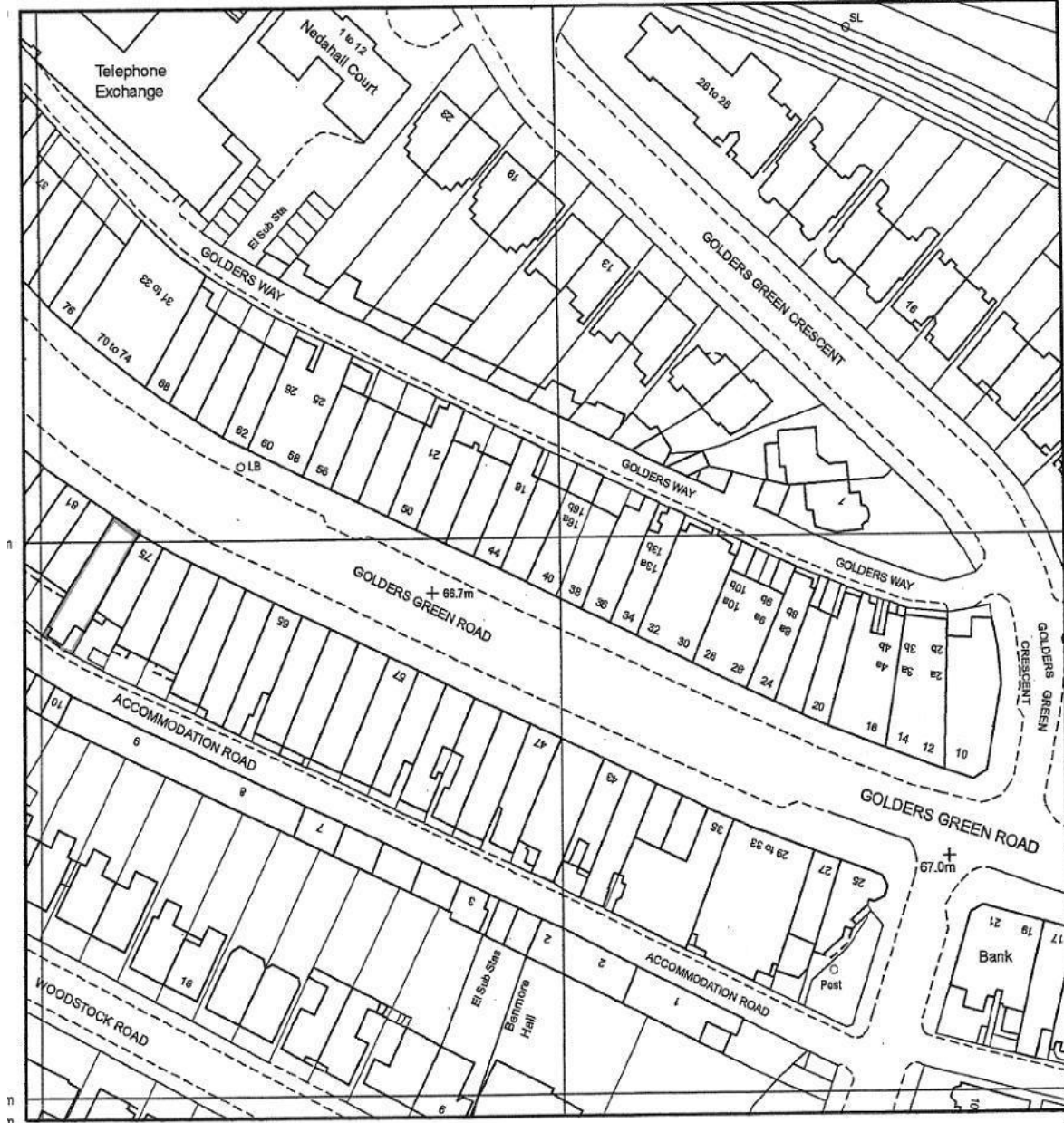
5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, would preserve or enhance the character of the conservation area, the special architectural interest of the listed building and would not cause unacceptable harm to the amenities of the area.

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

SITE LOCATION PLAN: 77 Golders Green Road, London, NW11 8EN

REFERENCE: F/00901/12



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LOCATION: 77 Golders Green Road, London, NW11 8EN
REFERENCE: F/00900/12 **Received:** 07 March 2012
Accepted: 07 March 2012
WARD(S): Childs Hill **Expiry:** 02 May 2012
Final Revisions:

APPLICANT:

PROPOSAL: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: SV.01, SV.02, SV.03, SV.04, SV.05, SV.06, GA.01 Rev: A, GA.02 Rev: A, GA.03 Rev: B, GA.04 Rev: A, GA.05, GA.06 Rev: A, SK.01, SK.01, .
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 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 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).
Reason:
To protect the amenities of future and neighbouring residential occupiers.
- 7 All new external and internal works and finishes and works of making good to

the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason:

In order to safeguard the special architectural or historic interest of the Listed Building.

- 8 No development shall take place until details of the arrangements to meet the obligation for health, highways 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 CS8, CS13, M11, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

- 9 Before the building hereby permitted is occupied the proposed rooflight in the side elevation facing 75 Golders Green Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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 (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GParking, GH1, TCR13, D1, D2, D5, HC1, HC10, H23, H26, CS2, CS8 IMP1 of the Adopted Barnet Unitary Development Plan (2006).

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

Development Management Policies (Examination in Public version)2012: DM01, DM02, DM06, DM08, DM17

ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, would preserve or enhance the character of the conservation area and would not cause unacceptable harm to the amenities of the area.

- 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 Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, GParking, GH1, TCR13, D1, D2, D5, HC1, HC10, H23, H26, CS2, CS8 IMP1 of the Adopted Barnet Unitary Development Plan (2006).

Design Guidance Note No. 7- Residential Conversions.

SPD: Sustainable Design and Construction (2007).

SPD: Contributions towards Education (2008).

SPD: Contributions towards Libraries (2008).

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS5

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, DM08, DM17

Application: Planning **Number:** F/00900/12
Validated: 07/03/2012 **Type:** APF
Status: PDE **Date:**
Summary: APC **Case Officer:** David Campbell
Description: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats.

Application: Planning **Number:** F/00901/12
Validated: 07/03/2012 **Type:** LBC
Status: REG **Date:**
Summary: DEL **Case Officer:** David Campbell
Description: Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats. (LISTED BUILDING CONSENT)

Site Address: 77 Golders Green Road NW11
Application Number: C02272B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/06/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of new shopfront**

Site Address: 77 Golders Green Road NW11
Application Number: C02272C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/09/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **New shopfront**

Site Address: 77 Golders Green Road NW11
Application Number: C02272D
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 05/09/1985
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Illuminated fascia sign and projecting box sign.**

Site Address: 77 GOLDERS GREEN ROAD LONDON NW11
Application Number: C02272
Application Type: Advertisement
Decision: Approve with conditions
Decision Date: 27/01/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Advert**

Site Address: 77, Golders Green Golders Green Road NW11
Application Number: C02272A
Application Type: Full Application
Decision: Approve
Decision Date: 27/01/1969
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of new shop front**

Site Address: 77 Golders Green Road, London, NW11 8EN
Application Number: F/00901/12
Application Type: Listed Building 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: **Roof extension at the rear with 4no. rooflights Internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats. (LISTED BUILDING CONSENT)**
Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 138 Replies: 4
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- This is a conservation area.
- Overlooking.
- The buildings are too high and the windows are out of character.
- Over development
- The building should be restored to its original use.
- The area doesn't need any more flats.

Internal /Other Consultations:

- Urban Design & Heritage - No objections.

Date of Site Notice: 15 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is the flat located in a mixed use area of Golders Green, above 77 Golders Green Road with a commercial use on the ground floor. The property is Grade II listed and falls within the Golders Green Town Centre Conservation Area.

Proposals:

The application seeks permission for roof extensions at the rear with 4no. rooflights, internal alterations and associated works to facilitate conversion of upper floors into 4no. self contained flats.

The External Works:

The design of the new hipped roof is similar to recently granted proposals for other such extensions on properties in the road. The proposed roof line would be below that of the existing roof line that can be seen from the main front elevation, and therefore could not be viewed from the main thoroughfare. Whilst it can be viewed from within Golders Green Road, such roof extensions now form part of the character of the street and as such cannot be considered to be harmful to the character and appearance of the Conservation Area.

It was pointed out by the architect on the site visit that the proposed velux window that would overlook the upper floor balcony of the property of No. 75 Golders Green Road could be made frosted, if there were complaints as to overlooking. This was agreed to in an email of 27th March 2012.

The Internal Works:

First floor: The principal works to this floor, involve the creation of a single flat utilizing the existing layout of the floor. A new en suite bathroom is to be created in the current dining room and there will also be the creation of new cupboard and entrance to the flat. A drawing has been provided at scale 1:10 of a internal door, to match the original doors in design but provide half hour fire resistance.

It is proposed to replace the first 3 steps of the first floor staircase to winders. The reason for doing this, which would appear to be an unnecessary change to the fabric of a listed building, is that it is required to form a reasonable lobby into flat 1 without incursion into the front room. The staircases have some architectural merit and they should be preserved and replicated where necessary. It has been confirmed that only the three winding set will be new fabric, and that other original structural elements of the original staircase will be renewed where possible.

Second floor: Whilst much of the existing layout will remain towards the front of this floor, it will be in the existing rear extension where the greatest change will take place, where in order to create flat no. 2 the rear rooms will be sealed off and all partitions removed. A new staircase will be formed to allow access to the new proposed roof extension.

The front rooms on this floor will become flat no. 3 with the rear of the existing bedrooms having an en suite inserted and a new cupboard created at the flats entrance. From within the hallway, a new staircase and flat entrance will be created to allow access to the proposed loft extension, which will become flat 4. The new staircase will replicate the details of the existing newels and banisters, or incorporate them where possible.

Third floor: the existing roof void and proposed rear roof extension will become, to the front of the building flat no. 4 and to the rear, the upper floor of flat no. 2. The new staircase for flat no. 4 will continue on in the same layout as that of the original

staircase below. As all walls in these areas are new, the proposed works cannot be considered to be damaging to the significance of a listed building.

In order to obtain light to the room at the front of the building, a skylight and tunnel is proposed, in order to avoid placing a window on the front of the building.

Planning Considerations:

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

Policy Considerations

The NPPF has now been adopted. The relevant sections 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.

Policy TCR13 of the UDP states that “housing development in and near town centres through conversion and redevelopment of existing buildings and new development will be permitted except on the ground floor of primary and secondary frontage”. The proposal would provide further accommodation in an area well connected with transport and where commodities are easily accessible.

Impact on Conservation Area and Listed Building

The council's Conservation team have been consulted on the application and have

made the following comments:

The new hip roof to the rear extension will match previously approved examples at number 85, 87, 89 and 91, 93 and 95. The use of materials matching the original bricks and roof tiles will further confirm this protection. It is proposed to match the existing building materials, and as such, cannot be considered harmful to the significance of a heritage asset.

The internal wall fabric of the upperparts of this building will remain largely undisturbed with the existing original skirting and architraves retained where possible. It has been confirmed that all skirting, architraves, cornices and picture rails should be replaced where they are now missing, to match that of the existing like for like, in an email of the 4th April 2012 .

There are few original pieces of cornice remain especially in the circulation spaces most affected by alteration.

The existing fireplaces are clearly indicated as being retained in the proposed new layout. Whilst it is acknowledged that the retention of fireplaces are significant, confirmation needs to be provided as to whether it is desired by the applicant to open the fireplaces up, in order to establish whether grates remain insitu, or whether they are to remain sealed during the works and only the fire surround to be refurbished. It was confirmed in an email of the 4th April 2012, that the fireplaces will remain sealed and the surrounds re-decorated during the works.

No new external pipework will be required. The existing pipes will be used to connect to any new internal soil and waste connections. The running of all new pipework should be clearly indicated on the plans, indicating where it runs into the existing pipework. Such plans were provided on the 24th April 2012. The new pipework is acceptable as it is not damaging to the significance of a heritage asset.

Any new ventilation outlets required for the bathrooms shall be terminated in brick vents cut neatly into the rear external walls or terminated in tile vents in locations not seen from the ground. Locations of the vents should be detailed on the plans and details should be provided of the proposed tile vents. Such plans were provided on the 24th April 2012. The location of vents are acceptable as it cannot be considered damaging to the significance of a heritage asset.

Whilst it is appreciated that there is no intention to undertake works to any windows, the possibility of them being repainted should be taken into consideration by the applicant. Such works would help to improve the character and appearance of a listed building and would make a positive contribution to a heritage asset. It was confirmed that it is intended to re-decorate the windows and that they will be properly stripped and painted in white oil paint over primer in an email of the 4th April 2012.

It is considered that the alterations are acceptable.

Impact on Neighbouring Amenity

Several properties have constructed similar extensions as the proposed to assist conversions to flats and were not considered to cause any loss of amenity. This

scene is also considered to be acceptable in this respect as well. There are some concerns that the balcony of 75 Golders Green Road would be overlooked by the rooflight on the side elevation. A condition has been attached to ensure that this is frosted.

Layout

Although the internal layouts of the flats do not depict 'like above like' in terms of the rooms, the submitted drawings note that the soundproofing will be 3 decibels above normal building regulations. It is therefore considered that no harm to the proposed flats will be caused by the development. There are no be changes to the first floor rear windows and a new side entrance door to flat A which are considered to be acceptable. Other than these, no other external changes are proposed.

The room standards are slightly lower than would normally be found acceptable in London Plan policy 3.5, however, considering there is an additional storage and laundry room, the sustainable location and the building is listed (meaning further extension would not be possible), the application is considered to be acceptable on this occasion. The refurbishment works done to the building are also considered to be a benefit to the scheme as a whole.

Amenity Space

Although the application does not contain any amenity space for the proposed new units, it is considered that as the site is situated within close proximity to the shops and amenities within the local area, there will not be a negative effect on the future occupants of the property in this respect. It is also noted that the existing flats in the same row do not have any amenity space either.

Refuse

Details of refuse storage have not been submitted with the application, so a condition has been recommended that seeks to ensure that these are provided and approved before works are commenced.

Parking

No additional parking spaces are provided by the application. However, as the site is located within a Controlled Parking Zone (CPZ), close to the town centre, and close to amenities and public transport links, the application is considered to be acceptable in terms of parking provision and other highways issues. The appeal Inspector at 14 Golders Way dismissed the appeal on the grounds that the applicant had not provided an agreement stating that the development would be car free. A condition has therefore been recommended to ensure that the agreement is forthcoming following the grant of planning permission.

Contributions

No education contributions are required under Policy CS8 of the Adopted UDP.

Under Policy CS2 of the Adopted UDP (2006) the application is subject to a condition which seeks to secure the provision of community and religious facilities. A contribution is sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services.

Under Policy CS13 of the Adopted UDP (2006) the application is subject to a condition which seeks to secure the provision of health and social care facilities. A contribution is sought for the provision of healthcare services in the borough in line with the council's Supplementary Planning Document on Contributions to Health and Social Care.

The payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations is required in line with the Supplementary Planning Document for Planning Obligations.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning grounds of objection have been discussed 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.

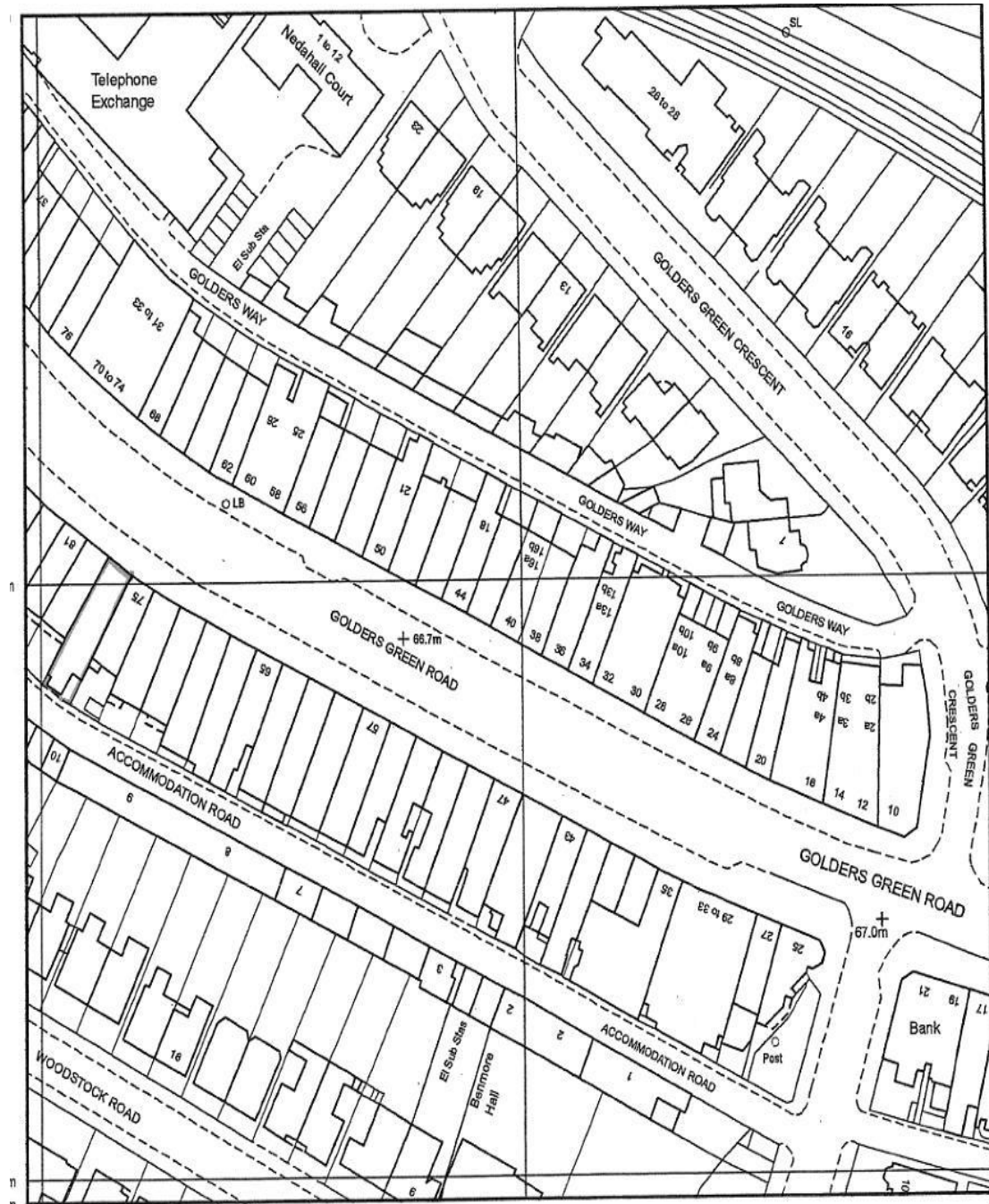
5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, would preserve or enhance the character of the conservation area, the special architectural interest of the listed building and would not cause unacceptable harm to the amenities of the area.

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

SITE LOCATION PLAN: 77 Golders Green Road, London, NW11 8EN

REFERENCE: F/00900/12



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LOCATION: 79 West Heath Road, London, NW3 7TH
REFERENCE: F/01019/12 **Received:** 14 March 2012
WARD: Childs Hill **Accepted:** 14 March 2012
Expiry: 09 May 2012
Final Revisions:

APPLICANT: Globalhome Estates Ltd
PROPOSAL: Demolition of existing dwellinghouse and erection of three storey plus rooms in roofspace and basement detached building to provide 2no. self-contained maisonettes. Associated amenity space and off-street car parking.

Subject to Unilateral Undertaking

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £7,799.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £1,685.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £34.00**
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £699.95**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/01019/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan; Design and Access Statement; Arboricultural Method Statement, Dated 9th March 2012; Construction Management Plan; Plan No's: 000-OS; 000-01; 010-OS; 000-02; 000-03; 040-01 A; 040-02 A; 040-03 A; 040-04 A; 040-05 A; 040-06 A; 040-07 A; 010-LG A; 010-OG B; 010-01 A; 010-02 A; 010-0R A; 010-03 A; Email from Agent (Mr Spry), Dated 17/05/12, 28/05/12 & 29/05/112).
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act,

2004.

- 3 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To safeguard the visual amenities of the locality.
- 4 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
Reason:
To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.
- 5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.
Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.
- 6 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature.
- 7 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature.
- 8 No development or other operations shall commence on site in connection with the demolition and development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).
Reason: To safeguard the health of existing trees which represent an

important amenity feature.

- 9 The development works hereby consented shall be implemented in accordance with the precautions and methods specified within the Arboricultural Method Statement, dated 9th March 2012 and the details contained within the e-mail chain submitted to the Council on the 17th May 2012 onwards.

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

- 10 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.

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

Reason:

To protect the amenities of future and neighbouring residential occupiers.

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

Reason:

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

- 13 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.

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

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from

any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

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

- 15 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.

- 16 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with the Drawing No. 010-0G Rev B submitted with the application 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

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, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

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

Development Management Policies (Examination in Public version)2012: DM01, DM02, DM08, DM17.

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

The replacement of the property with two self contained maisonettes is considered acceptable, in character with the surrounding area. As conditioned, the proposals would not impact on trees of special amenity value. The proposal would protect the character of this part of Childs Hill 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.

- 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 £ _____ (to be supplied in the addendum to the report).

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 Trees at and adjacent to this site are included within a Tree Preservation Order. This grant of planning consent confers no rights to undertake any treatment to any trees at and/or adjacent to the site. If any treatment is proposed to trees at and/or adjacent to the site as part of the development works hereby consented then this should be specified in details submitted for the discharge of condition 8 of the planning permission hereby approved. Alternatively, a separate application would be required in accordance with the tree preservation legislation. You are reminded that unauthorised treatment of protected trees is a criminal offence which may carry a heavy penalty.
- 5 The applicant is advised that in case if any modifications are proposed to the

existing access off the public highway then it will be subject to a detailed investigation by the Environment, Planning and Regeneration Directorate. This may result in alterations to the existing on-street controlled parking bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process. Any 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 Environment, Planning and Regeneration Directorate Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

- 6 In the case where a highway tree is present on public footway in the vicinity of the site, which is likely to be affected if the vehicular access to the site is proposed for alteration, then the final approval would be subject to a detailed assessment carried out by the Environment, Planning and Regeneration Directorate as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Environment, Planning and Regeneration Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
- 7 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 13th July 2012 the Assistant Director of Planning and Development Management REFUSE the application ref: F/01019/12 under delegated powers for the following reasons:

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

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, D11, D13, CS2, CS8, CS13, IMP1, IMP2, GMon, GH1, H2, H16, H18, H23, H26, H27, M11, M13 and M14.

Supplementary Planning Guidance:

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

Supplementary Planning Document on Contributions to Education (2008).

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

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

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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

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

Policies: DM01, DM02, DM08, DM17.

Relevant Core Strategy Policies:

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

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

Policies: CS NPPF, CS1, CS5.

Relevant Planning History:

Site Address: 79 West Heath Road LONDON NW3 7TH
Application Number: C05197A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/04/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground floor front extension.**
Case Officer:

Site Address: 79 West Heath Road Hampstead NW3
Application Number: C00578
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 25/01/1966
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Formation of new study/bedroom and extension of existing bedroom.**
Case Officer:

Site Address: 79 West Heath Road London NW3 7TH
Application Number: C05197D/05
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 19/04/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground floor front extension (renewal of planning permission ref C05197B/00, dated 17/04/00).**
Case Officer: Laura Knight

Site Address: 79 WEST HEATH ROAD LONDON NW3 7TH
Application Number: C05197B/00
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/04/2000
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground floor front extension.**
Case Officer:

Site Address: 79 WEST HEATH ROAD LONDON NW3 7TH
Application Number: C05197C/00
Application Type: Section 192
Decision: Lawful Development
Decision Date: 12/09/2000
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension to terrace at rear.**
Case Officer:

Site Address: 79 West Heath Road, London, NW3 7TH
Application Number: 00385/10
Application Type: Householder
Decision: Approve with conditions
Decision Date: 20/04/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension to the time limit for implementing planning permission C05197D/05 dated 18/04/2005 for ground floor front extension.**
Case Officer: Neetal Rajput

Site Address: 79 West Heath Road, London, NW3 7TH
Application Number: 02142/10
Application Type: Full Application
Decision: Withdrawn
Decision Date: 01/07/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing dwelling and erection of three-storey detached dwelling including basement.**
Case Officer: Neetal Rajput

Site Address: 79 West Heath Road, London, NW3 7TH
Application Number: 03568/10
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/12/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing dwelling and erection of a three storey detached dwelling including basement. Associated parking.**
Case Officer: Neetal Rajput

Site Address: 79 West Heath Road, London, NW3 7TH
Application Number: F/00155/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/03/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing dwelling and erection of a three storey detached dwelling including basement. Associated parking and amenity space.**
Case Officer: Neetal Rajput

Site Address: 79 West Heath Road, London, NW3 7TH
Application Number: F/01881/11
Application Type: Full Application
Decision: Withdrawn

Decision Date: 03/06/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation to the previously approved application Ref: F/00155/11 "(Demolition of existing dwelling and erection of a three storey detached dwelling including basement. Associated parking and amenity space.)" to include single storey front extension.**
Case Officer: Neetal Rajput

Consultations and Views Expressed:

Neighbours Consulted: 29 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Objection to making the building wider on grounds of loss of light
 - Maintenance concerns with the development
 - Loss of outlook
 - Overdevelopment of site
 - Proposals out of character with the area
 - Concerns site is being used as an illegal rubbish dump
 - Concerns the basement development will detrimentally affect the underground water course and contribute to flooding in the area
 - Object to being able to use the pavement to unload construction materials
- Impact of delivery lorries on the vicinity, especially pavements
- Site located on dangerous bend
 - Neighbours will be unable to access their entry gates
 - Danger to pedestrians
 - Development affecting traffic flow and parking
 - Need for temporary lights
 - Impact on trees as a result of delivery lorries
 - Proposals do not create a "harmonious look"

Date of Site Notice: 29 March 2012

Internal /Other Consultations:

Traffic and Development - no objections
Trees and Landscaping - no objections

2. PLANNING APPRAISAL

Site Description and Surroundings:

West Heath Road is a residential street in the Childs Hill Ward. 79 West Heath Road is a large detached property located on the west side of the road opposite the entrance to Eden Close. There are a number of trees protected by Tree Preservation Orders located within the curtilage of the application site and within neighbouring properties. The area is characterised by different types of buildings and with different types of tenures.

Proposal:

The proposal is for demolition of existing dwellinghouse and erection of three storey plus rooms in roofspace and basement detached building to provide two self-contained maisonettes with associated amenity space and off-street car parking.

There have been previous approvals at the application site (F/00155/11 & F/03568/10) for *demolition of existing dwelling and erection of a three storey detached dwelling including basement; associated parking and amenity space* in 10/03/2011.

Planning Considerations:

The main considerations are the impact on the character of the surrounding area and on any neighbouring properties and occupiers.

Proposed siting, character and appearance:

The application site is currently a large detached residential dwelling and as the existing property is not considered to be of particular architectural merit to warrant its retention, demolition is considered to be acceptable.

Whilst the planning history (F/00155/11) should be noted and is a material consideration in the determination of this application, this application should be considered on its own merits. The main change to this application from the previous approval (F/00155/11) is that the proposed building has been set back and the distance to the neighbouring property No. 77 West Heath Road is greater than what was previously approved and thus, in this respect, this application is an improvement and provides a better outlook to the adjoining neighbouring occupiers. The set back and distance to the boundary from the window on the first floor side elevation of the neighbouring property No. 77 West Heath Road, provides relief to the visual amenities of the neighbouring occupiers. In addition, there are no windows proposed in the flank side wall facing No. 77 West Heath Road. The distance to the neighbouring property and no side windows mitigates harm to the visual amenities of the neighbouring property.

There has also been an alteration to the roof form, whereby this now provides a terraced area which is considered to provide better quality of life for the occupants of the upper maisonette.

The principle of modern design is considered to be acceptable in this location given the general mix of houses in the vicinity. In addition, there are examples of approved buildings elsewhere in West Heath Road such as No. 183 West Heath Road, the redevelopment of which was granted in February 2007.

The proposed building has staggered footprints and thus the bulk of the building is not considered to be over dominate or overbearing to neighbouring occupiers.

It is considered that there is sufficient distance to the properties at the rear of the

application site and thus, there will not be issues of overlooking or loss of privacy. The size and bulk of the proposed buildings is considered to be appropriate for the site, street scene and general locality. As previously discussed, whilst the modern design differs from that existing, the street is characterised by properties of varying sizes and styles and is considered to be a suitable location for a modern design of this nature which will not appear as an incongruous development in the street scene.

The house has been carefully designed to take account of the massing of neighbouring properties and ensure that the building appears in context. The height, size, depth and massing are all considered to be in context with its neighbours.

The basement is proposed for purposes ancillary to the main dwelling and will sit directly below the dwellinghouse. During a site visit, it was evident that there is an existing basement at the application site and thus this element of the proposal is not considered to cause harm to the amenities of neighbouring occupiers or the character of the area. The lightwell at the front of the property does not take a large proportion of the hard surfaced area and its settings would contribute to a minimal impact to the neighbouring properties. The lightwell will not be seen from the streetscene and thus will not harm the character of the area.

The grounds of objection against the appearance and the impact on the character of the area from neighbouring residents are noted and it is accepted that this is a judgement. However, after considering all representations on these grounds and taking all material planning considerations into account, there are no objections to the design of the building or on its impact on the character of the area.

Neighbouring Residential Amenities:

Policy D5 of the adopted *Unitary Development Plan* is a Design policy states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

With regards to No. 77 West Heath Road, the first floor element closest to the boundary has been set back by 3.4 metres, thus it is not in view from the window of the side elevation of the neighbouring property. The element on first floor level that will be in view from the window in the side elevation of No. 77 West Heath Road is located 3.23 metres away, this distance ensures that there will be minimal impact to the occupiers of the neighbouring property. Thus, the impact to the neighbouring property side elevation window at No. 77 West Heath Road will be minimal and it is noted that this is not the principal window serving this room.

The distance to the boundary with No. 77 West Heath Road on first floor and the set back of the first and second floor is considered to protect the amenities of the neighbouring occupiers and is not considered to cause loss of light or a sense of enclosure to these occupiers. Additionally, the eaves of the roof respects the adjoining neighbouring properties and this is not considered to have an impact on the neighbour's residential amenity in terms of its overbearing appearance and is not considered to lead to loss of light.

The front building line of the proposed new dwelling is to remain in-line with the original building line of the property. It is therefore not considered to harm the amenities of the neighbouring residents or appear out of character.

With regards to 81 West Heath Road, the single storey rear extension projects 4 metres in depth and there will be a distance of 0.95 metres to the boundary with the neighbouring property, thus there will be minimal impact to the adjoining occupiers. The footprint of the first and second floor only projects a mere 0.4 meters rearward than the neighbouring property No. 81 West Heath Road and therefore this development is not considered to cause harm or have a significant impact on the amenities of the neighbouring occupiers or future occupiers.

As a result of the shape and location of the application site, the proposal is considered acceptable. There is sufficient distance between the neighbouring properties at the rear, No's. 83 and 87 West Heath Road and the application site. Also, the neighbouring properties at the rear of the application site are set at an angle in relation to the application site. Therefore, the proposed siting and mass of the new dwelling is not considered to be unduly intrusive or overbearing. The proposal would not have an adverse impact on the residential and visual amenities of the neighbouring occupiers at the rear to the application site.

Use of site as two units:

The immediate surroundings are characterised by purpose-built flats and as well as properties in single family occupancy. The proposal would result in the re-use of a brownfield site and as such a small flatted development is considered acceptable in this location. The proposed density is in line with policy H21. The current application is for one 3 bedroom maisonette and one 4 bedroom maisonette (total of maisonette). Surrounding sites have or are being re-developed for higher densities. The principle of redevelopment has been deemed acceptable as part of the previous planning permissions to surrounding sites for similar schemes.

It is considered that the proposals comply with point i of Policy DM01 of the Emerging Local Plan Development Management Policies that states that loss of houses in roads characterised by houses will not be normally appropriate. This part of West Heath Road is characterised by purpose built flats and houses.

Highways:

The proposed development is for the demolition of the existing four plus bedroom house and erection of a new building to provide 1x3bedroom and 1x4bderoom maisonettes. Three parking spaces and four cycle parking spaces are being provided including a disabled car parking space.

The council's traffic and development team have confirmed that parking provision is in accordance with the Parking Standards set out in the London Borough of Barnet Adopted Unitary Development Plan 2006. The application is considered to be acceptable in terms of highways and parking and therefore there are no objections on these grounds.

A Construction Management Plan has also been submitted which is acceptable.

Amenity of existing/future occupiers:

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

The proposed development also provides sufficient amounts of usable outdoor space for the enjoyment of future occupiers. The current scheme proposes a private garden to the rear for the lower ground maisonette and balconies and terraces for the upper floor maisonette which is in line with policy H18 of the Adopted Unitary Development Plan 2006. The rear garden and balconies and terraces would provide an acceptable quality of outdoor amenity space.

Impact on Trees:

There are protected trees on the site and the proposal is not considered to harm the health of the TPO trees on site. There are no objections to the proposal on tree grounds subject to the relevant conditions.

As the agent has confirmed in his e-mail dated 29/05/2012 that there will not be any need for any treeworks as part of this development the exemption provisions within the tree preservation legislation relating to works necessary to implement a full planning permission cannot apply and a separate treeworks condition has been attached in any event.

Sustainability:

To ensure the sustainability of each unit an insulation of acoustic separation for the proposed maisonettes will be required for the floors and party walls. The applicant has not submitted this information and it will therefore be enforced through an appropriate condition attached to this recommendation. A condition requires sound insulation systems in relation to impact and airborne noise to achieve a sound attenuation in line with the Building Regulation requirements for airborne sound and impact sound. The units are conditioned to meet Code 3 of the Code for Sustainable Homes.

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 S

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.

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.

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.

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

3. COMMENTS ON GROUNDS OF OBJECTIONS

The main grounds of objection are considered to have been covered in the main report.

4. EQUALITIES AND DIVERSITY ISSUES

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

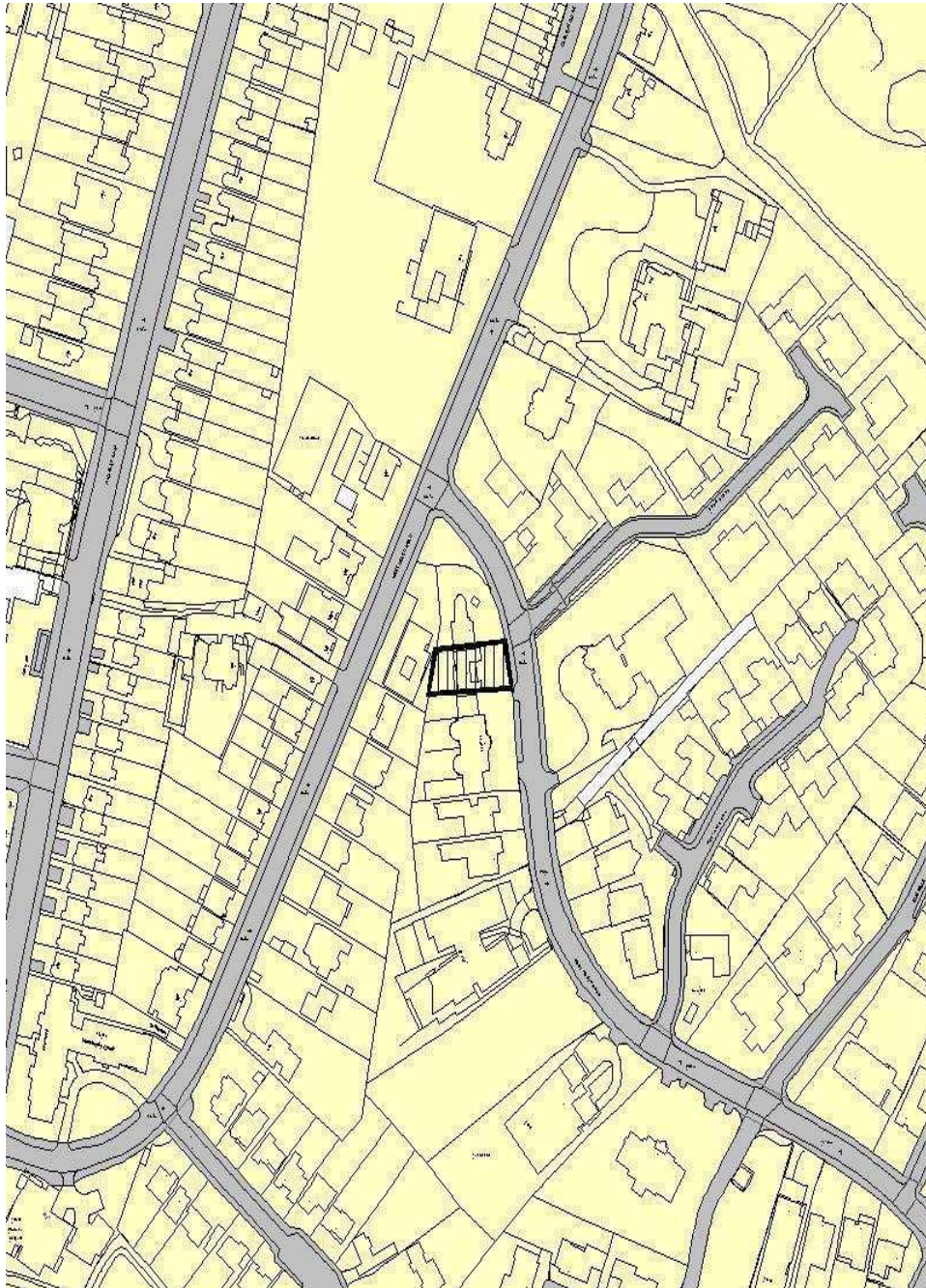
5. CONCLUSION

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

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

SITE LOCATION PLAN: 79 West Heath Road, London, NW3 7TH

REFERENCE: F/01019/12



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LOCATION: 201 The Vale, London, NW11 8TN
REFERENCE: F/01540/12 **Received:** 19 April 2012
WARD(S): Childs Hill **Accepted:** 19 April 2012
Expiry: 14 June 2012

Final Revisions:

APPLICANT: Mrs Zangeneh
PROPOSAL: Conversion of existing dwelling house into 2no self-contained residential units following rear and side extensions to roof including dormer windows to facilitate a loft conversion. Part single, part two storey rear and side extensions. New front porch. Provision of off-street parking and hardstanding.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; PP/254/01; PP/254/02; PP/254/03; PP/254/04.
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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
Reason:
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.
- 5 Before the building hereby permitted is occupied the proposed window(s) in the side elevation facing 199 and 203 The Vale shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.
Reason:
To safeguard the privacy and amenities of occupiers of adjoining residential properties.
- 6 Before 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 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).
Reason:
To protect the amenities of future and neighbouring residential occupiers.
- 8 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".
- 9 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.
- 10 The level of noise emitted from any plant that may be installed shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.
- 11 Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant if any is to be installed. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.
It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).
Reason:
To ensure that the amenities of neighbouring premises are protected from noise from the development.
- 12 The 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.

- 13 Before the development hereby permitted is occupied details for the boundary treatment for the subdivision of the rear garden shall be submitted to and approved in writing by the Local Planning Authority and implemented as agreed and that area shall not thereafter be built on or used for any purpose other than amenity space for the hereby approved flats.

Reason:

To ensure that sufficient external amenity space is provided for the flats without detriment to future occupiers.

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

National Policy:

National Planning Policy Framework

London Plan (2011):

3.4, 3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):

GSD, GParking, GCS1, GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, D9, D11, M8, M10, M11, M12, H16, H17, H18, H23, CS2, CS8, CS13, IMP1, IMP2.

Local Development Framework:

Core Strategy (Examination in Public version) 2012 – CS NPPF, CS1, CS4, CS5, CS9, CS10, CS13, CS15.

Development Management Policies (Examination in Public version) 2012 – DM01, DM02, DM13, DM17.

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 which is in short supply.

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

- 2 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council

through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

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

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

The Mayor's London Plan July 2011:

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

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

life.

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.

Relevant Unitary Development Plan Policies:

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

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

Relevant policies: GSD, GParking, GCS1, GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, D9, D11, M8, M10, M11, M12, H16, H17, H18, H23, CS2, CS8, CS13, IMP1, 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 (Examination in Public version) 2012:

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

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS13, CS15.

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, DM13, DM17.

Relevant Planning History:

Application:	Planning	Number:	F/00876/11
Validated:	01/03/2011	Type:	192
Status:	DEC	Date:	15/06/2011
Summary:	LW	Case Officer:	Elizabeth Thomas
Description:	Extensions to roof including hip to gable and rear dormer window and rooflight windows to the front elevation to facilitate a loft conversion. Single storey rear extension. Single storey side extension. New front porch. New outbuilding in rear garden.		

Application:	Planning	Number:	F/01171/11
Validated:	01/04/2011	Type:	APF
Status:	WDN	Date:	02/06/2011
Summary:	WIT	Case Officer:	Elizabeth Thomas
Description:	Conversion of property into 3no self-contained residential units following extension to roof including hip to gable and rear dormer window to facilitate a loft conversion. Part single, part two storey rear extension. Single storey side extension. New front porch. Provision of off-street parking and hardstanding.		

Application:	Planning	Number:	F/03990/11
Validated:	26/09/2011	Type:	APF
Status:	DEC	Date:	13/01/2012
Summary:	APC	Case Officer:	Elizabeth Thomas
Description:	Part single, part two storey side and rear extension. New ground floor front porch.		

Consultations and Views Expressed:

Neighbours Consulted:	33	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- Proposals out of keeping with area
- Detrimental to peace in the area
- Concerns about short term tenancies not contributing to community

- Additional traffic and pressures on parking
- Scale and appearance
- Noise and disturbance
- Dust during construction

Date of Site Notice: 03 May 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a semi detached dwelling located in the Childs Hill ward. The property is in a predominately residential location and does not fall within a conservation area. Works have been carried out under permitted development including an outbuilding in the rear garden.

Proposal:

The application relates to the conversion of existing dwelling house into 2no self-contained residential units following rear and side extensions to roof including dormer windows to facilitate a loft conversion. Part single, part two storey rear and side extensions. New front porch. Provision of off-street parking and hardstanding.

Planning Considerations:

Planning permission has previously been approved on site for extensions to the property comprising of part single, part two storey side and rear extension and new ground floor front porch. The application F/03990/11 was approved at committee in January 2012. The current application now seeks to convert the property into 2 self contained units with the addition of a side dormer.

The principle of converting the premises into two 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 The Vale and Golders Green Estate as follows:

- 106 The Vale - in 3 flats in 2010
- 237 The Vale -2 flats in 2005
- 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 Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

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

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. A condition will be placed on the application to ensure side windows are obscure glazed to prevent any overlooking or loss of privacy 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 provision of 2 parking spaces meets the Council's maximum standards.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be 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.

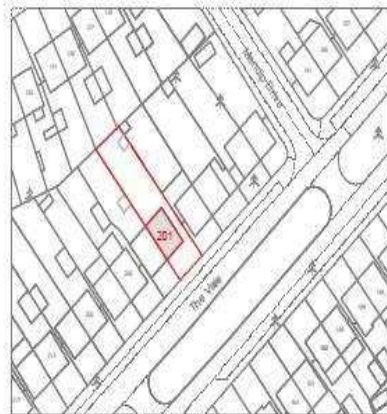
5. CONCLUSION

Having taken all material considerations into account, 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 provided good quality residential accommodation which is at sort supply. It is recommended that the application be **APPROVED** subject to conditions.

SITE LOCATION PLAN: 201 The Vale, London, NW11 8TN

REFERENCE: F/01540/12



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LOCATION: 26 Basing Hill, London, NW11 8TH
REFERENCE: F/01254/12 **Received:** 02 April 2012
WARD(S): Childs Hill **Accepted:** 02 April 2012
Expiry: 28 May 2012

Final Revisions:

APPLICANT: Ms I Joseph

PROPOSAL: Two storey front, part single, part two side and single storey rear extensions. Roof extension involving side and rear dormer windows. Lowered parking spaces with new stairs to ground floor level. (Amended Description and Drawings- including removal of basement and alterations to front landscaping).

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; 1207.1; 1207.2; 1207.3; 1207.4; 1207.5; 1207.6; 1207.P1 RevA; 1207.P2; 1207.P3; 1207.P4; 1207.P5; 1207.P6 RevA; 1207.P7 RevA; 1207.P8 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 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
Reason:
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.
- 5 Before the building hereby permitted is occupied the proposed window(s) in the side elevation facing 24 and 28 Basing Hill shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.
Reason:
To safeguard the privacy and amenities of occupiers of adjoining residential properties.
- 6 A scheme of hard and soft landscaping to the front of the site 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.
- 7 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of

any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

- 8 Any 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.

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

Reason:

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

- 10 Details of any extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before they are installed on site.

Reason:

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

INFORMATIVE(S):

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

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

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

Core Strategy (Submission version) 2011:

Relevant policies: CS NPPF, CS1, CS5.

Development Management Policies (Submission version)2011:

Relevant Policies: DM01, DM02

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

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

- 2 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the

assumption that the sewerage network may surcharge to ground level during storm conditions.

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

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

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

The Mayor's London Plan July 2011:

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

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

Relevant Unitary Development Plan Policies:

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

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

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

Design Guidance Note No 5 – Extensions to Houses

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

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

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

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

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

Core Strategy (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies:

CS NPPF, CS1, CS5.

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

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

Relevant Development Management Policies:

DM01, DM02

Relevant Planning History:

Site history for current landparcel :

137677 - 26 Basing Hill, London, NW11 8TH

Case Reference: **F/01254/12**

Application:	Planning	Number:	F/01254/12
Validated:	02/04/2012	Type:	APF
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Two storey front, part single, part two side and single storey rear extensions. Roof extension involving side and rear dormer windows. Lowered parking spaces with new stairs to ground floor level. (Amended Description and Drawings- including removal of basement and alterations to front landscaping).		

Consultations and Views Expressed:

Neighbours Consulted: 20 Replies: 14
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Proposed development will adversely affect the amenity of adjoining properties and general character of the street
- Proposals will result in loss of open space
- Proposals will put at risk the structural stability of adjacent buildings
- Proposals will result in a loss of trees and shrubs of townscape value
- Development is out of character
- Excessive amount of hardstanding proposed, risks increasing water run off and creating a flood risk
- Basement excavations will affect local ground water
- Noise and disturbance as a result of the development
- Request a construction method statement for proposed works
- Loss of privacy due to overlooking from side dormer windows
- Overdevelopment of site

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a detached dwelling with a single storey link between garages with the neighbouring property. There are substantial level changes at the front of the property. The area is in a predominately residential location and does not fall within a conservation area.

Proposal:

The application relates to a two storey front, part single, part two side and single storey rear extensions. Roof extension involving side and rear dormer windows. Lowered parking spaces with new stairs to ground floor level.

Planning Considerations:

The proposal has been amended substantially since the initial submission, the basement level has now been omitted from the proposal and the front landscaping and changing of levels has also been amended.

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

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

General Policy GBEEnv1 aims to maintain and improve the character and quality of the environment.

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

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

Policy H27 states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the streetscene and have no significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

The proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

There are a number of other examples of extensions to residential properties in the surrounding area. The proposals have been designed to be sympathetic to the host property and the surrounding area. The site is considered large enough to accommodate the extensions without resulting in overdevelopment of the site. A condition has been placed on the application to ensure side windows will be obscure glazed to prevent any potential of overlooking or loss of privacy to the neighbouring residential occupiers.

There are a number of other examples in the street where a part of the front garden has been lowered to provide a more level ground for car parking including 22 and 18 Basing Hill, the proposal is therefore not considered to be out of context. The properties along this stretch of the road have significant level changes from the public highway level up to the front entrance of the property. The hardstanding maintains a slight gradient to ensure it respects the level changes on the site which is characteristic of the properties along this stretch of Basing Hill. A large area of soft landscaping is proposed at existing levels directly in front of the property and to either side of the proposed parking hardstanding area to ensure the front remains aesthetically pleasing without resulting in harm to the streetscene. The amount of soft landscaping proposed is also considered to mitigate concerns of rainwater runoff.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be covered in the above appraisal. The proposal has been substantially amended since the initial submission removing the basement and altering the front landscaping. The removal of the basement previously proposed from the plans is considered to mitigate concerns relating to the structural impact of the proposal on surrounding properties.

The front landscaping will now provide a greater level of soft landscaping and a smaller ground level car area will be provided.

The property is not in a flood risk zone, however, more soft landscaping has been introduced to the front of the property to mitigate concerns of excess water runoff and flood risk.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

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

SITE LOCATION PLAN: 26 Basing Hill, London, NW11 8TH

REFERENCE: F/01254/12



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AGENDA ITEM 6g

LOCATION: Denver Court, 132 Hendon Lane, London, N3 3RH
REFERENCE: F/05103/10 **Received:** 15 December 2010
Accepted: 15 December 2010
WARD(S): Finchley Church End **Expiry:** 09 February 2011
Final Revisions:

APPLICANT: Dorchester Guernnso/General Partner Ltd.
PROPOSAL: Variation of condition 5 (Enclosure) relating to planning permission C01206Q/06 dated 29/1/2007.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Plan nos. L154-P2, 0608/PA.01, 0608/GA.02E, 0608/GA.03G, 0608/GA.04H, 0608/GA.05D, 0608/GA.06G, 0608/GA.07E, 0608/GA.08D, 0608/GA.09B, 0608/GA.10A, 0608/GA.11D, 0608/GA.12B, 0608/GA.13B, 0608/GA.14A, 0608/GA.15A, 0608/GA.16A, 0608/E.01, 0608/E.02, 0608/E.03, 0608/E.04, 0608/E.05, 0608/E.06, email from Maurice Clarke received received 26/01/07, Drawing AA688.01.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 The basement parking shown on drawing 0608/GA.03 G shall be provided and that area shall not be used for any purpose other than for the parking 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.
- 3 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.
- 4 No structure or erection with a height exceeding 0.85m above footway level shall be placed along the frontage to Waverley Grove from a point 2.4m from the highway boundary for a distance of 2.4m on both side of the vehicular access(es).
Reason:
To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.
- 5 The site enclosure and landscaping details consisting of a low brick wall and associated planting shall be permanently retained as shown on drawing AA688.01.
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 The level of noise emitted from the lift and air conditioning unit hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of an existing neighbouring property at the time of this decision notice.

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

Reason:

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

INFORMATIVE(S):

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

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

In particular the following polices are relevant:

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

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

Development Management Policies (Examination in Public version)2012: DM01, DM06, DM14.

ii) The proposal is acceptable for the following reason(s): 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 development. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring dwellings and this application is in keeping with Council Policies and Guidelines.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011: 3.4, 3.5A, 3.5B, 7.4A

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, H1, H2, H16, M11, M13, M14, CS2, CS8, CS13, IMP1 and IMP2.

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

Development Management Policies (Examination in Public version) 2012: DM01, DM06, DM14.

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

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

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:

Site Address: 132 Hendon Lane London N3 3PS
Application Number: C01206Q/06
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 29/01/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing house, swimming pool and garage and construction of a three-storey building (with rooms in roofspace) to provide 9No. self-contained flats. Provision of basement parking. Amendment to planning permission Reference C01206N/05 including amendment to approved landscaping plan and enclosure of proposed terrace at first floor level.**
Case Officer: Fabien Gaudin

Application Reference:	F/03709/08
Case Officer:	Fabien Gaudin
Proposal:	Submission of details pursuant to condition 2 (levels), 4 (refuse), 5 (enclosure) and 7 (landscaping) or planning permission C01206Q/06 dated 29/01/07.
Stat Start Date	13/11/2008
Application Type	CON
Decision	AP
Decision Date	20/11/2008

Application Reference:	F/01960/11
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Case Officer:	Fabien Gaudin
Proposal:	Erection of a handrail with guarding and timber decking to existing roof terrace.
Stat Start Date	12/05/2011
Application Type	HSE
Decision	APC
Decision Date	27/06/2011

Consultations and Views Expressed:

Neighbours Consulted: 10 Replies: 10 (1 letter)
 Neighbours Wishing To Speak 0

One letter was received signed by 10 residents. Their objections may be summarised as follows:

- security
- insufficient privacy
- freeholder is not fulfilling his obligations

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located at the junction of Hendon Lane and Waverley Grove in a residential area of Finchley. The site was redeveloped as flats but was previously occupied by detached house. Although the area is mainly characterised by houses in single family occupancy there are examples of flatted developments in the vicinity including Waverley House on Waverley Grove, Broughton Park, off Waverley Grove and Ibis Court and Portland Court on Hendon Lane. The area around the site is relatively open and the site's boundary treatment highly visible in the streetscene.

Proposals and Planning Considerations:

The proposals seek permission to vary condition 5 of planning permission C01206Q/06 dated 29/01/2007.

Permission C01206Q/06 was for:

"Demolition of existing house, swimming pool and garage and construction of a three-storey building (with rooms in roofspace) to provide 9No. self-contained flats. Provision of basement parking. Amendment to planning permission Reference C01206N/05 including amendment to approved landscaping plan and enclosure of proposed terrace at first floor level".

Condition 5 of the consent read:

"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".

The reason for imposing the condition was 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.

Condition 5 was discharged in 2008 under reference F/03708/08. Details submitted included the construction of a close boarded fence along the boundaries with pavements.

Those details were never implemented and enforcement action was instigated. The current application seeks permission for a different means of enclosure consisting of a low brick wall and thick evergreen hedging (*Photinia fraseri* "Red Robin").

The hedging has been planted for more than one year and is now established without breaks. It provides an attractive enclosure to the site and it is considered that it is more esthetically pleasing than the previously approved close boarded fence. The existing means of enclosure does not prejudice the appearance of the locality and provide a good level of privacy and protection for the occupiers of the ground floor flats. The low wall and landscaping do not affect highway safety.

It is recommended that the application should be approved and that condition 5 should be reworded as follows: "The site enclosure and landscaping details consisting of a low brick wall and associated planting shall be permanently retained as shown on drawing AA688.01".

Other relevant planning conditions should be attached to any new consent as suggested above.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to have been covered above.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

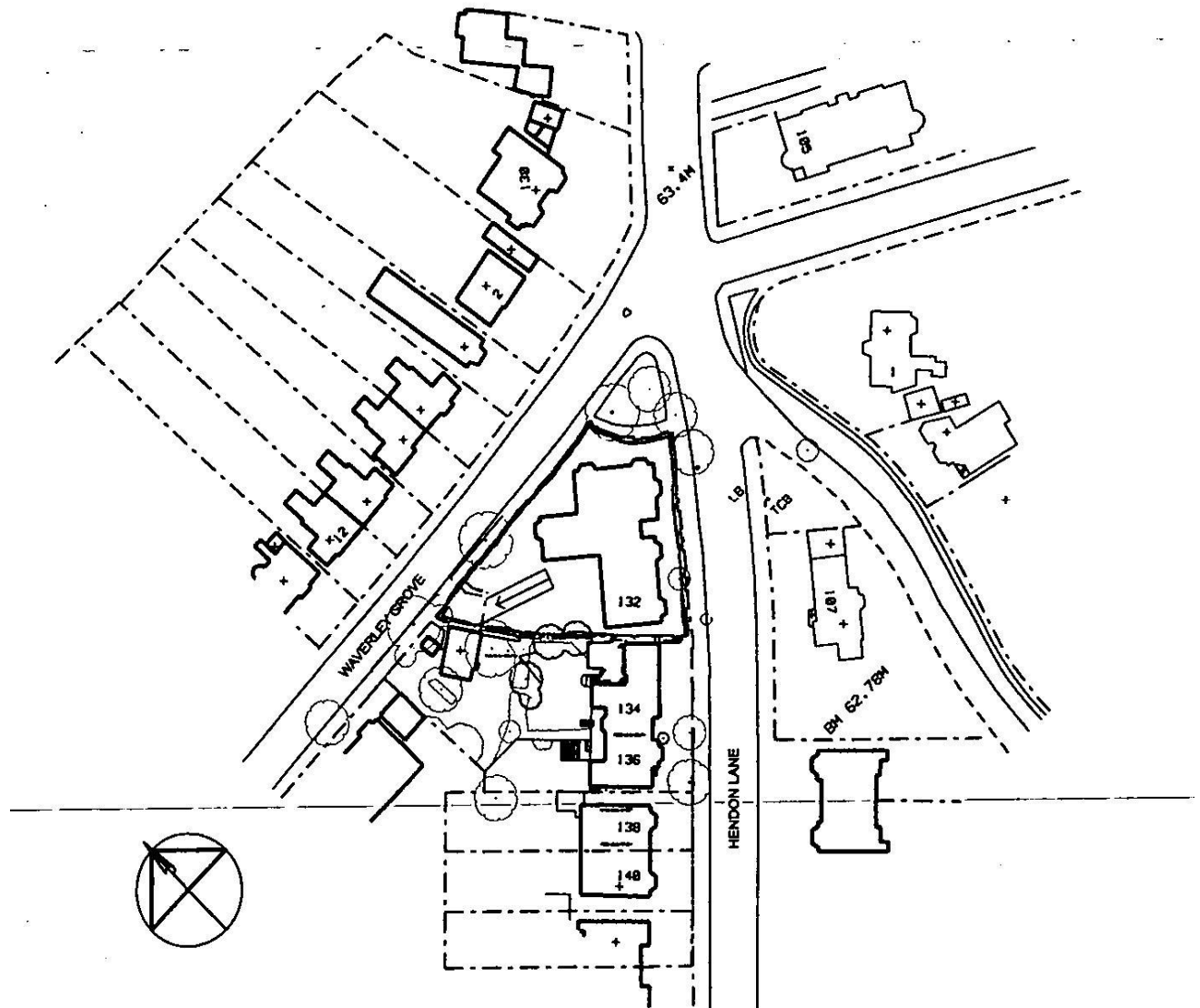
It is recommended that the application should be approved and that condition 5 should be reworded as follows: "The site enclosure and landscaping details consisting of a low brick wall and associated planting shall be permanently retained as shown on drawing AA688.01".

SITE LOCATION PLAN:
3RH

Denver Court, 132 Hendon Lane, London, N3

REFERENCE:

F/05103/10



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LOCATION: 11 Garrick Avenue, London, NW11 9AR
REFERENCE: F/00745/12 **Received:** 23 February 2012
Accepted: 27 February 2012
WARD(S): Golders Green **Expiry:** 23 April 2012

Final Revisions:

APPLICANT: Mr Aloysius
PROPOSAL: Single storey rear extensions with a rooflight. Demolish existing garage at the rear. Create new pedestrian access from the side. Roof extension with a rear dormer window. Provision of refuse bins. Associated internal and external works and landscaping to facilitate conversion of the single family dwellinghouse to form three self-contained residential flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - GRRAV-L001; GRRAV-L002; GRRAV-P001; GRRAV-P002; GRRAV-P003; GRRAV-P004; GRRAV-E001; GRRAV-E002; GRRAV-E003; GRRAV-S001; GRRAV-E101; GRRAV-E102; GRRAV-E103; GRRAV-P101 A; GRRAV-P102 A; GRRAV-P103 A; GRRAV-P104 A; GRRAV-S101 (Date Stamped 11 May 2012).
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 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 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.

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

Reason:

To ensure a satisfactory appearance to the development.

- 8 Any 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.

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

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 10 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:

National Policy:

National Planning Policy Framework

London Plan (2011):

3.4, 3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):

GSD, GParking, GCS1, GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, D9, D11, M8, M10, M11, M12, H16, H17, H18, H23, CS2, CS8, CS13, IMP1, IMP2.

Local Development Framework:

Core Strategy (Examination in Public version) 2012 – CS NPPF, CS1, CS4,

CS5, CS9, CS10, CS13, CS15.

Development Management Policies (Examination in Public version) 2012 – DM01, DM02, DM13, DM17.

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

Having taken all material considerations into account, it is considered that the proposed development as amended 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 which is at short supply.

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 £_____ (to be supplied in the addendum to the officers report).

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.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

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

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

The Mayor's London Plan July 2011:

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

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

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.

Relevant policies: GSD, GParking, GCS1, GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D6, D9, D11, M8, M10, M11, M12, H16, H17, H18, H23, CS2, CS8, CS13, IMP1, 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 (Examination in Public version) 2012:

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

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS13, CS15.

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, DM13, DM17.

Relevant Planning History:

Site Address: 11 Garrick Avenue London NW11
Application Number: C06204
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/10/1977
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion into self-contained flats**
Case Officer:

Site Address: 2-4 Garrick Avenue, London, NW11 9AS
Application Number: F/00723/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/05/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey rear infill extensions to no's. 2 and 4 and a single storey side outbuilding following demolition of existing outbuilding/garage within the curtilage of no. 2.**
Case Officer: Junior C. Moka

Site Address: 2 & 4 Garrick Avenue, London, NW11 9AS
Application Number: F/03269/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/11/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey rear infill extensions to no's. 2 and 4 and construction of an outbuilding following demolition of the existing outbuilding/garage within the curtilage of no. 2. These works facilitate the provision of three self contained residential units within the main dwelling of no. 2 and the provision of home office space within the outbuilding ancillary to all units.**
Case Officer: Junior C. Moka

Consultations and Views Expressed:

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

The objections raised may be summarised as follows:
1. Overdevelopment as a result of the size of the extensions;

2. Overlooking and loss of amenities;
3. Out of keeping;
4. Concerns about the location of the refuse
5. The conversion is out of character and out of keeping on this street family dwelling street;
6. Impact on traffic, access and parking in the area;

Internal /Other Consultations:

Traffic & Development

No objections.

Date of Site Notice: 01 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

11 Garrick Avenue is a traditional detached corner plot property with a two storey rear projection as a result of its 'L' shaped footprint located within the Golders Green Ward.

The surrounding area is characterised by residential single family dwellings and converted dwellings with the majority of properties of a similar architectural style. There are flats at 1, 21 and 47 Garrick Avenue. Flats were also recently approved at 2-4 Garrick Avenue. There are also examples of flats on nearby Ambrose Avenue (5, 10, 11, 12, 22 and 38).

Proposal:

The proposal relates to a single storey rear extensions with a rooflight; demolish the existing detached garage; creation of a new pedestrian access from the side pavement; roof extension with a rear dormer window; provision of refuse bins; associated internal and external works and landscaping to facilitate conversion of the single family dwellinghouse to form three self-contained residential flats.

The existing property is a 4 bedroom single family dwelling and the proposed units will be:

- Unit A is a 2 bed unit in which the gross area is 76.6 sqm and has access to 30.1 sqm of private amenity space;
- Unit B is a 3 bed unit in which the gross area is 95.6 sqm and has access to 55.2 sqm of shared amenity space;
- Unit C is a 2 bed unit in which the gross area is 82.3 sqm and also has access to 55.2 sqm of shared amenity space.

Planning Considerations:

The immediate surroundings are characterised by houses converted into residential

units as well as properties in single family occupancy. The proposal would result in the re-use of a brownfield site and as such a flatted development is considered acceptable in this location. The proposed density is in line with policy H21. Surrounding sites have or are being re-developed for similar densities including 2 Garrick Avenue for 3no. self-contained flats.

The immediate surroundings are characterised mainly by houses in single family occupancy with 3 out of 47 dwellings converted into flats (1, 21 & 47). 2 Garrick Avenue's planning permission hasn't been implemented as yet.

The main issues are considered to be:

1. Whether harm would be caused to the character and appearance of the area and street scene;
2. The living conditions of future residents having regard to the provision of amenity space;
3. Parking, Access and Vehicle Movements;
4. Whether the proposal would result in the community incurring extra educational costs that should be met by the developer;
5. Whether the proposal would increase pressures on the services provided by libraries incurring additional costs that should be met by the developer;
6. Whether the proposal would increase the demand for health care facilities incurring extra costs that should be met by the developer.

Character and appearance

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

The 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.

Different types of tenure do not necessarily make bad neighbours and it is considered that, as conditioned, and the location of this proposal on Garrick Avenue would have an acceptable impact on the amenity of neighbouring occupiers.

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

The existing property is not considered to be of particular architectural merit to

warrant its retention in its current form. It is considered that the proposed ground floor extensions have been designed to reflect the principle set out within the Design Guidance Note No 5 – Extensions to Houses. The proposed rear extensions are both 4 metres in depth from the respective elements of the existing 'L' shaped footprint.

The proposed rear dormer window is considered acceptable as this replicates the existing dormer window in the front elevation.

There is no objection to the demolition of the existing detached garage.

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

The living conditions of neighbouring residents

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 and H16 seek, amongst other things, to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to this issue in each case.

Having regard to individual aspect of the scheme, the Local Planning Authority contended that the proposal would not form an unacceptable sense of enclosure as perceived from the ground floor windows and garden of no. 9.

The overall proposed extensions would comply with Council Policies that seek to preserve the amenities of neighbouring occupiers. The design, size and rearward projections of the proposed extensions are such that they would not have an adverse impact on the residential and visual amenities of the neighbouring occupiers. The proposed extensions in terms of their depth would not result in an unacceptable loss of sunlight and natural light currently experienced on site.

The living conditions of future residents

All proposed units would provide adequate internal space and therefore comply with policies H16 of the Adopted UDP (2006) as well as the Policy 3.5 (table 3.3) of the

London Plan July 2011. The stacking of flats/rooms is generally acceptable.

The proposed development also provides sufficient amounts of usable outdoor space for the enjoyment of future occupiers. The current scheme proposes both private and communal garden to the rear. The communal garden would provide an acceptable quality of outdoor amenity space. A detailed landscaping with details of planting types and heights are to be required by condition.

UDP policy H18 sets out minimum amenity space standards. The following standard, with the emphasis being on 'usable amenity space' for flats:

- 5 square metres of space per habitable room.
- Rooms exceeding 20 square metres will be counted as two habitable rooms.

The proposed intensification of use from a single family dwellings to three units is not expected to result in a detrimental loss of amenity for occupiers of this part of Garrick Avenue or future occupiers of the adjacent neighbouring dwellings.

Policy H26 states that proposals for flatted developments must include suitably enclosed storage areas at the rear of the property. If it is not practical, storage areas at the front or side of the property should be adequately screened so as not to become a dominant feature, and to avoid loss of amenity.

The application only shows where the proposed refuse facilities will be located but not how the refuse is to be kept; a condition for Refuse details will be attached to the permission.

Parking, Access and Vehicle Movements:

No parking spaces are being provided. The proposed development would need to provide 3 parking spaces to meet the parking standards as set out in the UDP2006.

However, taking into consideration the following:

- the site is close to Town Centre, within walking distance of local amenities;
- within a Control Parking Zone and with good public transport accessibility;
- Our site observation indicated that there is on street parking available in on roads in the vicinity of the site.

On balance the proposal is acceptable on highway grounds.

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:

The education, library services, health facilities & monitoring fee of 5% contributions have been adjusted following the previously approved application which was secured by Section 106 Agreement.

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 2008.

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 would require a

contribution of £1,168 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 £173 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 £2,034 and a monitoring fee of 5%.

The education, library services and health facilities contributions and a monitoring fee of 5% should be secured by condition.

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

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

The Local Planning Authority have considered this current scheme to have an acceptable impact on neighbours occupiers.

Having taken all material considerations into account, it is considered that the proposed development as amended 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 provided good quality residential accommodation which is at sort supply. 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: 11 Garrick Avenue, London, NW11 9AR

REFERENCE: F/00745/12



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LOCATION: 58 Clifton Gardens, London, NW11 7EL
REFERENCE: F/04906/11 **Received:** 06 December 2011
Accepted: 20 December 2011
WARD(S): Garden Suburb **Expiry:** 14 February 2012

Final Revisions:

APPLICANT: Dr Barnard
PROPOSAL: Proposed part single storey - part two storey rear extension.
Retention of established use of the first floor as Opticians consulting rooms for the Optometrist practice registered on the ground floor storey.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site and location plan; Plan No's: 4234 PL 01 Rev A; 4234 PL 02; 4234 PL 03 A; Email from agent (Mr A Brown), dated 26/01/12.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
Reason:
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

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, D5, CS11, M11, M14, EMP2, H3.
Core Strategy (Examination in Public version) 2012: CS NPPF, CS1, CS5, CS8, CS10.
Development Management Policies (Examination in Public version)2012: DM01, DM02, DM13, DM14, DM17.
 - ii) The proposal is acceptable for the following reason(s): The proposed extensions would be a proportionate addition to the dwellinghouse. They would

have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers. The proposed change of use would not result in the loss of residential floorspace and as conditioned would not impact detrimentally on the residential amenity of neighbouring occupiers. The proposals are acceptable on highways grounds.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D3, D5, CS11, M11, M14, EMP2, H3.

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS8, CS10.

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

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

Relevant Development Management Policies: DM01, DM02, DM13, DM14, DM17.

Relevant Planning History:

Site Address:	ZAMENHOF HOUSE 58 Clifton Gardens LONDON NW11
Application Number:	C10228A
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	11/07/1990
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists

Proposal: Single storey rear extension
Case Officer:

Site Address: 58 Clifton Gardens LONDON NW11
Application Number: C10228B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 04/07/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Single storey side entrance porch. Alterations to front bay window.
Case Officer:

Site Address: 58 Clifton Gardens LONDON NW11
Application Number: C10228
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/02/1989
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: Conversion of existing house to ground floor consulting rooms and first floor self-contained flat, with parking spaces at the rear and one at the front
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 70 Replies: 8
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- In support of new windows looking eastwards
- The proposed extension is unsuitable and detrimental to 56 Clifton Gardens
- Loss of privacy
- Overlooking properties at the end of the road.
- Proposals will restrict natural daylight to rear of No. 56
- Concerns flat roof of extension could be used as a balcony further compromising the privacy of No. 56.
- The development will burden the off street parking situation in Clifton Gardens
- Concerns that trees and other vegetation will be affected by the development
- Cannot identify on the plans whether there will be two separate accesses to ground and first floor, or one internal access to first floor from within the shop premises
- Uncertainty about whether additional staff are needed
- Concerns the development will have unacceptable unsightly cabling and pipework as a result of air conditioning

Internal /Other Consultations:

- Traffic & Development - No objection on highways ground.
- Environmental Health - No comments.

Date of Site Notice: 05 January 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located on the northern side of Clifton Gardens, on the junction with the Finchley Road. The property on site takes the appearance of a two storey residential dwelling. It is partly used as an optician.

Proposal:

This application seeks consent for a proposed part single storey, part two storey rear extension. The retention of the first floor as an Opticians consulting rooms, for use by the Optometrist practice registered on the ground floor.

The application has been amended and the extensions reduced to address initial concerns raised by officers about the impact of the original proposed extensions on the amenity of neighbouring occupiers.

The proposed ground floor extension is now 4.85 metres in depth and is set 1 metre away from the side boundary with the neighbouring property. It would be 3.8 metres high to the ridge and 2.6 to the eaves.

The proposed first floor extension would project 3 metres from the original rear wall and would be set 1.9 metres away from the boundary with the neighbouring property.

Planning Considerations:

Partial change of use:

Policy H3 of the UDP relates specifically to the loss of residential uses and states that planning permission will not be granted for changes of use from residential to other uses.

Evidence has been provided with the application to demonstrate that the first floor of the application property has been in use as a consulting room by the ground floor Optometrist practice for 14 years, since 1st September 1997. The evidence comes in the form of a written valuation report from Martin, Russell, Joes Chartered Surveyors dated 20th June 2000, this confirms that the practices has occupied the entire premises. An additional report carried out by RA Valuation Services, who are the official practice valuer for the Association of Optometrists, carried out on 30th October 2000.

It is considered that the use of the first floor as an Optometrist practice has become lawful by virtue of time and that the lawful use is no longer residential. The proposals therefore would not lead to the loss of residential floorspace and comply with policy H3.

Council policy CS10 says that health care facilities should be located in areas that are accessible by public transport. In close proximity to Temple Fortune Town Centre with good bus links running along Finchley Road within walking distance, the site is an accessible location thus meeting council policy requirements.

It is not considered that the increase in floorspace and resultant intensification of use would be demonstrably harmful to the residential amenity of neighbouring occupiers.

Highways officers have no objections to the proposals which include the retention of 3 off street parking spaces.

Extensions:

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

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

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

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

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

The proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the building. They would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

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.

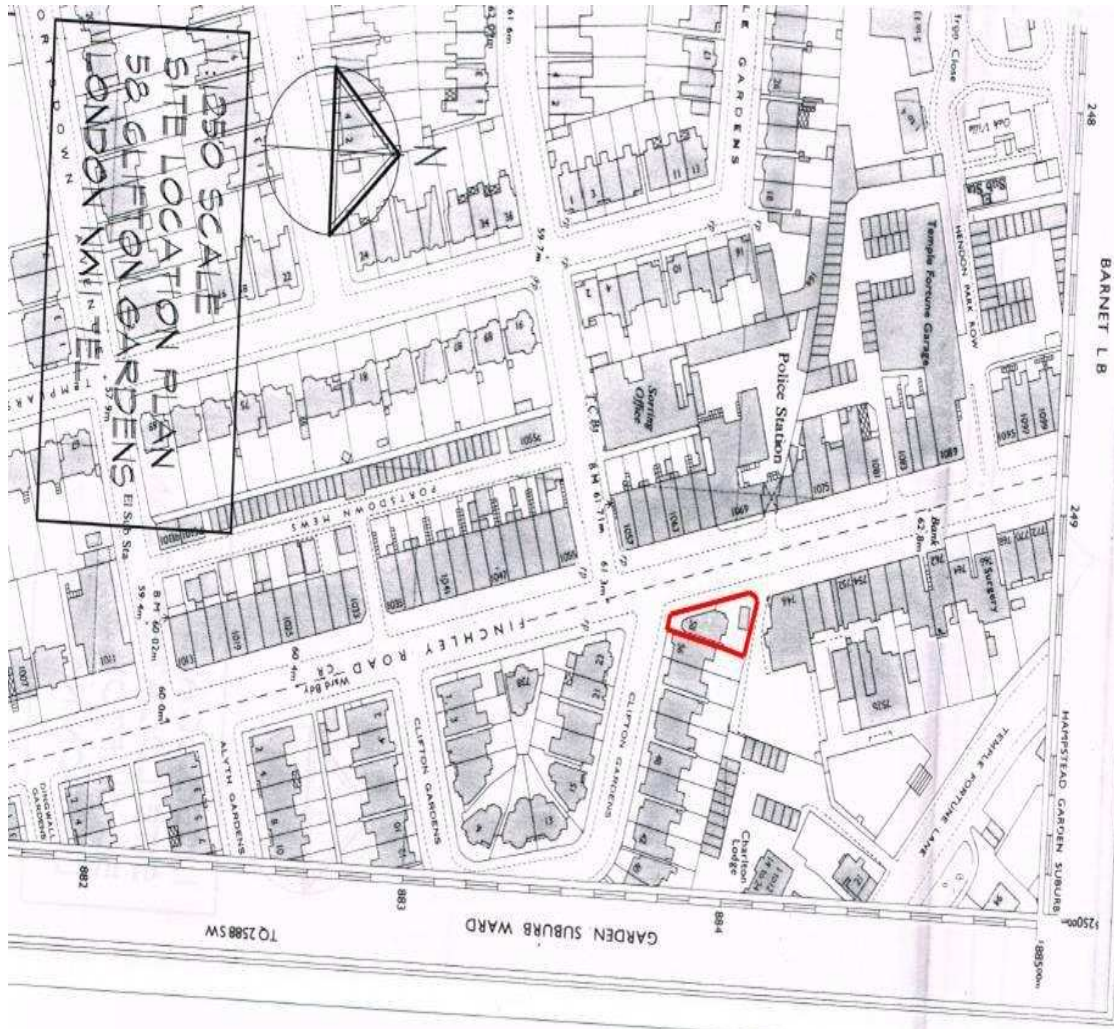
5. CONCLUSION

The proposed extensions would be a proportionate addition to the dwellinghouse. They would have an acceptable impact on the character and appearance of the

streetscene, site property, general locality and the residential amenity of neighbouring occupiers. The proposed change of use would not result in the loss of residential floorspace and as conditioned would not impact detrimentally on the residential amenity of neighbouring occupiers. The proposals are acceptable on highways grounds. **APPROVAL** is recommended.

SITE LOCATION PLAN: 58 Clifton Gardens, London, NW11 7EL

REFERENCE: F/04906/11



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LOCATION: 206 Watford Way, London, NW4 4UA
REFERENCE: H/00735/12 **Received:** 24 February 2012
WARD(S): Hendon **Accepted:** 15 March 2012
Expiry: 10 May 2012

Final Revisions:

APPLICANT: Mr Cockburn
PROPOSAL: First floor rear extension to facilitate conversion of single family dwellinghouse to 3no self-contained flats.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan, 4249 01, 4249 02 amendment received 22/05/12, 4249 03 A, 4249 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 Notwithstanding the details shown; Before development hereby permitted is occupied, turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.
Reason:
To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.
- 4 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).
Reason:
To protect the amenities of future and neighbouring residential occupiers.
- 5 No development shall take place until details of the arrangements to meet the obligation health 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 Health Facilities", and "Planning Obligations".
- 6 Before the development hereby permitted is occupied cycle parking shall be implemented in accordance with the details on plan 4249 02.

Reason: To ensure adequate provision for cycles.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).
In particular the following polices are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, H23, H26, M11, M12, M13, M14.
Supplementary Design Guidance 7: Residential Conversions.
Core Strategy (Examination in Public version) 2012: CS5
Development Management Policies (Examination in Public version) 2012: DM01, DM02, DM08, DM17.
- ii) The proposal is acceptable for the following reason(s): -
The proposed extension and conversion would have an acceptable impact on the character and appearance of the general locality and would not materially harm neighbouring amenity. The proposals would provide adequate level of amenity for future residents and would have an acceptable impact on highway and pedestrian safety.
The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011 3.5, 5.3, 7.4, 7.6

Relevant Unitary Development Plan Policies: GBEnv1, GBEnv2, D1, D2, D5, H23, H26, H27, M11, M12, M14, CS2, CS8, CS13, IMP1, IMP2

Supplementary Design Guidance 5: Extensions to Houses
Supplementary Design Guidance 7: Residential Conversions

Supplementary Planning Document: Contributions to Educational Facilities
Supplementary Planning Document: Contributions to Libraries Facilities
Supplementary Planning Document: Contributions to Health Facilities
Supplementary Planning Document: Planning Obligations

Core Strategy (Examination in Public version) 2012
Development Management Policies (Examination in Public version) 2012

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

both the Core Strategy and Development Management Policies DPD.

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

Relevant Core Strategy Policies: 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, DM08, DM17

Relevant Planning History:

Site Address: 206 Watford Way London NW4 4UA
Application Number: W16176/07
Application Type: Full Application
Decision: Refuse
Decision Date: 06/02/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part two-storey rear extension.**
Case Officer: Louise Doran

Site Address: 206 Watford Way London NW4 4UA
Application Number: W/16176/A/08
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 25/04/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part two-storey rear extension.**
Case Officer: Louise Doran

204 Watford Way -

H/00829/11 - Part single part two storey rear extension to facilitate conversion of a single dwelling into 3No. residential units. - Approved - 13/06/2011

Consultations and Views Expressed:

Neighbours Consulted: 37 Replies: 3
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Property has already been converted and extended
- Noise and disturbance from use
- Loss of privacy

Internal /Other Consultations:

Transport for London, Road Network Development -

The development site is located on the A41 Watford Way, which forms part of the Transport for London Road Network (TLRN).

- No cycle parking is proposed. In accordance with London Plan standards, a minimum of one cycle parking space per residential unit should be provided.
- The footway and carriageway on the TLRN must not be blocked during the construction and maintenance of the proposal. Temporary obstructions during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.
- No skips or construction materials shall be kept on the footway or carriageway of the TLRN at all times.

Date of Site Notice: 22 March 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a two storey semi-detached dwellinghouse on the east side of Watford Way (A41).

The surrounding area is mixed in character, consisting of dwellinghouses and dwellings converted to flats.

Proposal:

The proposals are for a first floor rear extension and the conversion of dwelling into 3no. self-contained flats.

It should be noted that at the time of site visit the proposed works were under construction.

Planning Considerations:

Policy Context

General Policy GBEEnv1 aims to maintain and improve the character and quality of the environment.

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

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

Policy D11 states that the council will require development schemes to include hard and soft landscaping proposals that:

- Achieve a suitable visual setting for buildings;
- Provide attractive, accessible and practical external space;
- Make a positive contribution to the character of the surrounding area;
- Contribute towards community safety; and
- Improve environmental and ecological quality.

Policy H16 states that new residential developments should harmonise with and respect the character of the area within which they are situated and should: Be well laid out in terms of access, car parking and landscaping, Provide and preserve adequate daylight, outlook and residential amenity, Provide a safe and secure residential environment, Maintain privacy and prevent overlooking and Provide adequate levels of private garden or amenity space.

Policy H23 states that the council will permit the conversion of single dwellings into flats provided that the development has an acceptable impact on the amenity of neighbouring occupiers, the established character of the locality and the appearance of the street scene.

Policy H26 states that proposals for residential conversions must Involve no large extensions or alterations to roofs which are unacceptable in terms of their appearance; Be in houses with a useable rear garden of more than 50 square metres and meet the garden space standards set out in Policy H18; Include suitably enclosed refuse storage areas at the rear of the property (if this is not practical, storage areas at the front or side of the property should be adequately screened so as not to become a dominant feature, and to avoid loss of amenity); Provide adequate and properly located car parking retaining as much front garden as is practical; and be designed to have the minimal impact on the amenities of neighbours through the layout of rooms.

Policy CS2 advises that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities.

Policy CS8 states that where a residential development creates a need for additional school places, the council will seek to enter into planning obligations with the developer to secure contributions to their provision.

Policy CS13 requires that where a proposed residential development creates a need

for additional health and social care facilities, the council will seek to enter into planning obligations with developers to secure the provision of such facilities.

Policy IMP1 sets out the council's key priorities for planning obligations.

Policy IMP2 advises that in order to secure the best use of land, the council will seek to ensure through the use of conditions or planning obligations attached to planning permissions, that new development provides for the infrastructure, facilities, amenities and other planning benefits which are necessary to support and serve it, and which are necessary to offset any consequential planning loss which may result from the development.

Supplementary Design Guidance Note 7 gives guidance for the conversion of single family residential properties into two or more self-contained units.

Impact of the conversion to flats on the established character of the area and neighbouring amenity

It should be noted that a conversion to three flats was approved at the neighbouring property no.204 under reference H/00829/11 on 13/06/2011.

It is considered that given the mixed character of the locality, the conversion to three flats would have an acceptable impact on the character of the general locality.

The proposed conversion would result in a bedroom at ground floor and a living room at first floor on the side nearest no.208. Appropriate sound insulation would need to be provided between the units.

Given the location close to a busy trunk road, and that there are other properties converted to flats in the locality it is not considered that the proposed conversion would harm neighbouring amenity through associated noise and disturbance.

The proposed flats would all comply with London Plan minimum standards for floorspace. Sufficient external amenity space would be provided to the rear of the property.

Impact of the extensions on neighbouring amenity and the appearance of the locality

The site property has previously been extended in the form of roof extensions. The first floor rear extension has a crown roof lower than the main roof. Whilst this relationship is not ideal, this is only visible from rear gardens and an access road, it is therefore not considered that this would be materially harmful to the character and appearance of the general locality and site property.

The extension extends approximately 1.5m beyond the rear wall of no. 204 Watford Way, a distance of approximately 1.5m away. Given the limited projection it is not considered that the impact on the occupiers of this property would be harmful.

The extension extends approximately 3m beyond the rear wall of no.208 a distance of approximately 3m away. Given the distance away it is not considered that the

impact on the amenities of the occupiers of this property would be harmful.

The impact on highway safety

TfL have been consulted on the proposals and do not object to the proposals. The proposals provide 3 car parking spaces which would comply with Council policy and would not harm highway safety.

Whether the proposals would make adequate provision for local infrastructure.

In accordance with the approved Supplementary Planning Document, the proposals would necessitate the following planning obligations:

- £772 towards local health facilities.
- £38.60 towards associated monitoring costs.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Property has already been converted and extended - *This is noted but is not considered reason to refuse the application.*

Noise and disturbance from use - *Addressed in main report.*

Loss of privacy - *Addressed in main report.*

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: 206 Watford Way, London, NW4 4UA

REFERENCE: H/00735/12



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AGENDA ITEM 6k

LOCATION: Flat 7, Sunrise View, The Rise, London, NW7 2LL
REFERENCE: H/01059/12 **Received:** 16 March 2012
Accepted: 23 March 2012
WARD(S): Mill Hill **Expiry:** 18 May 2012
Final Revisions:

APPLICANT: Mr M Ahmad
PROPOSAL: First floor extension and installation of railings to accommodate roof terrace outside lounge area.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site plan, 4/12/7/01, 4/12/7/02, 4/12/7/03, 4/12/7/04, 4/12/7/05 and 4/12/7/06.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).
Reason:
To safeguard the visual amenities of the building and the surrounding area.
- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.
Reason:
To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

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, D5 and H27 and
Design guidance note 5: Extensions to houses

Core Strategy (Examination in Public version) 2012: CS5

Development Management Policies (Examination in Public version)2012:

- ii) The proposal is acceptable for the following reason(s): - The proposed development would have an acceptable impact on the appearance of the block of flats and the amenities of the neighbouring occupiers. It complies with all

relevant council policy and design guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5 and H27 and
Design guidance note 5: Extensions to houses

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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

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

Relevant Core Strategy Policies: 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

Consultations and Views Expressed:

Neighbours Consulted: 11 Replies: 5 (including 2 in support)

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- impact on structure of building
- impact on flat below
- impact on parking

- noise and disturbance during build

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a 3 storey block of flats on the corner of The Rise and the A1.

The flat in question is located on the first floor.

There are as existing 3 balconies on the block overlooking the rear communal garden.

Proposal:

The flat located below the subject flat projects further into the communal garden and has a flat roof. The applicant requests permission to use part of this flat roof for an extension and to use part of it as a balcony, including the erection of railings.

The extension would be 3.5m deep, 6m wide and 2.6m high with a flat roof. It would accommodate an additional bedroom.

The balcony would include metal railings to a height of 1.2m.

Planning Considerations:

Character and appearance

The proposal is considered acceptable in appearance terms. There are already balconies to other flats on the rear elevation and the proposed balcony would not be out of keeping with this character.

The extension would not project any further into the garden than the existing ground floor. The extension would not be visible from the Rise and is screened from the A1 by mature trees on the boundary.

Overall the proposal would be acceptable in size and design.

Impact on neighbouring occupiers

Given the location of the proposed extension on the corner of the block, away from neighbouring windows, there would be no loss of light to or outlook from any neighbouring window.

The extension would provide additional accommodation for the occupiers of the flat there would be no significant adverse impact on traffic or parking.

The balcony would be one of a number of balconies on the block and the proposal would not give rise to any additional significant loss of privacy.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed above.

4. EQUALITIES AND DIVERSITY ISSUES

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

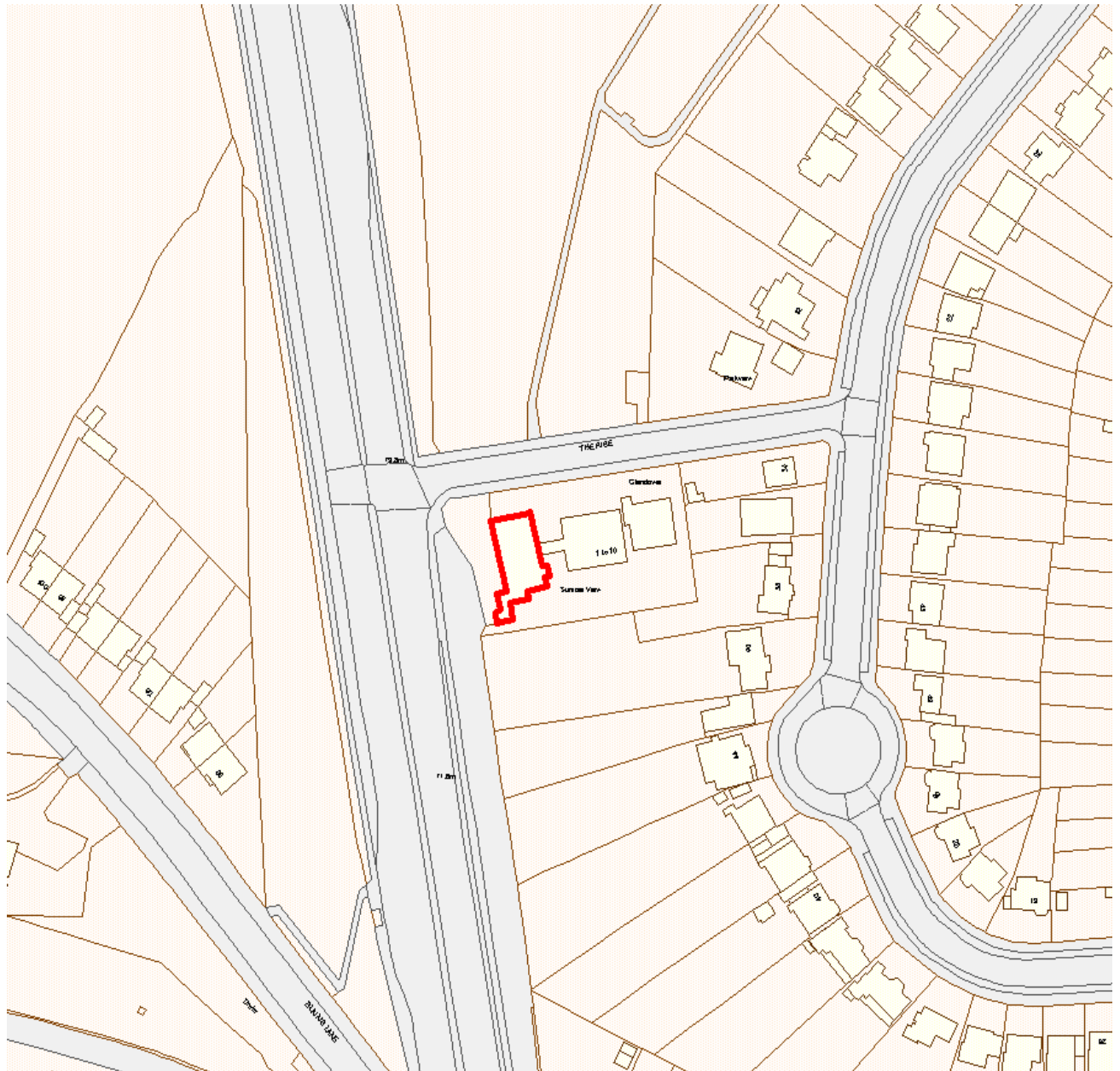
5. CONCLUSION

The proposed development complies with council policy and design guidance.

Approval is recommended.

SITE LOCATION PLAN: Flat 7, Sunrise View, The Rise, London, NW7 2LL

REFERENCE: H/01059/12



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