

MEETING

EAST AREA PLANNING SUB-COMMITTEE

DATE AND TIME

THURSDAY 19TH JUNE, 2014

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

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

Chairman: Councillor Wendy Prentice
Vice Chairman: Councillor Stephen Sowerby

Councillors

Alison Cornelius	Tim Roberts	Arjun Mittra
Jim Tierney	Laurie Williams	Alan Schneiderman
Barry Rawlings	Kathy Levine	

Substitute Members

David Longstaff	Ross Houston	Amy Trevethan
Sachin Rajput	Andreas Ioannidis	Anne Hutton
Caroline Stock	Alon Or-Bach	
Philip Cohen	Reema Patel	

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

Andrew Nathan – Head of Governance

Governance Services contact: Chidilim Agada 020 8359 2037
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Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	
2.	Absence of Members (If any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (If any)	
4.	Public Question Time (If any)	
5.	Members' Items (If any)	
	Reports of the Acting Assistant Director of Planning and Development Management	
	Coppetts Ward	
6.	4 Beaconsfield Road, London, N11 3AB - B/06071/13	1 - 10
7.	32 The Ridgeway, London, N11 3LJ - B/01790/14	11 - 16
	East Finchley Ward	
8.	18 Bedford Road, London, N2 9DA - F/00969/14	17 - 24
	Oakleigh Ward	
9.	1412-1420 High Road, London, N20 9BH - B/01561/13	25 - 70
	Totteridge Ward	
10.	21 Ridgeview Road, London, N20 0HH - B/03567/13	71 - 88
11.	49 Chiddingfold, London, N12 7EX - B/01406/14	89 - 102
12.	Arthur House, Barnet Lane, London, N20 8AP - B/00982/14	103 - 122
	Woodhouse Ward	
13.	39 Churchfield Avenue, London, N12 0NS - F/01636/14	123 - 148
14.	79 Friern Park, London, N12 9UA - F/01104/14	149 - 162
15.	Any item(s) the Chairman decides are urgent	

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AGENDA ITEM 6

LOCATION: 4 Beaconsfield Road, London, N11 3AB

REFERENCE: B/06071/13

Received: 22 December 2013

Accepted: 14 January 2014

WARD(S): Coppetts

Expiry: 11 March 2014

Final Revisions:

APPLICANT: Mr T Zorbis

PROPOSAL: Single storey rear extension with provision of 3no. off-street parking spaces in the front; refuse and recycling; landscaping and associated works to facilitate conversion of a single family dwelling into 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: Drawing Nos. 1239-E01-00 P2, E01-01 P2, E02-00 P1, E03-00 P1, E03-01 P1, E03-02 P1, Drawing Nos. 1239-P01-01 P2, P03-00 P2, OP03-01 P2, P03-02 P2 (received 23 December 2013). Drawing No. 1239-P02-00 P3 (received 7 May 2014)

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

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

- 3 a) No development shall take place on site until a detailed specification, including scaled drawings/sections at an appropriate scale as necessary, carried out by an approved acoustic consultant, which details the noise and vibration mitigation methods proposed to be implemented as set out in the Sharps Redmore technical note 1313901 has been submitted to and approved in writing by the Local Planning Authority. The detailed specification shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

- 4 Before the development hereby permitted is first occupied the parking spaces shown on Drawing No. 1239-P01-01 P2 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2011.

- 5 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012).

- 6 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 surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 7 a) No development shall take place until a scheme of hard and soft landscaping to the front forecourt area, including size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

b) 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.

c) 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 in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and 7.21 of the London Plan 2011.

- 8 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 in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVE(S):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Building 4 North London Business Park, Oakleigh Road South, London N11 1NP, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

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

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's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM08 and DM17.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted in April 2013. This 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, development should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Site Address: 4 Beaconsfield Road, London, N11 3AB
Application Number: B/02268/12
Application Type: Full Application
Decision: Refuse
Appeal Decision: Dismissed
Appeal Decision Date: 14/06/2013
Proposal: **Single storey rear extension with provision of 3no. off-street parking spaces in the front; refuse and recycling; landscaping and associated works to facilitate conversion of a single family dwelling into 3no. self contained flats.**

Consultations and Views Expressed:

Neighbours Consulted: 111 Replies: 5 letters of objection received.
Neighbours Wishing To Speak 1

The objections raised in respect of the original consultation and drawings may be summarised as follows:

- The applicant has not submitted a scheme with detailed analysis supporting the proposal.
- The applicant has not carried out tests to prove the existing noise levels in order to be able to demonstrate that the proposal is a solution.
- The layout has not been changed and remains directly contrary to the Inspector's view.
- The applicant has conceded they will not even try to insulate the chimneys which are known to be serious noise conduits.
- Currently there is a substantial noise problem arising from acoustic penetration of the party wall as the houses are old and not of particularly good quality construction.
- The building is totally unsuited to intensification of use without substantial noise and vibration attenuation measures to the party wall as well as complete isolation of all floors and joists.
- Proposed rear living area at ground floor would have a more intensive use than existing, resulting in additional noise and disturbance to neighbour.

- The internal arrangement of the first floor living accommodation would result in significant noise and disturbance being experienced by neighbouring property.
- There is already parking chaos on the road and parking must be provided as part of the development.
- Proposal would result in more on-street car parking.
- Loss of a single family house would not be appropriate in a road characterised by single family houses.
- Internal accommodation would not be appropriate.

Following the receipt of amended drawings, which detail the proposed internal room layout and insulation to be installed, additional consultation letters were issued.

- Any comments received as part of this additional consultation will be reported at the Committee meeting in an addendum to the main report pack.

Consultations:

Scientific Services: Satisfied with the proposed methods to reduce the impact of noise between the proposed flats and the attached dwelling.

Date of Site Notice: 30 January 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains one of a pair of three storey semi-detached properties, located on the north-eastern side of Beaconsfield Road. Beaconsfield Road is residential in character, containing a mixture of single family dwellings, flat conversions and purpose built flats. The buildings have a range of different architectural styles.

Proposal:

This application proposes a single storey side/rear extension, the provision of three car parking spaces, additional landscaping and a refuse store, and the conversion of the existing single family dwelling into three flats.

The extension would have a maximum depth of 10.9 metres and occupy the space between the flank wall of the existing building and the flank boundary of the curtilage of the site. It would have a flat roof 2.9 metres high.

This application follows the refusal of planning application B/02268/12 (which was also dismissed at appeal). The changes between the previous application and the current application are as follows:

- The previously proposed bedroom 2 to the rear unit at ground floor level (Flat 3) adjacent to the attached neighbouring property has been changed to a living/dining room.
- The previously proposed living/dining room to the rear unit at ground floor level (Flat 3) has been changed to a bedroom.
- The bathroom to the first floor unit (Flat 2) has been repositioned following a reduction in the size of the kitchen. A study room has also been introduced.
- Details of a proposed independent acoustic stud wall have been supplied and

shown on the drawings, to be installed in the ground and first floor rooms which abut the party wall with the attached neighbouring property.

Planning Considerations:

Background

Planning application B/02268/12 was refused planning permission in August 2012. It proposed extensions to the existing building and the conversion of the existing single family dwelling into three flats. The application was refused planning permission for three reasons. The first states that the room layout in relation to each other and to the adjoining property would give rise to increase noise and disturbance which would be detrimental to the amenities of future occupiers. The second states the development, by reason of the arrangement of boundary treatments and resultant sub-division would be out of keeping with the established character and appearance of the surrounding locality. The third states that the location of the crossover, in close proximity to an existing lamppost and highway tree would not allow adequate access to the proposed parking spaces, resulting in inadequate parking provision for the site.

The decision was appealed and the appeal dismissed. In respect of the first reason for refusal, the Inspector stated that it is clearly the intention of policy that concerns in respect of noise and disturbance between units should be addressed by an appropriate layout to minimise the potential for such disturbance in the first instance, and concluded that the scheme would be unacceptable in relation to the living conditions of the occupiers of the adjacent dwellings and new flats.

In respect of the second reason for refusal, the Inspector stated that the subdivision would not be readily apparent from the street, and that on this side of the street the back gardens are not part of a significant pattern of consistent sizes and shapes. The Inspector concluded on the second matter that the subdivision would not be detrimental to the character and appearance of the locality.

In respect of the third reason for refusal, the Inspector stated that it had not been shown that the parking spaces would constitute inappropriate provision, and that the scheme would not add to the burden of kerbside parking in the locality.

Given that the current application follows the appeal discussed above, it is necessary only to assess whether the changes between the previous scheme and the current scheme overcome the one remaining reason for refusal, and whether they introduce any additional concerns.

It should be noted that at the time the previous appeal was assessed in light of the Unitary Development Plan for the Borough, and Design Guidance Note No. 7: Residential Conversions. The current application falls to be assessed under the current Development Plan, comprising the Local Plan Core Strategy and Development Management Policies Development Plan Documents, the Residential Design Guidance Supplementary Planning Document and the Sustainable Design and Construction Supplementary Planning Document.

Impact on the amenities of future occupants and neighbouring occupants.

At the time the previous application was refused, the application was considered to not comply with Policy H26 of the Unitary Development Plan, and the requirements of

Design Guidance Note No. 7. This guidance note stated that 'you should ensure that the layout of each unit means that bedrooms are not located above or below living rooms of another unit, and first floor living rooms are not adjacent to bedrooms in a neighbouring family house'. That guidance has since been replaced by the Residential Design Guidance.

The Residential Design Guidance SPD states that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs. The implication of this change is that whilst the previous guidance stated this should be undertaken, the current guidance states that the layout should be arranged 'as far as practical' and 'where possible'. This gives some additional flexibility to the internal arrangement of units.

In terms of changes to the internal layout, at ground floor level a bedroom and living/dining room have been swapped, such that a living/dining room would now be adjacent to the party wall with the attached neighbouring property. The room of the immediately adjoining house is a noise-generating living room. Given the repositioned rooms, a bedroom would no longer be positioned adjacent to a noise-generating room, and this arrangement is considered acceptable.

At first floor level, the first floor bathroom has been repositioned to be directly above the ground floor bathroom, with a study area above the ground floor flat 1 bedroom 1. This internal arrangement would minimise noise disturbance between these two units and the revised vertical stacking is considered to be acceptable.

The final concern raised in the previous application related to the horizontal stacking between the living/dining area of flat 2, which would be adjacent to a bedroom at the attached neighbouring property, No. 6. Concerns were raised that this arrangement would result in noise and disturbance to the occupiers of No. 6. In the current application, the horizontal arrangement remains the same. However, the submitted drawings include details of an independent acoustic stud wall to be installed at the party wall. The application has been accompanied by a report from an acoustic consultant, which states that the current wall construction would on its own be building regulations compliant and states that the depth and performance of the brick fireplace would far exceed that of the existing standard brick wall. The report recommends the use of an independent acoustic stud wall which would result in improvements in excess of 10dB from that currently experienced. The report states that this would provide a very high level of sound insulation for a domestic premises.

In addition, the internal layout of this first floor kitchen/living area has been arranged to ensure fitted cupboard doors would not be attached to the party wall, but would be on other walls, thereby minimising possible disturbance by the noise/vibration of these being used. This is also suggested by the acoustic report.

Furthermore, the Inspector noted that the previously proposed first floor front-facing window which would have served the kitchen/living area to the first floor flat would be close to the bedroom window at No. 6, resulting in the potential for disturbance which

could not be mitigated against by insulation. In response to this, the applicant has proposed that this window be fixed shut. An additional window is proposed to be inserted serving this room on the flank wall of the existing building, facing No. 2 Beaconsfield Road. This window would provide an additional source of light and ventilation to this room, but would not be detrimental to the privacy of the occupants of any neighbouring property.

It is considered that as a result of the combination of amendments noted above, with the installation of an acoustic partition, the internal reconfiguration of the room's layout and the fixing shut of the front window, that the proposed living accommodation at first floor level would not cause any noise or disturbance which would be detrimental to the amenities of the occupants of the neighbouring residential property. It is therefore considered that the previous reason for refusal has been overcome.

Other matters

The Local Planning Authority and Planning Inspector raised no objections in the previous application to the impact of the proposed extension and alterations on the character and appearance of the street scene, or on the amenities of the occupants of the neighbouring properties. Given that the size, appearance and position of the proposed extensions remains identical to those previously proposed, no objections are raised to these elements in the current scheme.

The Planning Inspector raised no objections with regard to the appropriateness of the quality of internal accommodation provided. The size of the proposed rooms and units is unchanged since the previous submission, and therefore no objections are raised in the current application to these matters.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised have been addressed in the appraisal above.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

It is considered that the amended proposal would accord with the provisions of the Development Plan and this application is therefore recommended for approval.

SITE LOCATION PLAN: 4 Beaconsfield Road, London, N11 3AB

REFERENCE: B/06071/13



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AGENDA ITEM 7

LOCATION: 32 The Ridgeway, London, N11 3LJ

REFERENCE: B/01790/14 **Received:** 03 April 2014
Accepted: 15 April 2014

WARD(S): Coppetts **Expiry:** 10 June 2014

Final Revisions:

APPLICANT: Mr & Mrs Salinger

PROPOSAL: Single storey rear extension.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan, Design and Access Statement (Received 03-April-2014) and 8887 PROPOSED A (Received 04-June-2014).

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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 be as those mentioned on the submitted planning application form and shown on the approved drawing(s).

Reason:

To safeguard the visual amenities of the building and surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies

and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

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

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

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

The London Plan (2011):

The London Plan (2011) 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. The Plan provides a unified framework for strategies that are designed to ensure that all Londoner's benefit from sustainable improvements to their quality of life.

Relevant London Plan (2011) Policies: 7.4 and 7.6

Barnet Local Plan (2012):

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both Dpds were adopted on 11th September 2012

Core Strategy DPD (2012): Relevant Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Relevant Policies DM01 and DM02

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

Policy DM02 of the Development Management Policies DPD (2012) states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that all new development should make a positive contribution to the borough. The standards outlined in this policy are considered to be essential for the delivery of the highest standards of urban design in Barnet.

On 18th April 2013 the Council formally adopted a new Supplementary Planning Document (SPD) entitled 'Residential Design Guidance'. This new SPD updates and consolidates older guidance on the design of residential extensions and conversions, new porches, hardstandings and vehicular cross-overs that had previously been set out within a suite of Design Guidance Notes (adopted as Supplementary Planning Guidance). For the avoidance of doubt, it should therefore be noted that Design Guidance Notes No.s 3, 5, 7 and 11 have now been superseded by the newly adopted Residential Design Guidance SPD.

Relevant Planning History:

Site Address: 32 The Ridgeway, London, N11 3LJ
Application Number: F/00758/14
Application Type: Prior Approval Householder Notification
Decision: Prior Approval Required & Refused
Decision Date: 04/03/2014
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey rear extension with a proposed maximum depth of 5.5 metres from original rear wall, eaves height of 2.9 metres and a maximum height of 3.8 metres.**
Case Officer: Erica Mason

Consultations and Views Expressed:

Neighbours Consulted: 2 Replies: 1 (Objection)
Neighbours Wishing To Speak 0

Comments received:

- Height, design, appearance and extent of rear projection would be visually obtrusive and detrimental to neighbouring amenity
- Potential overhanging of gutters, eaves and soffits over neighbouring boundary
- Heights do not appear to comply with guidance from the planning portal (Permitted Development).
- Extension fails to comply with Barnet's Design Guidance
- Loss of light
- Overlooking
- Loss of outlook
- Sense of enclosure

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a two storey semi-detached dwellinghouse on The Ridgeway, which falls within the Coppetts ward. The property does not fall within a conservation area and is not a listed building. The applicants seek approval for a 'Single storey rear extension'.

Dimensions:

The single storey rear extension would measure 3.5m deep, 3.88m wide and have a height of 3.25m to the top of the flat roof from the base of the patio area, with a further height of approximately 0.8m to accommodate the glazed lantern style rooflight. The extension would be almost built up to the attached side boundary with No. 30 The Ridgeway.

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 Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

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

The Council's Residential Design Guidance SPD 2013 states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. It also states that extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

The proposed depth of the single storey rear oak framed garden room extension would measure 3.5m which falls within the Planning Residential Design guidelines. A hedge exists at the side boundary between the host property and 30 The Ridgeway and the side elevation of the extension at this side boundary would be made of brick with no proposed windows. Therefore there would be no adverse impact of overlooking on to the neighbouring amenities. It is not envisaged that the extension, to the east of the adjoining neighbour, would cause a sense of enclosure, loss of outlook or loss of light by reason of its size and siting. The proposed lantern rooflight would allow for further light and ventilation into the extension. The proposal by reason of its size, siting and design is a subordinate and acceptable addition to the property and is recommended for approval, subject to conditions.

The proposals would comply with the aforementioned policies and Residential Design Guidance SPD 2013 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.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with within the body of the report. Boundary issues including overhanging of gutters are not a planning consideration. The extension has been assessed under the guidelines of a full householder planning application and not a Permitted Development application. Therefore the permitted development requirements with regards to height of the proposed extension does not apply in this case. However, it should be noted that the proposed size including the height as indicated on the drawings would be acceptable under this application and would have an acceptable impact on the neighbouring amenities.

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 Local Plan policies and guidance 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.

AGENDA ITEM 8

LOCATION: 18 Bedford Road, London, N2 9DA

REFERENCE: F/00969/14

Received: 20 February 2014

Accepted: 20 March 2014

WARD(S): East Finchley

Expiry: 13 June 2014

Final Revisions:

APPLICANT: Miss Asghar

PROPOSAL: Proposed rear extension to facilitate wheelchair lift and shower room

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 213038/05 and 213038/01.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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 surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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) no windows, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation, of the extension hereby approved, facing No. 16 Bedford Road.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 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 in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

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

The NPPF states that "good design is a key aspect of sustainable development, is

indivisible from good planning, and should contribute positively to making places better for people."

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

The Mayor's London Plan July 2011:

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

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

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03.

Supplementary Planning Documents and Guidance

Residential Design Guidance SPD
Sustainable Design & Construction SPD

Equalities Act (2010)

Relevant Planning History:

Application:	Planning	Number:	F/03799/13
Validated:	22/08/2013	Type:	HSE
Status:	DEC	Date:	26/09/2013
Summary:	APC	Case Officer:	Tassama Amlak
Description:	Installation of access ramp with handrails to front of property.		
Application:	Planning	Number:	F/04027/13
Validated:	05/09/2013	Type:	Prior notification
Status:	DEC	Date:	04/10/2013
Summary:	Required and Refused	Case Officer:	Denisse Celi
Description:	Single storey infill rear extension with a proposed depth of 6 metres, eaves height of 2.48 metres and maximum height of 3.62 metres.		

Consultations and Views Expressed:

Neighbours Consulted: 4 Replies: 2
Neighbours Wishing To Speak 0

Summary of objections raised:

- The extension will result in a loss of light to a neighbouring property.
- The height of the extension will result in increased sense of enclosure to the patio area of a neighbouring property.
- The extractor unit in the proposed bathroom will result in increased noise and disturbance.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a two storey terraced property located on the north side of Bedford Road which is residential in character.

Dimensions:

The application seeks permission for a rear extension to facilitate wheelchair lift and shower room.

The proposed extension will have a maximum depth of 6 metres, a width of 1.6 metres and a maximum height of 3.2 metres with a mono pitched roof.

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 Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

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

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

The application site has an L-shaped configuration with a two-storey outrigger on the right side of the property. The neighbouring property at 16 Bedford Road has a similar L-shape configuration and the application proposes to infill the area closest to 16 Bedford Road.

The proposed extension will provide a wheelchair lift and a shower room which is required to improve the living conditions of a physically impaired resident.

The proposed extension will have a maximum depth of 6 metres along the boundary with the neighbouring property 16 Bedford Road. The extension would have a height of 3.4 metres for a depth of 1 metre and then the height of the extension would reduce to 2 metres with a mono pitched roof.

Concerns have been raised that the proposed extension would result in a loss of light to the windows of a neighbouring property. However the proposed extension will have a height of 2 metres along the boundary with the neighbouring property at 16 Bedford Road and the mono pitched element of the roof will be set away from the boundary of this neighbouring property. It would only be perceptible from the rear gardens of neighbouring gardens and its relatively low height would limit its impact from neighbouring properties. Notwithstanding this it is considered that the proposals would result in some harm to neighbouring amenity given its rearward projection which needs to be weighed up against any other considerations.

It is important to consider the fallback position of development that could be constructed under permitted development by the applicant which is a material consideration in the decision making process. The weight to be given to the fallback position varies according to whether what could be built using permitted development would have a broadly similar or worse impact to what is proposed.

Under 'permitted development', the applicant could erect a 3 metre deep single storey rear extension up to 3 metres in height along the boundary with 16 Bedford Road which is considered to have a worse impact on the amenity of neighbouring occupiers than the side wall of the proposed extension in this part of the site. Past the first 3 metres of the extension, the applicant is able to build a 2 metre high wall which would have a similar impact on amenity than the proposed side wall of the extension.

Another material consideration is the weight to be given to the equality legislation (discussed in more details in section 4. below). In summary, officers consider that significant weight should be given to the needs of the applicant and that the size and position of the proposals (a ground floor shower room accessed by stairs/lift off the applicant's bedroom) are reasonable and cannot be easily provided at an alternative location within the site.

The extension would not appear unduly overbearing, given its relatively low height

and roof pitched away from the boundary. The proposed extension would not appear harmfully out of character within the general locality given other extensions within locality.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The extension will result in a loss of light to a neighbouring property. - *Addressed in main report.*

The height of the extension will result in increased sense of enclosure to the patio area of a neighbouring property.- *The height of the extension would reduce to the neighbouring boundary and this would limit the sense of enclosure caused.*

The extractor unit in the proposed bathroom will result in increased noise and disturbance. - *A condition has been suggested to ensure that noise from the extractor is not excessive.*

4. EQUALITIES AND DIVERSITY ISSUES

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies is set out in Section 149 of the Act. The duty requires the Council to pay regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

Equality duties require Authorities to demonstrate that any decision it makes is reached in a fair, transparent and accountable way, considering the needs and the rights of different members of the community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different equality groups. It is an opportunity to ensure better decisions are made based on robust evidence.

Section 149 of the Act states that a public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular steps to take account of disabled persons' disabilities.

It is considered that the applicant is within a protected group (disability). It is acknowledged that the proposals would benefit a disabled member of their family by improving the facilities within the curtilage of the family home.

It is considered that the planning application itself provides an opportunity for an understanding of disabilities to be promoted.

In determining this planning application the Local Planning Authority must have due regard to the equalities impacts of the proposed redevelopment of the site on those persons protected under the Equality Act 2010. This Act requires the Local Planning Authority to demonstrate that any decision it makes is reached in a fair, transparent or accountable way considering the needs and rights of different members of the community.

The potential equality impacts have been highlighted above. Any equalities impacts have also to be analysed in the context of the overall planning merits of the scheme and the benefits it will confer particularly on a disabled person.

In this instance, the officers consider that the benefits to the applicant (within a protected group) would outweigh any significant harm to residential amenities of the neighbouring property at Bedford Road.

5. CONCLUSION

Having taken all material considerations into account, it is considered that the limited harm caused by the rear extension on neighbouring amenity would be outweighed by the benefit to the disabled resident, and lack of harm to the character of the area. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 18 Bedford Road, London, N2 9DA

REFERENCE: F/00969/14



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AGENDA ITEM 9

LOCATION: 1412-1420 High Road, London, N20 9BH

REFERENCE: B/01561/13 **Received:** 19 April 2013
Accepted: 19 April 2013

WARD(S): Oakleigh **Expiry:** 19 July 2013

Final Revisions: 10/06/2014

APPLICANT: Mr A Lewczynski

PROPOSAL: Mixed use redevelopment of former petrol station to erect a six-storey building to provide 22 self-contained units and 2 retail units at ground floor level. Provision of basement car and cycle parking.

Approve the application subject to:

Recommendation 1

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 of seeking to secure the following:

- (a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- (b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- (c) Highway Works
A total S106 of **£30,000** is required for highways. This includes the following measures:
 - £5,000** is required towards a feasibility study for relocation of existing pedestrian crossing facilities at the frontage of the site and any necessary alterations to existing waiting restrictions and road markings
 - £25,000** for implementation of any required relocation of pedestrian crossing facilities, changes to waiting restrictions and road markings identified in the feasibility

The Section 106 Agreement should contain a commitment for the reinstatement of the redundant crossover under the Section 184 of the highways Act is required. All costs related to the reinstatement of the footway and any associated required works will be borne by the applicant.

(d) Viability Review

A review process when the development is complete to assess whether revenues generated by the sale of the flats is sufficient to provide a financial contribution towards the provision of affordable housing in the London Borough of Barnet.

(e) Monitoring of the Section 106 Agreement

A contribution of **£1350** index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Assistant Director – Strategic Planning and Regeneration approve the planning application reference B/01561/13 under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Assistant Director - Strategic Planning and Regeneration:

1 Statutory Time Limit

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

Reason:

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

2 Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

The development hereby permitted shall be carried out in accordance with the following approved plans:

PL08

PL09

PL10

PL100 Rev C

PL101 Rev A

PL102 Rev A

PL103 Rev A

PL104 Rev A

PL105 Rev A
PL106 Rev A
PL107 Rev A
PL108 Rev B
PL109 Rev B
PL210 Rev D
PL211 Rev C
PL212 Rev C
PL213 Rev D
PL214 Rev C
PL215 Rev C
PL216 Rev C
PL220 Rev B
PL221 Rev A
3217/SK/13 Rev
Design and Access Statement by Stock Woolstencroft
Visualisations/ Amended CGIS by Stock Woolstencroft
Townscape Sequential Views by Stock Woolstencroft
Additional Information A by Stock Woolstencroft
Planning Consultant Statement by Allies and Morrison Urban Practitioners
Affordable Toolkit by Housing People Partnership
Transport Statement by Glanville
Acoustic & Vibration Report by AIRO
Air Quality Report by SKM Enviros
Sustainability and Energy Report by JS Lewis Ltd
Daylight & Sunlight Report by Malcolm Hollis LLP
Land Contamination and Soil Investigation Report by Site Analytical Services Ltd

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

3

Levels

Before this development is commenced, details of the levels of the building, roads and footpaths in relation to adjoining land and highways 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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of

access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

4 Samples of Materials

Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence (other than for Groundworks and Site Preparation Works) unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed building at the site shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in full accordance with such details and samples as so approved before the Development is first occupied or brought into use.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5 Electric Charging

Before the development hereby permitted is occupied; parking spaces shall be provided in accordance with a scheme to be submitted to and approved by the highways Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development. The parking layout should include provision of disabled parking spaces for all elements of the development and electric vehicles charging points 20% active and 20% passive for the residential development and 10% active, 10% passive for the retail element of the development, as required by Transport for London.

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 London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

6 Removal of Crossovers

The development hereby approved shall not be occupied until the existing redundant crossovers are reinstated to footway by the Highway Authority at the applicant's expense.

Reason:

To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7 Access Points

Prior to the commencement of the development, details of the access and basement access shall be submitted to and approved in writing by the Local Planning Authority. The submitted access road details should provide a management scheme detailing measures to manage traffic entering and exiting the car park to avoid conflict within the shared access road. The management scheme should include give way markings and signs and visibility splays for vehicles entering and exiting the proposed underground car park and the existing adjacent car park at Brook Point.

Reason:

To ensure the safe form of access to the development and to protect the amenity of the area and to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

8 Delivery and Servicing Plan

Before the permitted development is occupied a Delivery and Servicing Plan (DSP) including details of a suitable refuse collection location and servicing arrangements for the commercial units shall be submitted to and agreed by the Local Planning Authority.

Reason:

In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

9 Construction Management Plan

Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this Plan. This Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- a. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and

- security procedures;
- b. site preparation and construction stages of the development;
- c. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- d. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- e. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- f. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- g. noise mitigation measures for all plant and processors;
- h. details of contractors compound and car parking arrangements;
- i. Details of interim car parking management arrangements for the duration of construction;
- j. Details of a community liaison contact for the duration of all works associated with the development.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

10 Cycle Parking

Prior to occupation the approved development shall make provision for cycle parking and cycle storage facilities in accordance with submitted plans. Such spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

11 Sound Insulation

The development shall be constructed so as to provide sufficient air borne

and structure borne sound insulation against internally and externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from internal and external noise sources as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The approved mitigation scheme shall be implemented in its entirety before any of the residential units are occupied.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

12 Contamination Part 1

Before development commences other than for investigative work:

- k. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.
- l. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
 - a risk assessment to be undertaken,
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- m. If the risk assessment and refined Conceptual Model indicate any risk of

harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

13 Contamination Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

14 Air Pollution

Prior to the commencement of the development hereby permitted (other than for Groundworks and Site Preparation Works) a Scheme of Air Pollution Mitigation Measures to be provided in the development to protect the amenities of future and neighbouring occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved Scheme of Air Pollution Mitigation Measures shall be implemented in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of future and neighbouring occupiers are protected in accordance with policy DM04 of the Barnet Local Plan and policies 5.3 and 7.14 of the London Plan.

15 Plant

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

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

16 Ventilation/ Extraction

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

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

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

17 Noise Assessment

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

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Adopted Barnet Development

Management Policies DPD (2012) and 7.15 of the London Plan 2011.

18 Hours of Construction

No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

19 BREEAM

The non-residential units (use class A1) within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). No non-residential unit within the development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Excellent' has been achieved (under the relevant BREEAM methodology) for the unit concerned and this certification has been submitted to the Local Planning Authority.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

20 Code for Sustainable Homes

The residential (use class C3) dwellings shall achieve a Code Level 4 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) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 4 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 21 Lifetime Homes
All new residential dwellings (Use Class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.
- Reason:
To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.
- 22 Wheelchair Housing
Before the development hereby permitted commences details of the location within the development and specification of the two units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the two units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.
- Reason:
To ensure that the development is accessible for all members of the community and to comply with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.
- 23 Crime Prevention Strategy
A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.
- Reason:
To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).
- 24 Play Equipment
Prior to the first occupation of the development a scheme detailing the specification and location of all play equipment to be installed in the communal amenity space identified on the plans hereby approved shall be submitted to the Local Planning Authority and approved in writing. The

development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason:

To ensure that the development represents high quality design and to accord with policies CS7 of the Core Strategy and DM02 of the Development Management DPD and policy 3.6 of the London Plan 2011.

25 Communal Roof Amenity Area

Details of the proposed communal roof amenity space including details of hard and soft landscaping and proposed measures to enhance and promote biodiversity, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced. All work comprised in the approved details 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. Any tree or shrub which forms part of the approved 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

26 Boundary Treatment

Notwithstanding the details shown on the plans submitted and otherwise hereby approved prior to the commencement of the development (other than for Groundworks and Site Preparation Works) full details, including annotated scaled plans, of all proposed boundary treatments, walls, fencing, gates or other means of enclosure to be erected at the site shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development hereby approved and be permanently retained as such thereafter.

Reason:

To ensure that the development protects the amenities of the occupiers of neighbouring and future properties, provides a safe and secure environment and to protect the character and visual amenities of the site and wider area in accordance with policies CS5 and DM01 and DM02 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan.

27

Piling

Piling or other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

To protect the water environment from contamination as piling has the potential to create new pathways for contamination to reach ground water, in accordance with the provisions of the NPPF and Policy DM04 of the Barnet Local Plan.

28

Privacy Measures

Notwithstanding the details shown in the plans submitted and otherwise hereby approved the building hereby granted consent shall not be occupied or brought into use unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all the windows and other openings in the proposed building that are to be permanently glazed with obscured glass, the method of opening of such windows and any additional screening proposed. Before the building hereby approved is occupied or brought into use the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

29

No Telecommunication Equipment

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 operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

The installation of any structures or apparatus for purposes relating to telecommunications on any part the roof of the buildings hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

30 Architectural Details

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Groundworks and Site Preparation Works) unless and until details (necessary details specified in brackets) of the following features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and brick detailing (annotated plans at a scale of not less than 1:20).
- External windows, balconies, doors, louvres and balustrading (annotated plans at a scale of not less than 1:20).
- Parapet Details (annotated plans at a scale of not less than 1:20).
- Details of Proposed Photo Voltaic Equipment (annotated plans and elevations at a scale of not less than 1:50).
- Depth of window reveals to a minimum depth of 100mm (annotated plans at a scale of not less than 1:20).
- Rainwater goods (annotated plans at a scale of not less than 1:10).
- Any means to be used for enclosing the basement car parking area (annotated plans at a scale of not less than 1:20).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

31 Use Class A1 Floorspace

The 289m² of floorspace hereby approved for purposes falling within Class A1 shall be used for non food retail use only and shall not be amalgamated or subdivided without the prior written provision of the Local Planning Authority.

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers or adversely affect highway safety in

accordance with policy DM01 of the Barnet Local Plan.

32 Delivery Hours

No delivery to or collection from the site shall take place before 7.00am or after 7.00pm Mondays to Saturdays and a maximum of 4 deliveries shall take place on Sundays of which, 1 delivery shall be permitted between the hours of 9.00am and 10.00am and 3 deliveries shall be permitted between the hours of 10.00am and 4.00pm.

Reason:

To prevent the use causing an undue disturbance to occupiers of neighbouring residential properties and potential future occupiers of the development at unsocial hours of the day in accordance with policy DM01 of the Barnet Local Plan.

33 Commercial Unit Opening Hours

The ground floor commercial units hereby approved shall not be open to customers before 7:30am or after 9:00pm from Monday to Saturday or before 10:00am or after 6:00pm on Sundays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Barnet Local Plan.

INFORMATIVE(S):

- 1 To ensure the re-instatement of the footway and suitability of the remaining crossover the applicant will be required submit an application under Section 184 of the Highways Act (1980). The removal of the existing crossover, and any associated works on the public highways will be reviewed as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.
- 2 The applicant is advised that for construction works adjacent or affecting the public highways, the council's Street Based Services should be contacted on 0208 359 4600 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 3 The applicant is advised that The A1000 High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic
- 4 The applicant is advised that the development is located on or will have an impact on the Strategic Road Network (SRN)/Transport for London Road Network (TLRN). The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction

works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

5 The applicant is encouraged to develop a voluntary travel plan and /or promote more sustainable forms of travel in order to demonstrate commitment to the benefits of reducing vehicle use and increasing walking, cycling and public transport use. Further advice can be provided by the Council's Travel Plan Coordinator via abetterwaytowork@barnet.gov.uk.

6 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £126,315 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £ 487,215 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development would fail to comply with the requirements of the development plan, for the reasons set out above.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM11 (Development principles for Barnet's town centres)
DM14 (New and existing employment space)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Planning Obligations (April 2013)
Sustainable Design and Construction (April 2013)
Affordable Housing (February 2007)
Contributions to Education from Development (February 2008)
Contributions to Health Facilities from Development (July 2009)
Contributions to Library Services from Development (February 2008)
Residential Design Guidance (April 2013)
New Barnet Town Centre Framework (November 2010)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Housing (November 2012)

National Planning Guidance

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

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

1.2 Key Relevant Planning History

Application Ref.	Address	Description of Development	Decision and Date
N01188M	1412-1420 High Road LONDON N20 (Brook House)	Erection of a part four/part five storey block of offices with three flats and roof garden on fifth level, with surface and basement parking provision.	APPROVED 06/01/1988
N01188N	PETROL FILLING STATION 1418 High Road LONDON N20 (Brook House)	Redevelopment of petrol filling station, including new canopy, pump islands, single-storey sales/office building and car wash.	APPROVED 10/02/1988
N01188R	1412-1420 High Road LONDON N20 (Brook House)	Change of use of 2 flats on top floor to Class B1 (Business) Use.	APPROVED 29/01/1991
N01188T	1412-1420 High Road LONDON N20 (Brook House)	Change of use of fourth floor flat from residential to offices (B1).	APPROVED 12/08/1992
N/16024/08	Former BP Garage, 1412-1420 High Road LONDON N20	Demolition of former petrol filling station forecourt shop building, and erection of a seven storey mixed use building, comprising class A1, A2, A3 and B1 commercial floorspace at ground floor and 40 residential units on upper floors with associated car parking at basement level.	REFUSED 27/05/2008

1.3 Public Consultations and Views Expressed

Neighbours Consulted: 412 Replies: 14
 Neighbours Wishing To Speak 2

The following is a summary of the comments received grouped under the headings below:

Design and Scale

- Proposed Height Excessive out of keeping with character of area;
- Design and appearance of proposal not in keeping with character of area;

Officer Response

The proposed building would be no higher than the adjoining office building at Brook Point and would be viewed against this backdrop and the larger backdrop of Northway House on the opposite side of the High Road. In this context while the proposed building would appear large it would not appear out of keeping with the surrounding townscape. The proposed design is also considered acceptable, helping to break up the visual mass of the building and provided an attractive building in keeping with the streetscene. Design and Character issues are assessed in section 3.6 of this report

Impact on Amenity

- Loss of Light to neighbouring Office at Brook Point;
- Loss of Light to neighbouring Residential Properties;
- Loss of Privacy;
- Overshadowing as a result of height;

Officer Response

The proposal is located between 6-9 metres from the office building at Brook Point and 70m from the nearest residential properties in Chandos Avenue. The proposal is also accompanied by a Daylight Sunlight Assessment which shows that the proposal would not result in any significant loss of daylight, sunlight or overshadowing to neighbouring residential properties. Obscure glazing and use of louvers are proposed in the south elevation to address potential overlooking to and from Brook Point. Issues to do with impact on amenities of neighbouring properties is covered in section 3.7 of this report.

Highway Safety

- Insufficient Parking;
- Highway safety issues due to increase in cars entering and leaving the site at this point;

Officer Response

The level of car parking provision has been assessed by the Council's Highway Officer and Transport for London. The level of provision of 31 spaces for the residential units and 8 spaces for the commercial units is in accordance with London Plan guidance for development in this PTAL zone.

The existing use of the site for a car wash and the previous use as a petrol filling station generates a higher number of vehicular movements than the proposed use of the site. The proposal has been assessed by the Council's Highway Officer and Transport for London who have advised that the proposed access is satisfactory

subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements. Transport and Parking matters are covered in section 3.8 of this report.

Other

- Proposal will introduce a noise sensitive use which could lead to complaints and affect the future viability of adjoining industrial units;
- Retail units not needed as already vacant retail in area;
- Cumulative impact in conjunction with other developments in area including Northway House.

Officer Response

The proposal is subject to conditions requiring the provision of soundproofing and the use of mechanical ventilation which would limit the opportunity for future conflict.

The proposal involves the provision of two small non food retail units which are not considered to affect the vitality or viability of other units located in the wider Whetstone Primary Shopping Frontage.

The cumulative impact of the proposal has been taken into account particularly in relation to highway impact. However planning law requires that each application needs to be judged on its own merits and assessed accordingly.

Residents Association

The Friern Barnet & Whetstone Residents' Association has submitted the following comments:

- Proposed development excessive height unrelated to the scale of adjoining buildings
- Density excessive and insufficient amenity space provided
- Proposal will increase number of vehicles entering and leaving this portion of the high street affecting highway safety.

Officer Response

It is considered that the height of the proposal is in keeping with the scale of adjoining buildings, and it is not considered that the density is excessive in this location and sufficient amenity space for the units is provided. The impact of the proposal on the adjoining highway is considered satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements.

Member of Parliament

Theresa Villiers MP has forwarded a letter of objection from a residents asking that their views are taken into consideration. (Comments incorporated in summary of consultation responses above).

Date of Site Notice: 9 May 2013

Consultation Responses from Statutory Consultees and Other Bodies

Environment Agency

The Environment Agency (letter dated 21st May 2013) have no objection in principle to the proposed development subject to conditions set out in the recommendation above.

London Fire and Emergency Planning Authority

No objections raised to proposal.

Metropolitan Police

No objections in principle raised, however concerns expressed regarding preventing unauthorised access to the basement parking area and requirement to achieve secured by design accreditation.

Transport for London

No objection to proposal providing comments have been taken into account. These comments include a requirement for refuse collection to be provided at the front of the premises and for the car parking levels to be reduced to 28 spaces.

Internal Consultations

Traffic and Development Team:

The Highways Group have no objections subject to conditions and a S106 legal agreement to secure a contribution of £30,000 towards improvements and alterations to the public highway in the vicinity of the site.

Environmental Health Service:

Noise issues should be addressed though the provision of mechanical ventilation. Noise, air quality and contamination conditions are also suggested.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The development site comprises a former BP filling station at 1412-1420 High Road in Whetstone on the east side of the High Road at the northern end of Whetstone town centre. The site has been partially cleared and is currently vacant. Marks & Spencer (M&S) and Carpet Right are located to the north of the site, whilst Brook Point, a 5-storey office block, sits to the south. The vehicular access road and car park for M&S form the northern and eastern boundaries of the site respectively.

Northway House is an isolated 12-storey office building on the opposite side of the High Road and slightly to the south of the site. This building sits adjacent to two-storey traditional high street terraces and a single-storey self-storage warehouse (Michael Gerson Ltd). Brook Farm Open Space and allotments are also located opposite the site on the west side of the High Road. Beyond M&S the area is predominantly residential in character. The site is approximately 70m from the northern end of the Main Retail Frontage of Whetstone town centre, and 750m from Totteridge and Whetstone Underground Station.

There are two existing vehicle crossovers servicing access points to the site which relate to the former use as a petrol filling station. The site occupies an area of approximately 1140sq.m (0.114Ha).

2.2 Description of the Proposed Development

The application proposes the redevelopment of the site comprising a mixed use redevelopment of former petrol station to erect a six-storey building to provide 22 self-contained residential units and 2 retail units at ground floor level. Provision of a double basement car park and cycle parking and communal rooftop amenity area.

In addition to the application drawings the documents accompanying the submission include the following:

- Planning Statement;
- Design and Access Statement;
- Acoustic and Vibration Report;
- Air quality report;
- Daylight and sunlight statement;
- Financial Viability Report;
- Land investigation Report;
- Sustainability and Energy Statement;
- Transport Statement; and
- Utilities Statement

2.3 Background to the Application

As noted within section 1.2 above 'Key Relevant Planning History', a previous application was submitted for the demolition of the former petrol filling station and the erection of a seven storey mixed use building providing A1, A2, A3 and B1 commercial floorspace at ground floor and 40 residential units on upper floors with associated car parking at basement level (Ref: N/16024/08).

The application was submitted and assessed in conjunction with a separate planning application for the redevelopment of 713 Finchley Road in Childs Hill, NW11 (application reference: C/00896Y/08). The applications proposed to provide all of the required affordable housing units on the Finchley Road site along with some private units, whilst the Whetstone site would only accommodate private flats.

The previous application was refused by Members of the Planning & Environment Committee on 27th May 2008 on the following grounds:

- 1 The proposed development would, by reason of its mass, bulk, size and design, be overbearing, visually obtrusive and detrimental to the character and appearance of the area and the street scene contrary to Policies GBEEnv1, GBEEnv2, D1, D2, D3, D4, D7 and H16 of the Adopted Barnet Unitary Development Plan (2006).
- 2 The development would require the provision of on-site units for affordable housing and no formal undertaking is given to provide these units within the development contrary to Policies H5 and IMP1 of the London Borough of Barnet Adopted Unitary development Plan (2006).
- 3 No formal undertaking is given to meet the extra educational costs arising as a result of the development contrary to Policy CS8, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).
- 4 No formal undertaking is given to meet the extra library costs arising as a result of the development, contrary to Policy IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).
- 5 No formal undertaking is given to meet the costs of making necessary improvements to local parks and open space to meet the needs of potential future occupiers of the proposed residential development, contrary to Policy L12, H20, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary development Plan (2006).
- 6 The development would require works to improve and adapt the highway in the vicinity of the site and no formal undertaking is given to meet the costs of these works to the detriment of the safety and free flow of traffic and contrary to Policies M13, IMP1 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan (2006).

The current application differs from the previous application in several regards. The main points of difference are as follows:

- Height – Building reduced from 7 to 6 storeys and upper storey stepped back from front of building
- Alterations to ground floor level with retail units being constructed out of brick with louvered aluminium screens;
- Alterations to the design of the building providing a stepped façade with integrated balconies in contrast to the more cluttered appearance of the refused scheme;
- Reduction in number of residential units from 40 to 22;
- Removal of B1 space from proposal and total reduction of commercial space from 456 m² to 289 m²;
- The previous scheme proposed off site affordable housing provision, the current scheme does not propose any affordable housing and is accompanied by a viability assessment to justify this position;

Amendments

The applicant has amended the scheme post submission. The main changes of which are as follows:

- 1) A reduction in the ground floor commercial floor heights
- 2) A reduction in residential floor slabs to reduce the overall floor to floor heights.
- 3) Penthouse ceiling height reduced and private terrace access levels amended.
- 4) The brick parapet of the private terrace areas on the west elevation(facing the high road) has been reduced to match the eaves height of brook point, with a glass balustrade fixed to the back of the parapet.
- 5) The penthouse parapets have been reduced to match the ridge level of Brook Point.
- 6) The roof top amenity parapet has been reduced with a glass balustrade fixed to the back of the parapet.
- 7) The lift and stair access to the roof top amenity space has been reduced and its form amended.

The net effect of the above changes reduces the overall height of the building by a further 1.1m over and above the scheme as submitted.

Additional Consultation

Neighbouring properties have been reconsulted in relation to the proposed amendments. Two further objection letters have been received as a result of the reconsultation. Comments are incorporated in the summary of consultation responses above.

3. PLANNING CONSIDERATIONS

3.1 Principle of the Development

The application proposes the provision of 22 residential units along with two retail units at ground floor level measuring 107 m² and 170 m² in area (289 m² in total including shared circulation space). The application form states that these will be non food retail. The appropriateness of these uses is discussed in turn.

Retail Use

The National Planning Policy Framework (NPPF) requires Local Plans to promote competitive town centres and to define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations (Paragraph 23). Local planning authorities should *'apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.'* (Paragraph 24) *'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m)'* (Paragraph 26).

The London Plan 2011 Policy 4.7 requires planning authorities to take account of the scale of retail development proposed. Retail should be 'focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres. Proposals for new or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Local Plan Policy is set out in the Core Strategy (CS) (Adopted 2012) and Development Management Policies (DMP) (Adopted 2012). Chapter 11 of the Core Strategy and Policy CS6 of the Development Management Plan requires Development proposals for main town centre uses in edge of centre or out of centre locations need to demonstrate that the proposal site has been identified through a sequential approach in accordance with the National Planning Policy Framework.

Whetstone is identified as a District Town Centre in the Adopted Core Strategy and Development Management Policies. The extent of the town centre is defined in planning policy terms by its Primary Retail Frontage. The development site is located approximately 70m beyond the last retail unit at the northern end of Whetstone's Primary Retail Frontage. It is therefore technically an edge-of-centre location in policy terms, however there are several existing large retail stores (Marks & Spencer, Halfords, Carpet Right and a tile store) located to the north of the site outside of the defined town centre retail frontage. While these units are outside of the designated frontage it is acknowledge that they draw a certain level of pedestrian footfall as well as vehicular borne customers beyond the end of the existing retail frontage and outside of the town centre. This existing footfall runs right past the development site. It can therefore be considered that the provision of limited retail uses in this location could provide a useful link between the end of the designated Whetstone town centre retail frontage to the south and Marks & Spencer/Carpet Right to the north which could therefore contribute to the vitality and viability of Whetstone town centre. Due to the limited footprint of the retail space provided which

is split into 2 smaller units it is not considered that a sequential assessment is required in this instance in accordance with the proportional approach set out in the NPPF. The proposal for 289 m² of A1 non- food retail is considered acceptable in this specific circumstance and with the conditions and controls included in the conditions contained in the recommendation of this report.

Residential Use

The NPPF advises that *'residential development can play an important role in ensuring the vitality of centres'* and that Local Authorities should *'set out policies to encourage residential development on appropriate sites.'* (Paragraph 23).

The London Plan 2011 identifies 'the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford' (Policy 3.3).

Policy CS6 of the DMP advises that *'Residential accommodation in town centres can help contribute to vitality and viability by increasing trade for business and enhancing levels of natural surveillance and activity throughout the day and evening. Town centre homes also offer their occupiers ready access to town centre-based services, goods and facilities and public transport, thereby reducing the need to travel by car. However care should be taken to ensure that the primary retail function is not impacted by residential uses.'*

The development site is on the edge of Whetstone town centre with shops, services, public open space, and Totteridge and Whetstone Tube Station all within walking distance. There are also several bus services along the High Road which pass the site and the site has a 4 PTAL rating. The site is therefore considered accessible and sustainable. The impact of the proposed building on its surroundings will be considered later in this report. The site is not within Primary or Secondary retail frontage and is not allocated in the Barnet Local Plan for other uses, therefore the principle of residential accommodation in this location is considered acceptable, subject to compliance with other relevant policies.

It is considered that the mix of uses proposed for this site will help contribute to the vibrancy and activity of the town centre without compromising the vitality and viability of existing retail and commercial uses in the town centre.

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough.

The proposal would provide four 1 bed (18%), eight 2 bed (36%) and ten 3 bed (45%) family dwellings. The mix accords with the adopted Local Plan Policy. Given the location of the site within Whetstone Town Centre and given the constraints of the site which limit the ability to provide any further amenity space on the development, the proposed housing mix is considered acceptable in accordance with Local Plan objectives.

3.3 Tenure Mix

The previous scheme for the redevelopment of this site (Ref: N/16024/08) proposed 40 residential units as part of a mixed use development. The application was assessed in conjunction with a separate planning application for the redevelopment of 713 Finchley Road in Childs Hill, NW11 (application reference: C/00896Y/08).

The applications proposed to provide all of the required affordable housing units on the Finchley Road site along with some private units, whilst the Whetstone site would only accommodate private flats.

This was considered unacceptable by the Planning Committee and the application was refused inter alia on the grounds that *‘the development would require the provision of on-site units for affordable housing and no formal undertaking is given to provide these units within the development contrary to Policies H5 and IMP1 of the London Borough of Barnet Adopted Unitary development Plan (2006).’*

The current application proposes 22 residential units, all of which are private.

The NPPF states that local planning authorities should:

“where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.” (NPPF: para 50).

The Mayor’s London Plan 2011 sets a London wide target for affordable housing and states that *“Boroughs should set an overall target in LDFs for the amount of affordable housing provision needed over the plan period in their areas”* (Policy 3.11). It also indicates more tenure mix flexibility of 60:40 split between social rent and intermediate.

Local Plan Policy as set out in Policy CS4 of the Core Strategy and Policy DM10 of the DMP as well as in the adopted Supplementary Planning Document ‘Affordable Housing’ which expands upon the policies contained within the CS and DMP. These

policies advise that developments involving 10 units or more are expected to provide 40% affordable housing consisting of 60% social rented and 40% intermediate.

Barnet's Affordable Housing Policies accept that there are circumstances when schemes can not provide the full quota of affordable housing with the SPD advising that:

'There may be exceptional circumstances which occasionally justify a reduction in the level of affordable housing provision. A developer should, however, take affordable housing provision and other known requirements and constraints into account when negotiating the purchase of land rather than assume a discount on affordable housing provision.'

Standard development costs that will not be considered as exceptional include: demolition; landscaping; surveys (e.g. archaeological or ecological); or ground conditions. In such circumstances the onus will be on the applicant to demonstrate that these costs are not offset by depreciated land value or cannot be recouped in the sale price of units.

In cases where there are genuine unforeseen costs associated with the site (e.g. unexpected contamination) and all other sources of remedial finance have been exhausted, the council will expect 'open book' negotiations and may seek independent viability advice on both costs and values. It will also require an Independent Financial Appraisal (IFA) to assist in determining applications as one of the methods of assessment. The costs of this will be borne by the applicant as it seeks to justify the development business case and planning merits of reduced affordable housing provision.'

In the case of the current application the applicant has submitted a financial viability assessment by Housing People Partnership. The Council has had this information independently verified by GVA who have confirmed that the scheme will not be viable if any affordable housing is provided. Due to the length of time which the application has taken to be assessed a second viability assessment was undertaken in September 2013, which also confirmed that the scheme can not provide affordable housing and remain viable.

The mechanism by which viability is assessed excludes land purchase price and is based on Existing Use Value. It is noted that the site is constrained, with the majority of the footprint of the site taken up with built structure with car parking provided in the form of a double basement which drives up development costs.

In these circumstances given the constraints on development including contamination costs and the necessity of providing basement car parking due to the limited size of the site, the non provision of affordable housing is considered acceptable in this instance in accordance with the exceptions allowed under national and local policy.

3.4 Density of development

London Plan policy 3.4 seeks to optimise the housing potential of sites. This policy provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

The site has a 4 PTAL rating. The proposed development would provide 22 units at a density of 200 units per hectare or 818 habitable rooms per hectare which is just above the top end of the scale permitted under the London Plan matrix for urban sites with a PTAL of 4 -6.

However given the town centre location of the development the proposed density is not in itself considered to be objectionable subject to assessment of the sites ability to accommodate the scale of development without having any adverse impacts on the character or appearance of the surrounding area or impact upon the capacity of the adjoining highway, and subject to compliance with other relevant policies and standards for residential accommodation.

3.5 Standard of accommodation provided and amenities of future occupiers of the proposed dwellings

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

External amenity space provision

The council's adopted supplementary planning documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, and the Mayors adopted supplementary planning guidance, Housing, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers which includes identifying minimum sizes for external amenity space. Barnet's Residential Design Guide advises that flats should provide 5 m² of amenity space for each habitable room.

The development contains 22 flats providing 155 habitable rooms. The scheme provides some form of private external amenity space for all units with balcony sizes ranging from 5 to 9 square metres on the lower storeys, while the penthouses on the set back top floor having terraces of 91 and 113 square metres. In addition to this space a communal roof top amenity space is provided on the top of the building providing a communal space of 340 square metres which also contains an area designated as potential children's play space. The total amenity space provided in the development is 705.5 m² which is above the required standard of 650 m².

It is also noted that the site is located within 250m of Brook Farm and Wyatt's Farm Park open space.

It is therefore considered to provide an acceptable level of private and communal outdoor amenity space for future occupiers of the development and it is considered that the proposal satisfactorily addresses the previous reason for refusal relating to inadequate amenity provision.

Dwelling sizes and Room Sizes

Policy 3.5 of the Local Plan advises that LDF's should incorporate minimum space standards which comply with Table 3.3 which provides a minimum gross internal floor area for different types of dwellings. Detailed guidance concerning dwelling size and minimum room sizes are set out in the Mayor's London Housing Design Guide. Having regard to these areas, the minimum floor areas of the proposed flats comfortably exceed the minimum standards and the individual room sizes in all of the units would also comply with the Mayor's standards.

Dwelling outlook, daylight/sunlight and privacy

Development plan policy requires that new dwellings are provided with adequate outlook. Other than the 4 one bed units which are east facing over the Marks and Spencer car park, the remaining 18 units are dual or triple aspect in the case of the penthouse flats. Fenestration on the building is in the form of large scale vertical windows which maximise outlook. The application is accompanied by a Daylight and Sunlight assessment. This assessment shows that with the exception of two bedrooms all of the proposed dwellings would comply with the Average Daylight Factor Test outlined in the Building Research Establishment Daylight and Sunlight Guide. In relation to sunlight 4 living rooms and 5 bedrooms will receive less light than the BRE guidelines however this is inevitable on flatted schemes due to solar orientation. The level of sunlight received by the 4 affected living rooms would receive 14% of available annual sunlight hours and 3% during the winter months which is considered acceptable.

Noise and air quality

The Council's Environmental Health Service have been consulted on this application and have recommended conditions should be imposed requiring details of mechanical ventilation and noise insulation and information regarding any plant to be submitted and approved, in order to ensure appropriate insulation from the noise generated from nearby traffic and neighbouring industrial and business uses. Subject to the attachment of such conditions the proposal is considered to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed.

Conclusions on the amenities of future occupiers

In summary, the proposal is considered to provide an acceptable standard of amenity for future occupiers and would therefore comply with Local Plan Policy DM02 and the Residential Design Guidance as discussed above.

3.6 Design and character matters:

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Barnet Local Plan policy CS6 seeks to 'ensure that new development is of an appropriate scale and character for the centre in which it is located'.

The previous scheme (Ref: N/16024/08) which proposed a seven storey development on the site was refused inter alia for the following reason:

'The proposed development would, by reason of its mass, bulk, size and design, be overbearing, visually obtrusive and detrimental to the character and appearance of the area and the street scene contrary to Policies GBEEnv1, GBEEnv2, D1, D2, D3, D4, D7 and H16 of the Adopted Barnet Unitary Development Plan (2006).'

The application has been designed to overcome the previous reasons for refusal, with the height of the building reduced from 7 to 6 storeys, with the 6th storey set back from the eaves of the building. Due to this setback the top storey will not be immediately visible from street level directly outside the site but will be visible from longer distance vistas. The height of the top storey has been further reduced post submission by means of lowering the height of the ground floor commercial units allowing the overall height of the building to be reduced by 1.1m as well as the 4th floor parapets. This allows the eaves height and the top of the recessed top floor to align with the eaves and ridge of Brook House.

In considering the impact of the proposal on the prevailing townscape it is important to consider views of the site from the south and north. From the north the site is seen against the backdrop of the 5 storey office building at Brook Point, the three storey buildings beyond and also in the context of the 12 storey Northway House located on the opposite side of the road. In views from the south, the application property is located just to the north of 5 storey Brook House and is viewed in the context of this building, with the Marks and Spencer/ Carpet Right/ Halfords Building (1 ½ storeys) and Travelodge Building (4 Storeys) providing the backdrop to the north. While the proposed building is taller than the buildings located further to the north the building carries across the height and mass of Brook Point and as such results in a lesser impact than if this building was sited in isolation and it is not considered that townscape views will be significantly affected.

Notwithstanding the reductions in scale the proposed building will undoubtedly still appear as a large building. Also given the single storey nature of the car wash structures and the previous petrol filling station the proposed building will be significantly larger than existing and previous structures on the site. However in the context of the surroundings and the scale of neighbouring buildings, it is not considered that the proposal would appear out of scale or adversely affect the surrounding townscape.

The design of the proposed building is also significantly altered from the refused scheme, with the previous scheme incorporating projecting balconies, angled elements and a mixture of red brickwork and rendered block work. The current scheme proposes a more clean cut look with large vertical windows, louvered screens, inset balconies and use of lighter coloured brickwork. The frontage and side return of the building is also staggered breaking up the massing of the building. The proposal contains an active frontage in the form of two retail units fronting the High

Street to the west. This would help to fill in what is currently a gap on the street frontage and represents a significant improvement over the current use of the site.

Overall it is considered that the scheme has satisfactorily addressed the previous reason for refusal resulting in a well designed building reflective of the scale of its immediate surroundings and in keeping with general urban grain of the street scene. The proposed development is therefore considered to be acceptable in terms of its impact on the character and appearance of the locality in accordance with the aforementioned policies.

3.7 Impacts on amenities of neighbouring and surrounding occupiers and users:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Overlooking and Loss of privacy

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to neighbouring gardens, in order to avoid overlooking in new developments. In relation to the application proposal the application site faces towards the High Road (A1000) to the West, the Marks and Spencer/ Carpet Right building to the north, a car park to the east and the adjoining office building to the south. The closest residential properties are located in Chandos Avenue approximately 70m to the south and south-east, with views partly obstructed by the office building at Brook Point.

Due to this orientation the proposal would not result in any loss of privacy to adjoining occupiers located to the north, east and west but could potentially cause mutual overlooking issues in relation to the office building to the south. In order to avoid potential issues, the applicant has suggested the use of obscure glazing and louvers to prevent overlooking of residential living areas. A condition is recommended to secure such provision.

Daylight and sunlight/outlook and visual impact

The proposal is accompanied by a Daylight and Sunlight Report. This report demonstrates that all surrounding residential properties and gardens will continue to receive adequate levels of daylight and sunlight in accordance with the BRE guidelines. It is not considered that the proposal would be overbearing in its visual impact when viewed from residential properties due to the distance separation.

In relation to comments received regarding potential loss of light by an adjoining office. The property in question is Brook Point located approximately 6-9m away to the south on the other side of the vehicular access to Brook Point. It is noted that the BRE guide does not apply to commercial buildings such as offices and each case needs to be assessed on its own merits. The application proposal is located directly to the north of Brook Point and as such would not affect levels of sunlight to this property. In relation to daylight the proposed distance separation of between 6-9m is considered adequate given that the development concerns commercial development fronting a main road. Angled views and light would remain to the north east and west either side of the proposed development and overall the relationship between the building is considered acceptable.

Noise

The residential dwellings proposed in the development are of a nature that they would be expected not to generate unacceptably high levels of noise and disturbance to the extent that they would harm the amenities of the occupiers of neighbouring properties in the normal course of their occupation. The proposal includes mechanical ventilation and conditions have been suggested by Council's Environmental Health Service regarding the operation of this and any other plant to ensure that neighbouring amenity is not affected.

In relation to the concerns expressed by a neighbouring business that the introduction of residential use could potentially result in noise complaints affecting the future operation of an adjoining existing business, namely the haulage company located on the opposite side of the High Road. It is noted that the scheme proposes the provision of mechanical ventilation and sound insulation conditions are also attached to the proposal. It is considered that these measures would limit the potential of future conflict and the scheme is considered acceptable in this regard.

In relation to construction works, a condition has been imposed to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. This includes the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Conclusions

The proposed development is considered to be acceptable and compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding occupiers and users.

3.8 Transport, parking and highways matters:

The site is located on the A1000 High Road, N20 on the edge of Whetstone Town Centre. The A 1000 is part of the Strategic Road Network (SRN) Route and is a bus route. The site is in close proximity to Totteridge and Whetstone underground station and town centre amenities. The site was previously used as a petrol station. The

site is adjacent to the private vehicle access to the Marks and Spencer store to the north. There is a turn right lane utilised by vehicles turning into the previous petrol station and into the Marks and Spencer store development.

Several waiting restrictions apply in the vicinity of the site, including no waiting at anytime, however there are no restrictions to parking in sections of the road network in the vicinity of the site. There is a pedestrian crossing island in the A1000 fronting the site, which is used by pedestrians accessing sites including the commercial premises and bus stops on both sides of the A1000 and Totteridge and Whetstone underground station. There is a further pedestrian crossing on the A1000 to the north of the site in close proximity to the proposed development.

The Public Transport Accessibility Level (PTAL) is graded from 1 for poor accessibility to 5/6 for excellent accessibility. The site has a PTAL score of 4 and is therefore within a medium accessibility level area. The site is within walking distance to Totteridge and Whetstone underground station and in close proximity to several bus routes.

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network, seek more environmentally friendly transport networks, ensure that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan Document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Access Arrangements

The previous petrol station use was served by two separate vehicle accesses from the A1000 an entry access at the northern boundary, which is no longer in use, and an exit access shared with the adjacent Brook Point building. The proposal is to maintain the existing shared access at the southern boundary of the site to provide a two way access to the proposed new underground car parks, shared with the existing access to the adjacent Brook Point building.

The proposed development is located on High Road, N20 which is on the Strategic Road Network (SRN). As the site was formerly a Petrol Filling Station the crossovers to the site were heavy duty crossovers. One of the crossovers is being removed and the footway must be reinstated to footway-construction. This will be covered by separate agreements under the Highways Act

Parking provision

The parking standards in the Local Plan recommend a maximum of 1 space per 1 bedroom flat and 1 to 1.5 parking spaces for 2 and 3 bedroom flats and a maximum of one space per 50-30 sqm for non food retail use in a PTAL 4 to 2 areas. This equates to 18 to 31 parking spaces for the residential element of the development and between 5 and 9 parking spaces for the retail element for staff or customer use.

The proposal includes 31 parking spaces for the residential development and 8 parking spaces for the commercial development. Car parking is proposed in a double level basement. The parking provision of 31 spaces for the residential element of the development based on the proposed mix is in accordance with London Borough of Barnet Parking Standards.

The proposed parking provision of 8 spaces for the commercial element of the proposal meets the standards on the London Plan and is acceptable on highways grounds.

The basement car parks are accessed via ramps and the gradient for the ramp are no steeper than 1 in 10 which is acceptable on highways grounds.

Conditions are suggested requiring the provision of 20% active and 20% passive electric car charging points in accordance with London Plan Policy.

Cycle Parking

A total of 32 cycle parking spaces should be provided for the residential element of the development in order to meet the recommendation in the London Plan. For the commercial element of the proposal a total of 2 cycle parking spaces are required. The proposal includes provision of 32 cycle parking spaces for the residential development and 2 spaces for the commercial which is in accordance with the recommendations in the London Plan.

Refuse Collection and Servicing Arrangements

Separate refuse collection points are proposed for the residential and commercial elements of the scheme.

The original proposal included arrangements for refuse collection vehicles to reverse into the site to carry out collections. These arrangements were not acceptable and the proposal has been revised to provide refuse collection being carried out from the public highway. Transport for London (TfL) has commented on this application and recommended that refuse collection should be carried out from an on street location.

In order to allow for refuse vehicles to load safely from the public highways it will be necessary to review the existing road layout in the vicinity of the site. The review will involve a feasibility study for relocation of existing pedestrian crossing facilities at the frontage of the site and any necessary alterations to existing waiting restrictions and road markings. A section 106 contribution of £30,000, consisting of £5,000

feasibility studies cost and up to £25,000 implementation costs, will be required to carry out the feasibility study and implementation of measures identified in this study.

Parking, highways and transport conclusions

Subject to the attachment of appropriate conditions and subject to the applicant entering into a S106 to make an appropriate contribution to highway improvements as specified above, the scheme is considered broadly acceptable, and would not adversely affect the safety and freeflow of vehicles or pedestrians and provides an appropriate level of parking and cycle provision in this location.

3.9 Creating inclusive environments for all members of the community:

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Proposals should demonstrate how the principles of inclusive design have been integrated into the development for which consent is sought.

All of the proposed dwellings will be built to lifetime homes standards, and level access and Part M compliant level and door opening widths will be provided to all units and the staircase is also designed to be usable by ambulant disabled persons. 2 units (i.e. 10%) are designed to be fully wheelchair accessible.

3.10 Contaminated land and water quality issues:

The application is accompanied by a Contaminated Land Report. The Environment Agency and the Council's Environmental Health Service have not raised any objections to the proposal subject to the attachment of appropriate conditions.

3.11 Safety and security matters:

Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

The Metropolitan Police have expressed concerns regarding details of measures to control access to the basement car parking area and for the scheme to be designed to achieve secured by design (SBD) accreditation. This is considered reasonable given the prominent town centre location of the development and a condition requiring the development to achieve SBD accreditation. Subject to this the proposal is therefore deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

3.12 Energy, climate change, biodiversity and sustainable construction matters:

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions. Residential developments are currently required to achieve a 40% reduction in carbon dioxide emissions when

compared to the 2010 Building Regulations. However this target only applies to stage 1 applications received on or after the 1st October 2013. As this application was received in July 2013, the lower 2010-2013 requirement for a 25% reduction applies. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. The council's adopted Sustainable Design and Construction SPD provides that schemes such as this should achieve Code Level 4 or above against the Code for Sustainable Homes.

Carbon dioxide emissions

The application is accompanied by a Sustainability and energy report, which sets out a commitment to achieving level 4 under the Code for Sustainable Homes for the residential element and BREEM Excellent for the Commercial Element. As part of reaching this level under the Code for Sustainable Homes the dwellings proposed will need to achieve an improvement of 25% over the Target Emission Rate under the 2010 Building Regulations. The chosen options include built fabric improvements such as high insulation values, low energy lighting and high efficiency boilers, as well as the installation of photovoltaic panels on the roof of the development, thereby achieving a 25% betterment for the development.

The applicant has submitted an addendum showing that the scheme has incorporated as many energy reduction elements as they can in the confines of the site. The proposed improvement is in accordance with policy and is considered adequate for the scheme to comply with the requirements of policy on reductions in carbon dioxide emissions. A condition is therefore recommended to ensure that the development achieves Code Level 4, BREEM Excellent and this level of carbon dioxide reductions as a minimum. A condition has also been imposed requiring details of the photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority, in order to ensure an acceptable appearance.

3.13 Community Infrastructure Levy

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor published a schedule for CIL in February 2012 and it came into effect in April 2012 which is set at £35 per sqm on all chargeable development.

The planning permission that will be granted as a result of this application will be liable for Mayoral CIL estimated at a cost of £126,315.

3.14 Barnet's Community Infrastructure Levy

In May 2013 Barnet adopted its own local Community Infrastructure Levy which replaced the Council's SPD's on planning obligations in relation to Health, Education and Library Services contributions to off-set pressure of additional residents as a result of development. Barnet CIL is set at £135 per sqm on all 'chargeable development' in Barnet.

In accordance with the Community Infrastructure Levy (Amendment) Regulations 2012 it is estimated that the development will be liable to pay approximately £487,215 in Barnet CIL contributions.

It is considered that the payment of the above monies satisfactorily addresses the previous reasons for refusal 3 and 4 relating to education and library contributions.

4. COMMENTS ON GROUNDS OF OBJECTIONS

The proposed building would be no higher than the adjoining office building at Brook Point and would be viewed against this backdrop and the larger backdrop of Northway House on the opposite side of the High Road. In this context while the proposed building would appear large it would not appear out of keeping with the surrounding townscape. The proposed design is also considered acceptable, helping to break up the visual mass of the building and provided an attractive building in keeping with the streetscene. Design and Character issues are assessed in section 3.6 of this report

The proposal is located between 6-9 metres from the office building at Brook Point and 70m from the nearest residential properties in Chandos Avenue. The proposal is also accompanied by a Daylight Sunlight Assessment which shows that the proposal would not result in any significant loss of daylight, sunlight or overshadowing to neighbouring residential properties. Obscure glazing and use of louvers are proposed in the south elevation to address potential overlooking to and from Brook Point. Issues to do with impact on amenities of neighbouring properties is covered in section 3.7 of this report.

The level of car parking provision has been assessed by the Council's Highway Officer and Transport for London. The level of provision of 31 spaces for the residential units and 8 spaces for the commercial units is in accordance with London Plan guidance for development in this PTAL zone.

The existing use of the site for a car wash and the previous use as a petrol filling station generates a higher number of vehicular movements than the proposed use of the site. The proposal has been assessed by the Council's Highway Officer and

Transport for London who have advised that the proposed access is satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements. Transport and Parking matters are covered in section 3.8 of this report.

The proposal is subject to conditions requiring the provision of soundproofing and the use of mechanical ventilation which would limit the opportunity for future conflict.

The proposal involves the provision of two small non food retail units which are not considered to affect the vitality or viability of other units located in the wider Whetstone Primary Shopping Frontage.

The cumulative impact of the proposal has been taken into account particularly in relation to highway impact. However planning law requires that each application needs to be judged on its own merits and assessed accordingly.

It is considered that the height of the proposal is in keeping with the scale of adjoining buildings, and it is not considered that the density is excessive in this location and sufficient amenity space for the units is provided. The impact of the proposal on the adjoining highway is considered satisfactory subject to conditions and the applicant entering into a S106 agreement to pay for highway improvements.

5. EQUALITIES AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section.

The new buildings proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the development would ensure that in several regards the building constructed would exceed the minimum requirements of such legislation. Examples of this would include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards, the provision of level or appropriately sloping access within the site and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

The proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters, by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

6. CONCLUSION

The proposed development is considered to represent an effective re-use of a brownfield site providing high quality residential accommodation within close proximity of Whetstone town centre and within walking distance of Totteridge and Whetstone Tube station. The proposed building represents a high quality modern architectural design that is appropriate to its context and which will enhance the townscape of the area and contribute to the vitality and viability of the town centre.

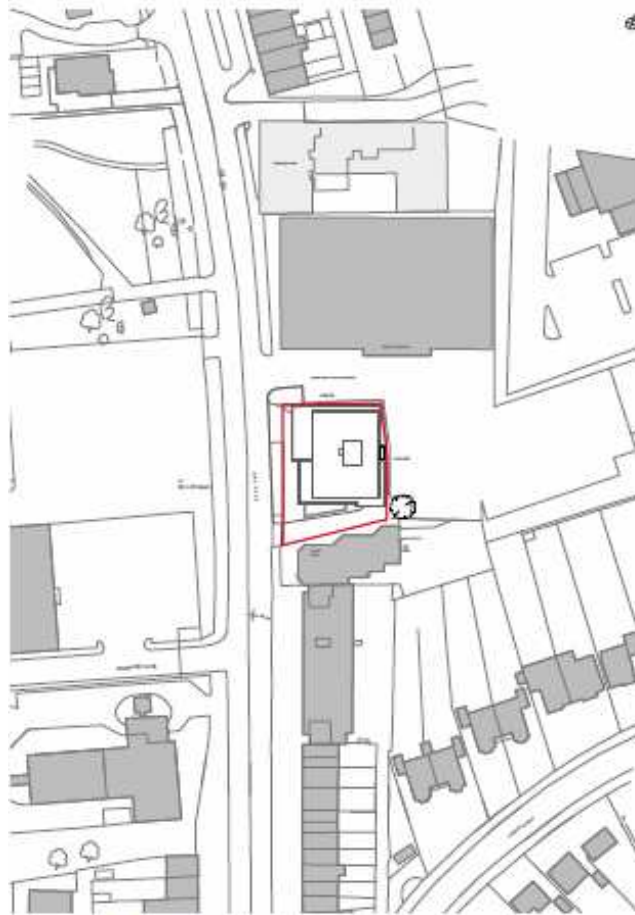
The proposal satisfactorily addresses the reasons of refusal for the previous application (Ref: N/16024/08) for the redevelopment of the site, through the design amendments and reductions in scale. The lack of provision of affordable housing is justified due to site viability and the constraints of the site. The proposal also provides a policy compliant quantity of amenity space and makes contributions to education and libraries through Barnet CIL contributions.

The proposal would accord with the determining policies within The London Plan (2011) and adopted Core Strategy (September 2012) and Development Management Policies DPD (September 2012) in accordance with the NPPF.

The application is therefore recommended for **Approval**, subject to to the applicant entering into a S106 Agreement and Conditions as Outlined Above.

SITE LOCATION PLAN: 1412-1420 High Road, London, N20 9BH

REFERENCE: B/01561/13



Site Location Plan 1:500



Site Location Plan 1:1250

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LOCATION: 21 Ridgeview Road, London, N20 0HH

REFERENCE: B/03567/13

Received: 09 August 2013

Accepted: 13 August 2013

WARD(S): Totteridge

Expiry: 08 October 2013

Final Revisions:

APPLICANT: Central Property Villages Ltd

PROPOSAL: Demolition of existing single storey bungalow and erection of 2no. two storey semi-detached family houses with rooms in the roof and basement. Provision of off-street parking and associated landscaping.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 383-PA-01, 383-PA-02, 383-PA-03, 383-PA-04, 383-PA-05, 383-PA-06, 383-PA-07, 383-PA-08, 383-PA-09, 383-PA-10 Revision A, 383-PA-11 Revision A, 383-PA-12 Revision B, 383-PA-13 Revision B, 383-PA-14 Revision B, 383-PA-15 Revision B, 383-PA-16 Revision B, 383-PA-17 Revision B and 383-PA-18 Revision A.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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 character and visual amenities of the site and wider area

and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan drawing no. 383-PA-10 Revision A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

- 5 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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 7 Before the building hereby permitted is occupied the proposed window(s) in the side elevation (s) 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 in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 8 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s).

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 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 in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 12 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of

development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

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

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

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 15 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 16 No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development;

the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

- 17 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 3 If the proposal is carried out, the applicant is required to apply to the Highways Authority for any new or modified vehicular crossovers will be constructed by the Highway Authority at the applicant's expense. The applicant is advised that any lighting column(s) or street furniture affected by the proposed works would be relocated under a rechargeable works agreement by the Council's terms contractor for Highway Works at the applicant's expense. These works may not just relate to lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street lighting coverage is maintained along Ridgeview Road. You may obtain an estimate for the vehicular crossover and any associated works on public

highway from, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

The applicant is advised that following the outcome of the detailed crossover inspection the position of the proposed crossovers (and parking layout) may need to be amended.

4 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9478 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £36558 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 5 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

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

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

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

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

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's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS4, CS5, CS9, CS10 and CS15.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM17.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted by Cabinet in April 2013. This sets out information for applicants to help them design an extension to their property and new build development 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, extensions and new build developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

The Council's Supplementary Planning Document: Adopted Residential Design Guidance April 2013 is divided into four parts:

- Part 1 sets out the context for residential design in Barnet providing local design principles which reflect and contribute to the understanding of Barnet's suburban character.
- Part 2 sets out general guidelines for new residential development as well as amenity and space standards. This document provides advice on privacy and overlooking, minimum room sizes, good building layout, provision of gardens, outdoor play space requirements.
- Part 3 sets out the requirements and design criteria related to changes to the existing housing stock within Barnet.
- Part 4 includes/provides supporting information including references, useful web links and the glossary list.

The SPD supplements policies contained within the Local Plan and the London Plan which together form the Development Plan for Barnet. The SPD is therefore a material consideration for decisions on planning applications. It has been prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations and guidance on Supplementary Planning Documents.

Relevant Planning History:

Site history for current landparcel :

5111 - 21 Ridgeview Road, London, N20 0HH

Case Reference: **B/03567/13**

Application:	Planning	Number:	B/01168/13
Validated:	04/04/2013	Type:	APF
Status:	WDN	Date:	17/06/2013
Summary:	WIT	Case Officer:	Harman Sond
Description:	Demolition of existing single storey bungalow and erection of 2no. three storey semi-detached family houses with rooms in the basement. Provision of off-street parking and associated landscaping.		

Application:	Planning	Number:	B/03673/11
Validated:	06/09/2011	Type:	APF
Status:	DEC	Date:	21/03/2012
Summary:	REF	Case Officer:	Lisa Cheung
Description:	Erection of a two storey building including basement and rooms in the roofspace comprised of 4no 3 bedroom flats with associated landscaping works to front to provide 4no parking spaces including 1no disabled parking space, roof lights to the		

side and rear roof slopes, Juliet balconies and bin storage following the demolition of existing bungalow

Application:	Planning	Number:	B/04410/10
Validated:	17/11/2010	Type:	APF
Status:	WDN	Date:	10/01/2011
Summary:	WIT	Case Officer:	Lisa Cheung
Description:	Erection of a three storey plus basement building comprising of 4No. flats with four associated car parking spaces, following demolition of existing bungalow.		

Consultations and Views Expressed:

Neighbours Consulted: 36 Replies: 3 objections received to the original proposal and 5 objections received to the amended proposal.

Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- The proposed two semi-detached house does not offer anything different to what was previously submitted as a block of flats.
- Building a rear basement will endanger the stability of the houses in close proximity.
- The proposal would be in close proximity to tube line
- The proposed redevelopment of site would increase the floor area by nearly 200 percent
- It would result in high density development and representing overdevelopment of the site that would set precedent for others to follow
- It would affect the health and well being of local residents by reason of more noise and disruption
- It would increase residents, increase traffic, reduce parking spaces, obstruct other drive ways which would affect the safety of road and its users
- There is no plan storage for the waste that would be accumulated for the proposed development
- The applicant appears to have used the same drawing numbers with the same date as those submitted with the previous planning application ref: B/01168/13 and without any revision references.
- There are no section plans submitted for accommodation in roof space.
- The proposal by reason of poor, unattractive and utilitarian design and ridge height failing to respect the local context and the streetscene is out of character.
- It would fail to provide adequate outdoor amenity space.
- The scheme is not sustainable
- The proposal would result in loss of view for the residents on the opposite side of the application site
- It would change the nature of the area.

Internal /Other Consultations:

Traffic and Development – The proposal is considered to be acceptable on transportation grounds subject to conditions.

Date of Site Notice: 22 August 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application relates to a detached bungalow with integral side garage and raised rear patio situated on the west side of Ridgeview Road. The application property on the north side shares its plot side boundary with neighbouring two-storey semi-detached residential 23 Ridgeview Road, on the south it shares its plot side boundary with neighbouring two-storey detached residential property No. 17 Ridgeview Road (as there is No. 19 Ridgeview Road), on the west side it abuts railway lines and on the east side it faces Ridgeview Road.

There is a level change on the site with the levels dropping down to the rear. The rear garden has a depth of approximately 14m

There is Finchley Catholic High School is to the south of the application site, some 120m away. Totteridge and Whetstone Underground Station is also some 680m away to the north. The railway line runs along the rear of the site.

The area surrounding the application site is predominantly residential in character comprising mix of detached, semi-detached and terraced houses which vary in style and age.

The application property is not listed and is not located within a Conservation Area.

Proposal:

The proposal seeks planning permission for the demolition of existing bungalow on the site and erection of pair of semi-detached houses with rooms in roof space and semi-basement. Formation of new vehicular access, provision for off-street car parking spaces and associated landscaping in the frontage.

The proposal comprising a pair of semi-detached houses would be 10.5m (deep) x 10.9m (wide) and would have hipped roof with a height of 9.1m to the ridge level and 5.8m to the eaves level. The development would have two front projecting gables (comprising bay windows) would have a height of 7.9m to its ridge level and 5.1m to its eaves level and it would be set 1m below the ridge level of the main roof of the proposed houses.

The proposed houses would be set-in 0.9m from its north and south plot boundary with a set-back of 5.2m (to the front bay window) from its front plot boundary. The rear of the property at ground level would provide 2.5m (deep) raised rear patio extending across the entire width of the proposed houses. The proposed houses due to slightly tapered rear boundary would be set-back between 11.9m and 12.6m to its rear raised patios.

The proposed semi-basement level would be 9.3m (deep) and 10.9m (wide) and it would have 1.2m projection above ground level and 1.5m excavation below ground level. However, the proposed basement at the rear would align with the rear of the proposed raised patio and at the front it would be set-back 4.1m from the front projecting bay windows. The top of the proposed basement at the rear would be used as a raised patio enclosed by 1.2m high galvanised railings.

The proposed two flat roofed rear dormer windows would be 2m (wide) x 3m (deep) x 2m (high) each. The proposed two front and two-side rooflights would be 1m x 0.8m each.

Planning Considerations:

Background

A planning application ref: B/03673/11 for "Erection of a two storey building including basement and rooms in the roofspace comprised of 4no 3 bedroom flats with associated landscaping works to front to provide 4no parking spaces including 1no disabled parking space, roof lights to the side and rear roof slopes, Juliet balconies and bin storage following the demolition of existing bungalow" was reported to Planning Committee on 05/03/2012 with an officer's recommendation to approve the application subject to Section 106. However, the Officer's recommendation was overturned and the application was refused by the Members on the following grounds:

- 1. The proposed flatted development, by virtue of its size, bulk, number of units and excessive hard standing is considered to represent overdevelopment of the site and be harmful to the character and appearance of the surrounding area, which comprises predominantly single family dwellinghouse and the visual amenities of the neighbouring residents at numbers 19 and 23 Ridgeview Road contrary to policies GBEEnv1, GBEEnv2, D1, D2, D4 and H16 of the adopted Barnet Unitary Development Plan and policies 3.4 and 3.5 of the London plan 2011.*
- 2. The proposed development does not include a formal undertaking to meet the costs of extra libraries, health and social care facilities and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Documents – Contributions to libraries (2008), Health (2009) and Monitoring (2007) and policies CS2, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan (2006).*

Differences between Current and Previous Planning Application ref: B/03673/11

The current application is significantly amended to overcome the first reason for refusal of the previous planning application ref: B/03673/11 in that it is no longer proposing a flatted development comprising 4 x 3-bedroomed flats. The application is now proposing to redevelopment the application site in a form of 2 x two-storey 4-bedroomed pair of semi-detached houses with semi-basement and rooms in roof space comprising rear dormer windows and two front and two side rooflights. The proposed houses would have their own front and rear gardens. The rear garden would provide amenity space and front garden would be part soft landscaped and would have part hardstanding area to provide 1 car parking space per house and

separate refuse storage area in the corner of the front garden.

The proposed two-storey pair of semi-detached houses in comparison to the previous planning application ref: B/03673/11 has now been reduced in height and depth. The previously proposed building under ref: B/03673/11 was 9.5m (high) to the ridge level and had a depth of 12.9m (including bay window). However, in the current application, the proposed building has been reduced to 9.1m to the ridge level and reduced in depth to 10.9m (including bay window).

The design of the proposed building has been improved to reflect the appearance of the property as pair of semi-detached houses. Soft landscaping area in the proposed front garden is increased to nearly 50 percent. The number of car parking spaces has been reduced from previously proposed 4 to 2 spaces. The refuse storage area previously required for 4 flats has now been reduced as the number of units has been reduced to 2 houses.

It should be noted that the second reason for refusal of the previous planning application ref: B/03673/11 is no longer valid as Contribution required under Section 106 in the previous application is now replaced by Major Community Infrastructure Levy (CIL) at a rate of £35 per sq.m. of floor space created and Barnet Community Infrastructure Levy at a rate of £135 per sq.m. of floor space created. This is addressed by the recommended informative.

Policy Change since 05/03/2012 to Present Day

Since 05/03/2012 to present day, there have been number of changes made to the Council's policies which involves replacement of Barnet adopted Unitary Development Plan policies with Local Development Framework Core Strategy and Development Management Policies Development Plan Documents (DPD) (both adopted September 2012). The Council's SPD: Residential Design Guidance and SPD: Sustainable Design and Construction (Adopted April 2013). The 'National Planning Policy Framework' (NPPF) published in 27 March 2012, The London Plan (July 2011) which is the overall strategic plan for London and The Mayor's Housing Supplementary Planning Guidance (November 2012). The above documents places greater emphasis on good planning, good design and should contribute positively to making places better for people.

Principal of demolition of the existing detached bungalow and redevelopment of the site as pair of semi-detached houses.

The existing application site comprises a detached bungalow is located within an area which is predominantly residential in character comprising largely single family dwellinghouses. The existing bungalow could be considered to be an anomaly in the street given that it has two-storey dwellings on its either sides and that two-storey dwellings are the predominant building type in the street. Given this situation, the proposal to demolish the existing bungalow and redevelop the site for residential purposes in a form of two-storey pair of semi-detached houses is considered to be acceptable in principal. However, the proposed development in accordance with the policy DM01 of the Council's Local Plan (Development Management Policies) DPD (adopted September 2012) should be in keeping with the character and appearance of the area and the streetscene in terms of its size, siting and design and should not harm the living conditions of neighbouring residents.

External Appearance

The current application now proposes a more traditional style two-storey pair of semi-detached dwellinghouses with hipped roof, front projecting gable, recessed main entrances, rear dormer and front and side rooflights to provide rooms in roof space including non-habitable room windows to side elevations. It is acknowledged that in comparison to the existing bungalow on site, the proposed houses would be of an increased volume and height and they do not mimic one particular style of pair of semi-detached houses in the street. However, its scale, height and design features respects and resembles neighbouring and other pair of other semi-detached houses in the street of varying style and age and therefore are considered to be in keeping with the local character.

The proposed pair of semi-detached houses and its relationship with neighbouring houses

The existing detached bungalow at the application site currently sits between two-storey semi-detached house No. 23 Ridgeview Road located on the north side and two-storey detached house No. 17 Ridgeview Road located on the south side. At present, the front main wall of the existing detached bungalow is in line with the front main walls of the neighbouring houses No. 23 and 17 Ridgeview Road. The existing bungalow therefore respects the front building line of the neighbouring houses. The proposed pair of semi-detached houses comprising front projecting gable would be set approximately 500mm behind the front projecting bay window of neighbouring houses No. 23 and it aligns with the front projecting gable of the neighbouring house No. 17 Ridgeview Road. The proposed pair of semi-detached houses therefore respects the building line of neighbouring houses on either sides of the application.

The proposed pair of semi-detached houses at the rear would align with the main rear wall of the neighbouring house No.23 Ridgeview Road and therefore it would respect the rear building line of this house. However, on the side of No. 17 Ridgeview Road, it would project 3.5m beyond the rear wall of this neighbouring house. The proposed rear projection in this instance is not considered to have adverse impact on the amenities of the occupiers of No. 17 Ridgeview Road as this neighbouring house has (approximately 1m wide) side access and (approximately 2.5m wide) detached side garage in between the application site.

The application properties would also provide 2.5m deep raised rear patio. However, as this patio would be restricted to the width of the proposed pair of semi's, it would be set-in 1m from the side plot boundary and screened by side plot boundary treatment on the side of No. 17 and 23 Ridgeview Road and therefore it is not considered to cause any overlooking and loss of privacy issue for the occupiers of these neighbouring houses. The existing bungalow at the application site at present has a 2.2m (deep) raised rear patio extended to the side boundary of No. 17 Ridgeview Road and 3.9m (deep) stepped patio on the side of No. 23 Ridgeview Road screened by boundary fence and planting. The neighbouring house No. 23 Ridgeview Road at present has a raised rear patio screened by boundary fence and planting. The proposed rear patio is an improvement on the existing situation in that it would be restricted to the width of the proposed houses set-in 0.9m from both side plot boundaries.

The proposed pair of semi-detached houses as per existing detached bungalow on

the application site would be set-in 0.9m from the plot side boundaries with adjoining No. 17 and 23 Ridgeview Road and therefore the proposed set-in from the plot side boundaries is considered to be consistent with the existing bungalow on the site. The proposed pair of semi-detached houses would be 9.1m (high) comprising windows in the both side elevations of the houses. However, as these windows on the ground and first floor relates to the stairs and at second floor level relates to secondary window serving bedrooms are not considered to cause any significant overlooking, loss of privacy and light for the occupiers of the neighbouring houses No. 17 and 23 Ridgeview Road. This is because if the application is approved, it would be subject of a condition requiring side windows to be obscured glazed with opening at high level to protect the amenities of the occupiers of this neighbouring houses. It should also be noted that at present neighbouring houses No. 23 and 17 Ridgeview Road do not have primary habitable room windows facing the application site and therefore are not considered to be adversely affected by the proposal.

Dwelling Sizes of new homes to meet housing needs

The existing property is a single storey detached bungalow with a side garage. The proposed redevelopment of the site would provide 2 x 4-bedroom pair of semi-detached houses.

According to Council's policy DM08 of the Development Management Policies DPD ((adopted September 2012), development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough. For market housing - homes with 4-bedrooms are the highest priority; homes with 3 bedrooms are a medium priority.

The proposal would result in the loss of existing bungalow providing a family accommodation. However, in this instance the proposal to redevelopment of the site to provide 2 x 4-bedroom family houses on the application site would meet the "market housing – homes with 4 bedrooms which are the highest priority" in the borough as set out in policy DM08 (iii) of the Development Management Policies DPD ((adopted September 2012).

Quality of the Accommodation

The proposed pair of semi-detached house is considered to have a good internal arrangement providing central corridor through which all rooms can be independently accessed.

The proposed 4-bedroom houses providing 7 bed spaces would have an internal floor area of approximately 130.48m². According to The Mayor's Housing Supplementary Planning Guidance (November 2012), a three storey house providing 7 persons accommodation comprising 7 bed spaces in a three storey house needs to be at least 124sq.m. The proposed houses would therefore comply with the minimum unit size standards set out in The Mayor's Housing SPD (November 2012).

Amenity space and Changes to Rear Garden

The proposed pair of semi-detached houses due to slight tapered nature of the rear plot boundary of the site would have a separate rear garden with an average depth of 14.5m to 15m (including the depth of the rear patio) and width of 6.4m. The proposed rear garden is consistent with the depth of the existing neighbouring properties No. 17 and 23 Ridgeview Road and other properties in the area. The rear garden would provide amenity area of approximately 93sq.m. and this would be well

in excess of required minimum 85sq.m. of outdoor amenity space for the proposed houses comprising 6 habitable rooms as set out in Table 1.2 of the Council's SPD: relating to Residential Design Guidance (adopted April 2013).

The side elevations of the plans indicate that the proposed raised rear patio would be enclosed by galvanised steel railings and screened by 2m (high) screen to prevent overlooking and loss of privacy for the neighbouring occupiers.

Front Garden

The proposed pair of semi-detached houses would provide 5.2m (deep) x 6.2m (wide) front garden projecting in front of the proposed bay windows. The first 0.9m (wide) space against the plot side boundary would be used to provide side access to the rear gardens and part used a storage of refuse/recycling bins which would provide easy access to the bins on collection day. A further 2.4m (wide) adjacent space would provide 1 car parking for each house and the remaining area between the main path leading to the house and car parking space would be used as a soft landscaped area. The appearance of the front garden and its depth is consistent with the neighbouring houses No. 17 and 23 which are part soft landscaped and has part harstanding area providing off-street car parking space(s) and path to the main door of the house.

Highways

The proposal is for demolition of existing single dwelling and erection of two 4-bedroom houses. A total of 2 off-street parking spaces are proposed, one for each house, accessed via 2 crossovers, one new cross over and one existing cross over which will be modified.

The site is located within walking distance to bus routes in the High Road (A1000) and to Totteridge and Whetstone underground station. Site observations at times of peak residential on street parking demand early morning and evening indicate that there are some available on street parking spaces.

The proposal at this location with two parking spaces is considered to be acceptable on highways grounds.

The proposals would comply with the aforementioned policies and Council Design Guidance relating to new residential development and 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.

3. COMMENTS ON GROUNDS OF OBJECTIONS

With regards to objections received they are considered in the "Assessment of the proposal" section of this 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, this proposal complies with the Adopted Barnet Local Plan policies and guidance 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: 21 Ridgeview Road, London, N20 0HH

REFERENCE: B/03567/13



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LOCATION: 49 Chiddingfold, London, N12 7EX

REFERENCE: B/01406/14

Received: 19 March 2014

Accepted: 27 March 2014

WARD(S): Totteridge

Expiry: 22 May 2014

Final Revisions:

APPLICANT: Mr Alterman

PROPOSAL: Variation of condition 1 (approved plans) pursuant to planning permission B/03381/13 dated 09/01/14. Amendments to include single storey ground floor rear extension and rooflights to front and side elevations. Change of position of doors and windows in front and side elevations. Internal alterations to rooms and staircase and adjustment to rear patio and landscaping to accommodate ground floor extension.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Drawing no. 1192/SI-010; Drawing no. 1192/PL-000 (date received 19-Mar-2014); Drawing no. 1192-PL-003 Rev C (date received 25-Apr-2014).

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 2 This development must be begun within within three years from the decision date of 09/01/2014 of the original permission reference B/03381/13

Reason:

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

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

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 5 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details 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 in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

- 10 Before the dwellings hereby permitted are first occupied the proposed windows in the flank elevations at first floor level and the rooflights on the flank elevations shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 11 Before the development hereby permitted is occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to F of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwellings hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 13 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 in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

- 14 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

INFORMATIVE(S):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2013 setting a rate of £36.04 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9,322.92 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £35,075.70 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: cil@barnet.gov.uk.

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

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

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

Further details and the application form can be downloaded from:

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

or requested from the Street Naming and Numbering Team via email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.

- 6 The applicant is advised that if the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

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 National Planning Policy Framework (NPPF) published on 27 March 2012 is a material consideration in planning decisions. Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 14 identifies a presumption in favour of sustainable development.

Twelve core land-use planning principles that under-pin both plan-making and decision-taking are set out in para. 17. These include:

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions;

Good design is recognised in para. 56 as a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people.

In para. 58 it is stated that planning decisions should, amongst other things, ensure that developments;

- Add to the quality of the area,
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation,
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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.

Core Strategy (Adoption version) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Significant weight should be given to the 16 policies in the CS in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS11 and CS15

Development Management Policies (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies are used for day-to-day decision making. Significant weight should be given to the policies in this document in the determination of planning applications.

Relevant Development Management Policies (Adoption version) 2012: DM01, DM02, DM07, DM08 and DM17

Relevant Supplementary Planning Documents/Guidance

In terms of design and sustainability the Council have adopted the Supplementary Planning Document 'Sustainable Construction and Design' (April 2013) and 'Residential Design Standards' (April 2013). The sustainable construction SPD

emphasises the importance of a sustainable approach to construction and updates the Council's amenity standards and room sizes amongst other factors when assessing applications for new development or extensions to existing buildings; the residential design SPD stresses the importance of achieving a high quality design and appearance for development. Both documents should be regarded as a material consideration in the determination of planning applications.

Relevant Planning History:

Application:	Planning	Number:	B/00073/13/ENQ
Validated:	26/03/2013	Type:	ENQ
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Harman Sond
Description:	Demolition of existing detached dwelling - construction of two new detached dwellings. (Category D)		

Application:	Planning	Number:	B/03381/13
Validated:	31/07/2013	Type:	APF
Status:	DEC	Date:	17/01/2014
Summary:	APC	Case Officer:	Harman Sond
Description:	Demolition of an existing two-storey detached dwelling followed by the creation of 2 semi-detached two-storey dwellinghouses with rooms in the roof space.		

Application:	Planning	Number:	B/01406/14
Validated:	27/03/2014	Type:	S73
Status:	PDE	Date:	
Summary:	APC	Case Officer:	Denisse Celi
Description:	Variation of condition 1 (approved plans) pursuant to planning permission B/03381/13 dated 09/01/14. Amendments to include Single storey ground floor rear extension. Change of position of doors and windows in front and side elevations. internal alterations to rooms and staircase and adjustment to rear patio and landscaping to accommodate ground floor extension. (AMENDED DESCRIPTION)		

Consultations and Views Expressed:

Neighbours Consulted: 42 Replies: 3
 Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Close proximity to neighbours' fence encroaching privacy.
- Damage to the fence due to excavations.
- Houses will be not be proportional and unsightly in the context of street
- Two properties will be too large for the plot designed for one property
- Amendments contain windows on second floor (loft) which would overlook neighbours' garden resulting in loss of privacy
- Reduction in garden space
- Doors to side are intrusive and affects the privacy of properties on Southover
- Ensuites to bedrooms at front will result in obscure glazing to front elevation-out-of-character

- Unsightly velux windows which are not in keeping with the streetscene at the end of Chiddingfold
- Dormer windows will result in properties being overlooked.

Internal /Other Consultations:

- Councillor Richard Cornelius called the application to the committee and objected to the scheme on the grounds that it represents an overdevelopment leading to a cramped effect; the continuity of the properties now leads to a terracing effect out of character with the area. The new extra windows lead to a sense of domination from the property. The previous application was borderline and represented the maximum that the site could take.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site consists of a two-storey detached dwelling located on a modest sized triangular plot at the head of the cul-de-sac of Chiddingfold within the Totteridge ward. This road is predominantly residential in character, comprised of a mixture of semi-detached and detached dwellings. The neighbouring property No. 46 Chiddingfold to the east is a large detached dwelling which has been extended considerably giving a frontage width of 14.2m. Levels in the area are such that the application site is at a higher level than No. 47 to the south and lower than the neighbouring properties in Southover to the west.

The application site was granted planning permission at the Planning East Area Sub-Committee in January 2014 for the 'demolition of an existing two-storey detached dwelling followed by the creation of 2 semi-detached two-storey dwellinghouses with rooms in the roof space' under reference B/03381/13.

Proposal:

The applicant seeks planning consent for the variation of condition 1 (approved plans) pursuant to the approved scheme B/03381/13. The amendments include:

- Amended single storey ground floor rear extension including adjustment to rear patio and landscaping to accommodate ground floor extension.;
- Rooflights to front and side elevations;
- Change of position of doors and windows in front and side elevations;
- Internal alterations to rooms and staircase

The approved dwellings benefitted from a single storey rearward projection with a depth of 1.5 metres. The current application seeks to enlarge this by an additional 3 metres; therefore the cumulatively depth of the ground floor projection will be 4.5 metres. The extensions will have a hipped roof with an eaves height of 2.5 metres and a maximum height if 3.5 metres.

The rear sunken terrace will be enlarged and extended towards the rear garden in order to accommodate the larger ground floor projection.

At the flank elevations, the window at ground floor will be replaced with a door. In addition, the ground floor fenestration at ground level has been amended on the current application including the relocation of the front doors and a smaller window.

There are two front rooflights and two side rooflights proposed at each property.

Planning Considerations:

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

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality
- Whether harm would be caused to the living conditions of neighbouring residents;

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. The Council's guidance advises that extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

With regards to the rear extension proposed under the current application, although this will be closer to the boundary with the properties on Southover, in particular 106, there will still be a distance of approximately 1.7 metres from dwelling A. The extension will be sited approximately 22 metres from the rear elevation of no.106 Southover and it will be at a lower level.

The proposed ground floor rear elevation will have a projection of approximately 5 metres beyond the rear elevation of no. 46 Chiddingfold (the other semi to the existing property on this site). Due to the distance from the boundary of no.46 to the proposed dwelling B of approximately 2.5 metres, it is not considered that the increased depth will have an adverse impact on the amenities currently enjoyed by the occupiers of this property.

The projections remain modest in height and depth and are not considered to be

overly dominant additions. At street level, there will be no alterations to the mass or bulk of the building compared to the approval; the alterations at the front relate only to the fenestration. The gardens are still relatively large and therefore the proposed extensions are not considered to result in an unacceptable loss of outdoor amenity space.

With regards to the rooflights, a condition will be added to ensure that the flank rooflights are obscured glazed and fixed shut to prevent overlooking on to neighbours' private amenity space.

The proposed amendments pursuant to planning permission B/03381/13 are considered to comply with the abovementioned policies and Council's Residential Design Guidance; the rearward extensions would be a proportionate additions to the approved dwellinghouses and the other alterations/ amendments are modest in size and scale. 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.

Community Infrastructure Levy

The Council's Community Infrastructure Levy came into effect on 1 May 2013 at a rate of £135 per square meter in addition to the current Mayoral CIL charge of £36.04 per square meter. The original approval was considered to be liable for a combined CIL charge of £37,697.22. Due to the increased floorspace of 39.42sqm indicated in the current application, the development is liable for a combined CIL charge of £44,398.62

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the comments on the grounds of objections have been addressed in the report 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

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 Local Plan policies and guidance 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: 49 Chiddingfold, London, N12 7EX

REFERENCE: B/01406/14



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AGENDA ITEM 12

LOCATION: Arthur House, Barnet Lane, London, N20 8AP

REFERENCE: B/00982/14 **Received:** 26 February 2014
Accepted: 21 February 2014

WARD(S): Totteridge **Expiry:** 18 April 2014

Final Revisions:

APPLICANT: Shandler Homes

PROPOSAL: Demolition of existing dwelling and construction of a two-storey dwellinghouse with rooms in the roof space.

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 1413.OS
- 1413.P. 01 Revision 0
- 1413.P. 02 Revision D
- 1413.P. 03 Revision C
- 1413.P. 04 Revision C
- Arboricultural Report by David Clarke Chartered Landscaped Architect dated November 2013
- Demolition and Construction Method Statement By Andrew Scott Associates Architects
- Sustainability Statement by Helen Kyprianos of Andrew Scott Associates Architects
- Design and Access Statement by Helen Kyprianos of Andrew Scott Associates Architects

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 10 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 in accordance with policies DM01 of the Adopted Barnet

Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 12 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

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

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

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 15 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

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

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £14490 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £56718 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.
- 5 *Surface Water Drainage* - With regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separated and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of

Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developers Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewage infrastructure capacity, there is no objection to this application.

Water Comments - With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9Ez - Tel - 0845 782 3333.

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 and is recognised in the NPPF as part of the development plan.

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's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM06, DM08, DM17.

Supplementary Planning Documents and Guidance

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

The Council is currently consulting on the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

Totteridge Conservation Area Character Appraisal.

Relevant Planning History:

Site history for current landparcel :

130328 - Arthur House, Barnet Lane, London, N20 8AP

Case Reference: **B/00982/14**

Planning applications picked up in spatial search

Site Address: 19 Priory Close, London, N20 8BB

Application Number: 03805/09

Application Type: Full Application

Decision: Withdrawn

Decision Date: 17/12/2009

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Single storey rear extension. Demolition of existing front porch. First floor side extension. Extensions to roof including one solar collector facing 21 Priory Close and four roof lights to rear elevation, two roof lights facing 17 Priory Close and one roof light facing 21 Priory Close to facilitate a loft conversion.**

Case Officer: Josleen Chug

Site Address: Arthur House, Barnet Lane, London, N20 8AP

Application Number: B/05757/13

Application Type: Full Application

Decision: Not yet decided

Decision Date: Not yet decided

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: **Demolition of existing dwelling and construction of a two-storey dwelling house with rooms in the roofspace and basement.**

Case Officer: Mumtaz Shaikh

Consultations and Views Expressed:

Neighbours Consulted: 36 Replies: 6 objections have been received for the original proposal and 4 objections have been received for the amended proposal.

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Destruction of existing family home with another family home is clearly against the meaning of a conservation area.
- The proposal doubles the size of the existing house
- The creation of lower ground floor on a steeply sloping ground is potentially hazardous to surrounding properties
- The proposal would be out of keeping with any other property in Barnet Lane and the Totteridge Conservation Area
- The proposal during construction and proposed provision of five car parking spaces would have adverse traffic implication at the already precarious junctions of Barnet Lane with The Pastures and White Orchards.
- There is no concession to Environmental concern and would result in climate change
- Overdevelopment of the site
- The property in future may be converted for multiple-occupancy and increase density of population within Totteridge Conservation Area.
- It would create dangerous precedent for other to follow.
- The overflow from proposed swimming pool would result in destruction of the TPO trees that lies to the west of Arthur House.
- The proposed house would be of excessive height and would tower over Barnet Lane.
- It would ruin the suburban environment.
- The scale and massing of the proposed structure is excessive and incongruous
- It would cause loss of light for neighbouring occupiers
- The plans indicate that works are proposed to certain trees within the curtilage, without as yet any prior consultation is very Cavalier.

Totteridge Conservation Advisory Committee - The amended proposed dwelling is an improvement but there is still concern that the dwelling is too wide for the plot and the committee reiterates the necessity to protect the trees on the site.

Internal /Other Consultations:

- Urban Design & Heritage - The amended plans are considered to be an improvement on the original plans submitted with the application and are now acceptable.
- Transportation - No objection to the proposal.
- Tree Officer - The amended plans are considered to be an improvement on the original plans submitted with the application and are now considered to be acceptable subject to conditions.

Date of Site Notice: 13 March 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

This application relates to a two-storey, detached dwelling located within a substantial plot on the western side of Barnet Lane and within 'Area 3' of the Totteridge Conservation Area. A group of mature trees within the rear garden are covered by a Tree Preservation Order (TPO) although the numerous large trees along the side boundaries are also considered to make a valuable contribution to the character and appearance of the site and wider area.

The Totteridge Conservation Area Character Appraisal highlights a number of key characteristics of this particular part of the conservation area including the following: "*Barnet Lane is narrow, winding and steeply sloping to the north. It is dominated by high brick walls toward Totteridge Village and is semi rural in character with overhanging trees, simple cottages and houses.*" The properties known as 'The Close' and 'Hillside Manor', which are located slightly further north along Barnet Lane, have both been identified as 'positive buildings.'

A number of negative features of the overall conservation area have also been identified within this appraisal document, including the "*bland residential development such as Badgers Croft, The Pastures and White Orchards*" and the "*...continuous development pressure to enlarge smaller properties which are so characteristic of the area either by extension, demolition and rebuild.*"

The levels fall from the front (east) to the rear west of the site. There is a large garden area to the southern side of the application property, which contributes to the site's spacious character and allows views through from the front of the site to the dense vegetation at the rear. A narrow pathway runs along the northern side of the

dwelling, adjacent to the boundary with the neighbouring property (High Elms). Due to the topography along Barnet Lane, the application property sits at a slightly higher ground level than High Elms.

The area to the front of the application property consists of a fairly small driveway and garden area. As with a number of properties along this part of Barnet Lane, a large brick wall, with recessed vehicular entrance, extends across the site's front boundary.

Although the age and architectural style of the properties within this area are varied, they are largely two-storey, modest detached dwellings with pitched roofs and modest dormers.

The application property, which has a steep catslide roof over the integral garage to the northern side, measures approximately 15.4m wide at ground floor level - 12m wide at first floor level; 8-11m deep at first floor level; and 5.1-5.4m in height to the eaves / 8.9m to the ridge. There is also a single-storey projection to the rear of the dwelling, which measures approximately 2-5m deep and 8m wide. The dwelling sits approximately 9.2m - 13m back from the front boundary with Barnet Lane; approximately 11.8m - 18.3m from the southern boundary; and 3m from the northern boundary. The properties to the north of the site are of a similar size to the application property whereas the two dwellings to the south are of a greater depth.

Proposal:

The amended proposal is for the demolition of the existing dwellinghouse and the construction of a new two-storey, detached dwellinghouse comprising basement and rooms in the roofspace that would have 2 front pitched roof dormers, 3 rear flat roof dormers, 3 rooflights to north-east and 1 rooflight to north-west elevation.

The proposed amended dwellinghouse at ground floor level would be 19.4m (wide) with a depth of 15.2m on the side of neighbouring house "High Elms" and 18.2m on the side of neighbouring house "Searles Field". However, at first floor level, the house would be smaller comprising a width of 18.7m and a depth of 13m on the side of "High Elms" and 15.2m on the side of "Searles Fields". The basement of the house (i.e. lower ground floor) would have the same width (i.e. 19.4m) as the ground floor of the house. Also the depth on the side of "High Elms" would be the same as the ground floor of the house. However, the depth on the side of "Searles Field" would be reduced to 17.4m.

The main part of the proposed house would have a crown roof with height of 9.3m to the ridge level and 5.5m to the eaves level. The front and rear of the house would have two projecting gables, located on both sides of the house and these would have a height of 8.9m to the ridge level and 5.5m to the eaves level. The front projecting gable towards "Searles Field" is longer than that on the side of "High Elms". The centre of the front elevation of the house would also have a gable with a height of 7.9m to the ridge level. The rear projecting gables are of the same depth. The front and rear elevation of the house would have single storey projection with crown roof. A balcony is also created between the two rear projection at first floor level and it would be enclosed by approximately 1.2m high railings.

The rear roof elevation of the house would have 3 flat roofed rear dormers which would be 1.2m (wide) x 1.4m (deep) x 1.4m (high). The front roof elevation would have 2 pitched roofed rear dormers which would be 1.8m (high) to ridge level x 1.05m (wide) x 1.4m (deep). The rooflights on both side elevations would be 0.7m x 0.7m.

The windows and doors in the house would have vertical emphasis.

The proposed house from the side boundary adjoining "High Elms" would be set-in 5.15m at the front and 3m at the rear and from the side boundary adjoining "Searles Field" would be set-in 7.8m at the front and 6.1m at the rear. The front of the house from east to south would be set-back approximately 15.6m to 13m from its front plot boundary facing Barnet Lane.

The existing Cypress Hedge providing a screen between "Searles Field" and the application site would be retained. The trees along the north-east boundary providing a screen between "High Elms" and the application site largely fall within the site of "High Elms" and therefore would be retained. The proposal would provide part soft landscaping and part permeable gravel at the front of the house. The rear of the house would have approximately 2m (deep) patio area extending across the width of the house which would be constructed of permeable paving. The rear garden beyond this would retain its existing levels. The existing vehicular access on the east side of the site boundary would be retained to provide vehicular access for the proposed house.

Planning Considerations:

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

- Whether harm would be caused to the character and appearance of the street scene and the conservation area, as a result of the proposed demolition or construction;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees located within and adjacent to the site.

Loss of existing dwelling:

The existing dwelling does not benefit from any specific designation and is not considered to be of any significant architectural merit. However its size, form and general appearance fit in well with the area and respect the semi-rural character of Barnet Lane. There is no objection in principle to the demolition of this dwelling, provided that a suitable replacement dwelling is proposed, which is worthy of inclusion within the Totteridge Conservation Area.

Proposed House

The NPPF emphasises the importance of ensuring that new development makes “...a positive contribution to local character and distinctiveness” (NPPF: para.126). However, in this case, the proposed house in the original plans submitted with this application by reason of its siting, size, mass and bulk, was considered to be out of keeping, failing to preserve or enhance the character and appearance of this part of the conservation area which is characterised by “*simple cottages and houses.*” As a result, the proposed house from its original submission with this application has been amended in the following main respect:

- The proposed house in the original scheme was set against the Cypress Hedge on the side of neighbouring house “Searles Field”. However, in the amended scheme the proposed house has been moved away from Cypress Hedge by 4m at the front and 3m at the rear thus maintaining a distance of 7.8m at the front and 6.1m from the side boundary adjoining “Searles Field”.
- The proposed house in the original scheme was set 7.4m at the front and 4m at the rear from the side boundary adjoining neighbouring house “High Elms”. However, in the amended scheme the proposed house maintains a distance of 4m at the front and 3m at the rear from the side boundary adjoining “High Elms”. It should also be noted that the proposed house would be set-in is more than the existing house from the side boundary adjoining “High Elms” and therefore would increase the gap between the proposed house and its boundary with “High “Elms”.
- The proposed house in the original scheme was set-back 12.4m on the side of “High Elms” and 3.8m on the side of “Searles Field” from its front plot boundary facing Barnet Lane. However, the proposed house in the amended scheme is set further back from its front plot boundary. The proposed amended house would now have a set-back of 15.6m on the side of “High Elms” and 13m on the side of “Searles Field” from its front plot boundary facing Barnet Lane. It should be noted that the house in the original scheme was more or less following the front building line of the existing house except its front projecting garage. Whereas the house in the amended scheme is set-back between 2.2m and 3.6 from the front building line of the existing house.
- The house in the original scheme was 23.1m (deep) on the side of “Searles Field” and 26.5m (deep) on the side of “High Elms”. However, in the amended scheme the depth of the proposed house has been reduced to 17.4m on the side of “Searles Field” and to 15.2m on the side of “High Elms”. The amended house therefore has been significantly reduced in depth from its original scheme.
- The house in the original scheme had a width of 21m at its widest point. However, in the amended scheme the house has been reduced in width to 19.4m at its widest point. Therefore, the width of the house has been reduced by 1.6m. The new house in the amended scheme appears to be more balanced on the plot width maintaining adequate gaps on both sides of the house.
- The proposed amended house now includes basement which was not part of the original scheme. However, as the proposed basement would be underneath the ground floor of the house, it would not be significantly visible and it allows the applicant to have facilities which would otherwise be lost by

the reduction in the overall size of the house proposed in the original scheme.

- The height of main roof of the proposed house in the amended scheme is marginally increased from the height of house proposed in the original scheme (i.e. the height has been increased from 9.2m to 9.3m). However, the height of the front and rear gable on the side of “Searles Field” is reduced from 9.1m in the original scheme to 8.8m in the amended scheme. The height of the proposed amended building when measure from both side elevations have been reduced from originally proposed 9.1m to 8.8m except a small part in the middle which has increased from 9.3 to 9.7m.
- The design of the house (including roof design) largely remains the same as the house proposed in the original scheme except part where garage was proposed in the original scheme.
- In the amended scheme, the amount of area covered by permeable bound gravel in the front garden of the house has now been reduced and the amount of area to be covered by soft landscaping is increased.

Size of the proposed house

The proposed amended house by reason of:

- Its reduced width from original 21m to 19.4m at its widest point;
- Significantly reduced depth from original 23.1m (deep) on the side of “Searles Field” and 26.5m (deep) on the side of “High Elms” to 17.4m on the side of “Searles Field” and to 15.2m on the side of “High Elms”;
- Increased set-back from the front plot boundary from 3.8m to 12.4m in the original scheme to 13m to 15.6m;
- Increased set-in of between 7.8m to 6.1m front to back on the side boundary adjoining “Searles Field” and set-back of between 4m to 3m front to back from the side boundary adjoining “High Elms”;
- Reduced height of front and rear gable on the side of “Searles Field” from original 9.1m to 8.8m,
- Reduced height of both side elevations of the building from original 9.1m to 8.8m (except middle part increased from original 9.3m to 9.7m)

has now resulted in smaller house than that was originally proposed. The proposed amendments to the original scheme have now addressed the original concern regarding the size of the house being substantially larger than the existing, particularly in terms of its depth and width, spanning further into, and almost the entire way across, the application site which caused it to appear as cramped on the site and completely at odds with its surroundings. The proposed amended house with its overall scale being reduced is now considered to respect the grain and pattern of the built form in the area. The amended proposal as such is now considered to preserve the character and appearance of the conservation area.

Views:

Within conservation areas it is considered that the spaces around buildings are as important as the buildings themselves, as this provides an attractive setting. Totteridge Village has a distinctive and pleasant character, which is enhanced by the characteristic gaps between the main flank walls of dwellings. These include the space between the dwelling at the application site and those at High Elms and in

particular, Searles Field, where there is a generous gap because of the current side garden. These gaps allow attractive views of vegetation to the rear and give a pleasant sense of openness. The proposed amended house by virtue of its reduced overall scale, massing and creating gaps between its side boundaries with "High Elms" and "Searles Field" would now address the original concern in respect of resulting bulk which diminished the sense of openness and views of vegetation to the rear. The proposed amended house with appropriate gaps on both sides of its site boundaries and its set-back from the existing front building line or front site boundary is now considered to allow attractive views of vegetation to the rear which gives a pleasant sense of openness and thus would preserve the character and appearance of the street.

The amended house resulting in increased front garden area comprising reduced permeable gravel area and increased soft landscaped area would now also address the original concern relating to loss of garden and the impact of the development upon the character and appearance of the conservation area. The amended house with its large front garden and increased soft landscaped area would now contribute to the local character, including a sense of space and enhancement of the setting of buildings.

Roof line

Pitched roofs are the predominant roof form throughout the surrounding area and these are considered to contribute to the semi-rural character and appearance of this part of the conservation area. Originally, there was no objection to the principle of incorporating a crown roof on this site. However, there was concern over the size and subsequent visual impact of the roof in this particular instance. In the amended house, the reduction in the overall scale of the building with reduced depth, reduced height of the gables and reduced height of side elevations of the building is now considered to have a less of a harmful impact on the character and appearance of the conservation area.

The amended proposal is now considered to mitigate the harm of the original by siting the dwelling further back into the plot, ensuring the gaps between properties is more evenly balanced and consideration given to significantly increasing the gap between Arthur House and the plot of Searles Field to improve existing view between the two buildings. The original single storey front garage extension is now set back from the front main building line of the proposed development and extensive amount of permeable paving that was originally proposed has been reduced, especially in light of the amount of garden that would have been lost. The overall depth of the development is reduced to allow it to be in keeping with the characteristic of properties in the area. The original dominance of the roof is also reduced by reducing the overall scale, length of the roof ridge and height of the building in places. The proposed amended house is now considered to be in keeping with the other new built houses in the area and is considered to be acceptable.

Impact on neighbours

At present, there is a two-storey detached house "Searles Field" on the south west side of the application site. The shared boundary with this neighbouring house

comprises tall trees and very tall Cypress Hedge which run from the front plot boundaries of these properties to well beyond the rear of this neighbouring house "Searles Field" and as a result these properties are well screened from each other and there is no impact from each other on the amenities of their occupiers.

The application site due to this application would involve demolition of existing house and erection of a new two-storey house with basement and room in roof space. The proposed amended house in relation to existing house on the application site is pushed back into rear of the site and moved closer to the shared boundary with "Searles Field". However, the proposed amended house would still maintain a stagger between their front and rear building line of these properties as existing, the amended house would be set-in approximately 7.8m and 6.1m front to back from the side boundary with Searles Field thus maintain adequate gap between these two properties and the existing Cypress Hedge is to be preserved. Given this situation, it is considered that the siting of the proposed house would not give rise to any detrimental impact on the amenities of the occupiers of this neighbouring house "Searles Field".

At present, there is also a two-storey house "High Elms" on the north east side of the application site. This neighbouring house in relation to the existing and proposed amended house on the application site projects forward. The shared boundary between this neighbouring house and the application site is well lined by trees and shrubs which fall within this neighbouring land and it adequately screens this neighbouring house from the application site. It is therefore considered that existing trees and shrubs falling outside the application land would remain and continue to screen "High Elms" from the application site. It should also be noted that the proposed amended house at the application site would be further set-away than the existing house on the side of "High Elms" and therefore it would improve the existing situation by increase in the gap/space between these two properties.

The application site also abuts the rear of neighbouring house No. 1 White Orchard on the north-east side. The proposed amend house in terms of its rearward projection would not project beyond the rear of the site at "High Elms". Also this part of the site boundary with No. 1 White Orchard is line with tree/shrubs and Cypress Hedge it adequately screens this neighbouring house from the application site. Also as the plan drawing no. 1413.P.02 Revision D confirms that existing level beyond rear terraced of the proposed house is to be retained, it is unlikely that boundaries falling with neighbouring land and Cypress Hedge would be affected. The proposed house therefore is unlikely to cause any adverse impact on the amenities of the occupiers of this neighbouring property.

The amended plans resulting in a smaller scale house than that originally proposed and given its relationship with its neighbouring properties (i.e. it would be set-away 12m from Searles Field", 10m from "High Elms" and approximately 20m from the rear most projecting part of No. 1 White Orchard) mentioned above, it is not considered that this amended dwelling would appear overbearing or visually intrusive when viewed from any neighbouring property. Furthermore, it would not adversely affect the privacy of the occupants of any neighbouring property. The proposed amended house comprises windows and rooflights in both side elevations of the

property. However, these windows upto ground level would be screened by boundary fencing/landscaping. However, at first floor level, the windows in the north-east and south-west elevation relates to en suite bathroom and dressing room and therefore condition is attached to ensure that these windows are obscured with high opening to protect any loss of privacy for its neighbouring occupiers. The 3 rooflights in the south-west elevation are of small size and given its relationship with "Searles Field" it is not considered to cause any loss of privacy for this neighbouring occupiers. The property has a very long rear garden and with side boundaries largely screening the neighbouring houses is not considered to cause any overlooking/loss of privacy for its neighbours.

Impact on trees

The application site comprises a group of mature trees within the rear garden which are covered by a Tree Preservation Order (TPO). There are also other numerous large trees along the side boundaries of the site which are considered to make a valuable contribution to the character and appearance of the site and wider area. The south corner of the application site also abuts a TPO tree located in the adjacent front garden of "Searles Field". The application site also has varying ground level and therefore it is important to consider changes to existing ground level as a result of the proposed development and its impact on trees within and on adjacent land to the site.

The amended plans is considered to be acceptable subject to number of condition relating to landscaping, tree works, services in relation to trees, tree protection, method statement and levels.

Transportation -

The proposal is for demolition of existing house and construction of a replacement single dwelling.

Parking will be provided in a proposed garage and at the forecourt of the property. The parking provision meets the parking standards in the Local Plan. Vehicle access will be maintained as existing.

The proposal is acceptable on highways grounds

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised to the proposed development are considered under "Planning Considerations" section of this 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.

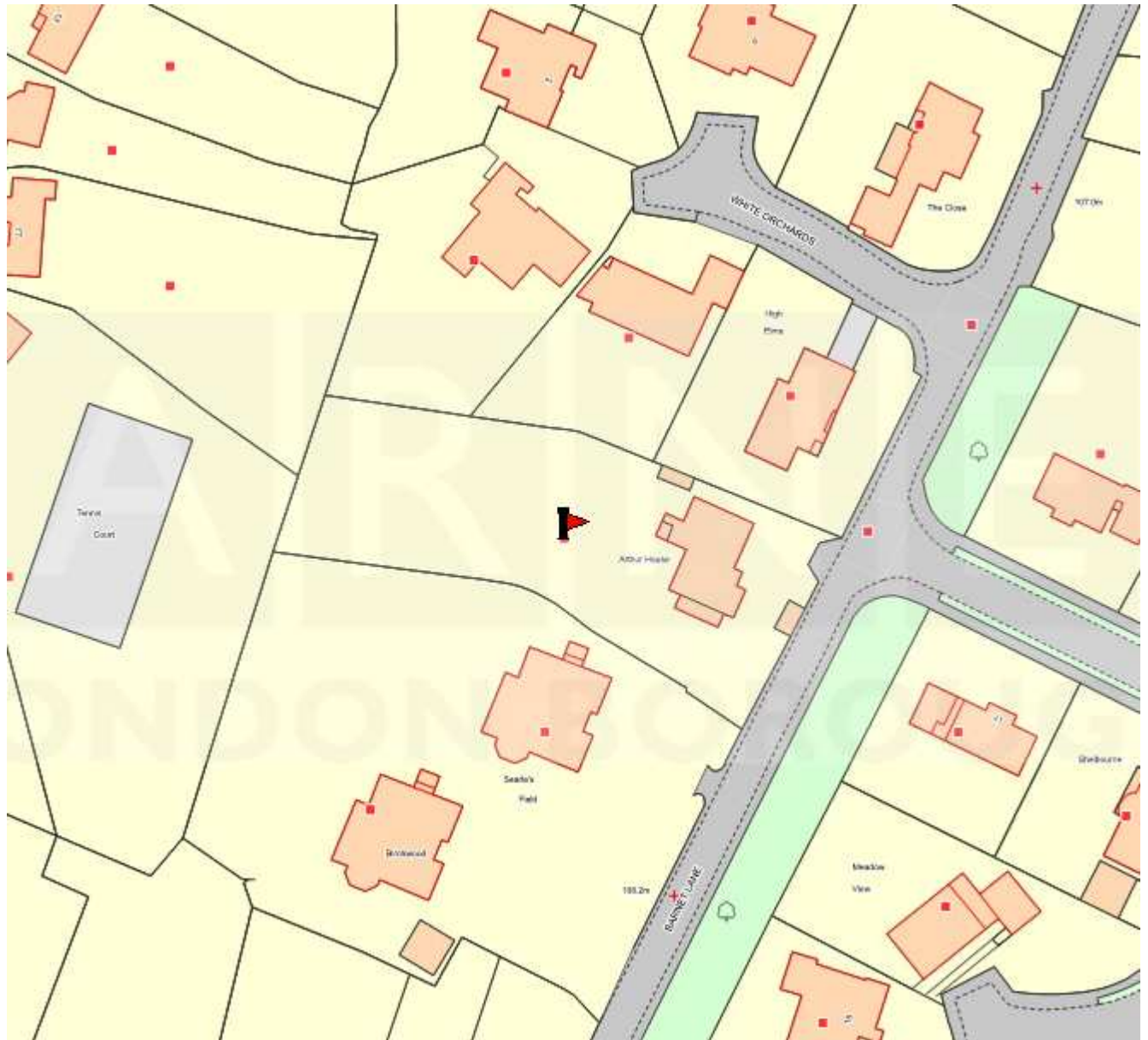
5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to

compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance 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: Arthur House, Barnet Lane, London, N20 8AP

REFERENCE: B/00982/14



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LOCATION: 39 Churchfield Avenue, London, N12 0NS

REFERENCE: F/01636/14

Received: 26 March 2014

Accepted: 08 April 2014

WARD(S): Woodhouse

Expiry: 03 June 2014

Final Revisions:

APPLICANT: Redshaws Ltd.

PROPOSAL: Demolition of the existing building and the erection of a two storey building including rooms in roof space, basement level to facilitate 5no. self-contained flats. Cycle store, hard/soft landscaping and refuse facilities.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 258.ST.01 rev A, 258.BP.01, PS-0977-TS, 258.P.01, 258.P.02 rev H.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

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

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

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies

DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

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

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 6 Before the development hereby permitted is occupied, the screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable as shown on plan 258.P.02 rev H shall be provided at the site in accordance with the approved details.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 7 The roof of the two storey rear projection 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 in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 9 Before the development hereby permitted is occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 10 The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 11 The proposed development shall be built in accordance with the approved plans. The basement as shown on plan 258.P.02 rev H shall be laid out as shown on the plans and thereafter that layout shall be permanently maintained. The basement area shall only be used for the purposes of storage and a plant room in conjunction with the flats hereby approved.

Reason:

To ensure that the proposed development does not prejudice the character and appearance of the locality, the flow of traffic and conditions of general safety on the adjacent highway or the enjoyment of neighbouring occupiers of their properties.

- 12 All work comprised in the approved scheme of landscaping as shown on the approved plans 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 14 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 15 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 in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £5,656 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £21,816 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011 3.4 and 3.5

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

Development Management Policies (Adoption version) 2012 DM01, DM02, DM04,

DM08, DM17.

Supplementary Planning Document (2013) Residential Design Guidance and Sustainable Design and Construction

Relevant Planning History:

Application:	Planning	Number:	F/00556/13
Validated:	15/02/2013	Type:	APO
Status:	DEC	Date:	03/04/2013
Summary:	REF	Case Officer:	Jo Dowling
Description:	Demolition of existing house and erection of a two-storey building comprising 5x self-contained flats. Associated amenity space and refuse store. (Outline application - landscaping reserved)		

Application:	Planning	Number:	F/03792/12
Validated:	11/10/2012	Type:	APO
Status:	APD	Date:	19/08/2013
Summary:	DIS	Case Officer:	Jo Dowling
Description:	Demolition of existing house and erection of a two-storey building comprising 5x self-contained flats. Associated amenity space and refuse store. (Outline application - landscaping reserved)		

Application:	Planning	Number:	F/04079/13
Validated:	09/09/2013	Type:	APO
Status:	DEC	Date:	07/11/2013
Summary:	APC	Case Officer:	Jo Dowling
Description:	Demolition of existing building and erection of a two-storey building with 5 self-contained flats. Associated amenity space and refuse store. (Outline application)		

Consultations and Views Expressed:

Neighbours Consulted:	74	Replies:	3
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- The proposal results in an intensification of development.
- The proposal is excessive given the size of the property.
- There is no need for cycle storage the developer has only chosen to do provide this for financial gain.
- The size of the cycle storage area is bigger than required.
- The size of the cycle store is the same size as the ground floor flat and residents believe that the intention is to use the basement as a flat which will result in 6 flats with no parking.
- Noise and disturbance from construction.
- Proposal is an overdevelopment - two flats would be acceptable as this is found elsewhere in the street.
- Proposal would look out of character.

A petition of 90 signatures has also been received raising the following concerns.

- Two previous applications for this site have been refused and one dismissed at appeal.
- Although there is a current outline consent this proposal will intensify the

development and result in the loss of a single family dwelling unit.

- The proposal is excessive given the size of the development.
- There is no need for cycle storage the developer has only chosen to do provide this for financial gain.
- The size of the cycle storage area is bigger than required.
- The size of the cycle store is the same size as the ground floor flat and residents believe that the intention is to use the basement as a flat which will result in 6 flats with no parking.
- The proposal will impact existing parking problems - unless there is a restriction for issue of parking permits for future occupants of the flats.
- Churchfield Avenue is used by children and students to access local schools and colleges and is also a cut through which results in pedestrian safety issues.
- Road rage incidents occur in Churchfield Avenue and as a result the road should be made one way.

Internal /Other Consultations:

- Traffic & Development - Contained within the report
- Environmental Health - No objection subject to certain conditions

Date of Site Notice: 17 April 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

39 Churchfield Avenue is a two storey, double fronted end of terraced property located on the north side of Churchfield Avenue close to the junction with Woodhouse Road. The property has a single storey side extension that forms a garage for the property. The property is in a poor state of repair with the front and rear garden overgrown and the garage beginning to decay. The property is currently a 3 bed, single family dwelling unit.

Churchfield Avenue is characterised by Edwardian terraced properties which are predominantly family homes. Due to the short front garden depths, with the exception of no. 45 which has a return frontage, there is no off street parking in the road. A Controlled Parking Zone operates in the area.

Due to its proximity to North Finchley town centre the site has a PTAL rating of 3.

Background history

Two planning applications were submitted in 2012 (ref: F/03792/12) and 2013 (ref: F/00556/13) for outline consent to demolish the existing house and the erection of a two storey building containing 5 self contained flats. Both applications were refused and the applicant appealed the 2012 decision. The appeal was considered under written representations and was subsequently dismissed.

The applicant then submitted a revised application (ref: F/04079/13) for the demolition of the existing building and the erection of a two storey building with 5 self contained flats. Associated amenity space and refuse store. Outline consent was

granted by the East Area Planning Committee on the 6th November 2013. A copy of the committee report from this meeting is contained within Appendix A.

Proposal:

The proposal is for the demolition of the existing building and erection of a two storey building including rooms in the roof space, basement level to facilitate 5 no. self contained flats, cycle store, hard/soft landscaping and refuse facilities. The application originally included a roof terrace for the top floor flat, however the plans have been amended to omit this from the proposals.

The proposed building would extend across the full width of the plot and would be set 0.2m off the boundary with No.41. The proposed building would line through with the front elevation of No.37 and project rearward 9m. A two storey central projecting element is proposed on the rear elevation. This would be set 2.3m off the boundary with No.37 and 2.6m off the boundary with No.41. Dormer windows are proposed in the rear roofslope and rooflights in the front roofslope. A ridged roof with gable end is proposed.

5, one bedroom flats are proposed of the following sizes:

Unit	Floorspace
A	51sqm
B	51sqm
C	53sqm
D	53sqm
E	59sqm

A rear garden would provide shared amenity space of 72sqm which would be accessed directly from the bedrooms of flats A and B and from a communal rear door for the remaining three flats.

6 individual bin stores would be located adjacent to the entrance from the street.

No off street parking is proposed, a basement area adjacent to No.41 is proposed which would house a plant room and a separate storage area for each flat incorporating space for cycle storage.

Planning Considerations:

The in-principle issues regarding whether of not the proposal to redevelop the site for flats was considered in full when Members considered application F/04079/13 in November 2013. The only issues therefore for consideration as part of this application is whether or not the creation of a basement store is acceptable. The application originally included a roof terrace for the proposed flat within the roofspace but this has subsequently been deleted from the scheme.

The proposed basement would be located adjacent to No. 41 Churchfield Avenue and would mirror the footprint of Flat B (the left hand flat) giving a floor area of 51sqm. Access to the basement would be achieved by an external flight of stairs that would be accessed from the front garden and lead down to a lightwell and paved

courtyard/access area. A smaller lightwell would be located in the rear elevation. A bay window is proposed to the front elevation which would mirror the design of those at ground and first floor level.

The basement has been laid out with a corridor running the length of the basement with 6 rooms opening off it. The front (largest) room is annotated as a plant room and it is indicated that boilers/meter boxes would be located within this room. The remaining 5 rooms would provide an individual storage area for each of the proposed flats. Four of the rooms would be 5m long by 1.5m wide (for flats A-D) with the remaining storage area (for flat E) being 3.6m long by 1.8m wide. In addition to providing storage for the flats, it is proposed that the two cycle parking spaces for each flat would be located within the storage room. Under the current extant permission (ref: F/04079/13) storage for cycles would be within the rear garden area - 5 spaces are currently proposed.

Section 12 of the Residential Design Guidance Supplementary Design Guidance provides advice on the design of basements in new developments. The guidance advocates that basements should generally be limited to the proposed footprint and volume of the building. The proposed basement would only be under half of the proposed new building and as a result is considered to comply with the guidance. The site falls within flood zone 1 and is also not proposed for residential purposes and as such issues about flooding and drainage are not a consideration.

The guidance advocates that lightwells should be located away from the boundary to enable a planted boundary to be maintained. Whilst the current property has a mature hedge to the front this would be removed and replaced with a 0.9m brick boundary wall. The current proposal would maintain this boundary wall. Given the boundary wall and the narrow depth of the frontage views of the proposed lightwell from the street will be limited and although there are no other basements within the street it is not considered given the restricted views that the proposed lightwell to the front elevation would be out of character. Furthermore, the lower ground floor elevation has been designed to replicate that at ground and first floor level and would therefore appear as part of the original design. It is therefore considered that on balance the proposed front lightwell is considered acceptable. The proposed lightwell to the rear is much smaller and given that it would only be visible from within the rear garden area would not adversely impact upon the character and appearance of the area. Finally, the guidance highlights the issue of potential light spillage from basements. However, given that in this instance the proposed basement would be used for storage and therefore would be accessed intermittently it is not considered that the proposed basement would result in light spillage. It is therefore, on balance, considered that the proposed basement complies with current council guidance for basements.

Policy 6.9 of the London Plan states that developments should provide secure, integrated and accessible cycle parking facilities in line with the minimum standards as set out in Table 6.3. Table 6.3 requires the provision of 1 cycle space per 1 or 2 bed unit for residential developments. The current approval provides 5 cycle parking spaces in the rear garden area. The current proposal would provide 10 cycle parking spaces. The London Plan requirement is the minimum provision that is required. Given that there is no off-street car parking is proposed for the new units it is considered that provision of additional cycle storage at the site is appropriate to

encourage future residents to use sustainable forms of transport. Furthermore, the proposed cycle storage would be secure and covered unlike the current approval which locates it within the communal rear garden area.

Concerns have been raised by local residents that the proposed basement will be used as an additional residential unit. The Local Planning Authority has to consider the application on the basis of the information submitted. The submitted plans show the basement subdivided into a storage area and this is reflected in the description. A condition on the planning permission lists the approved plans and development is required to be built in accordance with the approved plans. If at some point in the future the applicant wished to convert the basement to residential accommodation they would need to submit an application and the proposal would need to be considered on its planning merits including the impact of the intensification of the use. Local residents would be notified of any proposals and would have the opportunity to forward any concerns.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of these have been considered in the appraisal. However, in response to the specific points raised:

- Whilst the proposal results in an additional floorspace the use would not intensify as the proposed floorspace is for storage.
- The proposed basement would only extend under half the property and is therefore not considered to be a disproportionate addition
- New development is required to provide cycle storage in accordance with Policy 6.9 of the London Plan. The minimum requirement for the proposed development would be 5 spaces, 10 are proposed. However, given that no off street parking is proposed as part of the development the additional provision is considered acceptable as this will hopefully encourage future residents to use sustainable modes of travel.
- If the basement is to be used as a flat planning permission would be required and the impact of the residential use of this area would be considered as part of this proposal.
- A condition restricting the hours of construction is recommended to protect the amenity of adjoining residents during the construction period.
- The principle of 5 flats was considered as part of the current extant consent (contained within Appendix A).
- The design of the proposed building is considered to reflect and respect the design of the current building it is replacing and those that adjoin the site.
- The issue of the impact on on-street parking and exempting future residents from purchasing permits was considered as part of the current extant consent (contained within Appendix A).
- Existing issues with traffic using Churchfield Avenue as a cut through; road rage and existing pedestrian safety concerns relating to this is not a material planning consideration when determining this application.

4. EQUALITIES AND DIVERSITY ISSUES

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

statutory equality responsibilities.

5. CONCLUSION

The proposed basement is not considered to be harmful to the character and appearance of the area and it would not adversely impact the amenity of existing residents or future residents of the proposed units. The proposal is therefore considered to be in accordance with Policy 3.5 of the London Plan and Policies CS1, DM01 and DM02 of the adopted Local Plan. Accordingly, subject to a number of conditions approval is recommended.

**Committee Report for 39 Churchfield Avenue (F/04079/13) from the West
Area Sub-Committee of the 6th November 2013**

LOCATION: 39 Churchfield Avenue, London, N12 0NS

REFERENCE: F/04079/13

Received: 09 September 2013

Accepted: 09 September 2013

WARD(S): Woodhouse

Expiry: 04 November 2013

Final Revisions:

APPLICANT: Redshaws Ltd.

PROPOSAL: Demolition of existing building and erection of a two-storey building with 5 self-contained flats. Associated amenity space and refuse store. (Outline application)

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 258.ST.01 rev A, 258.P.01, 258.P.02 rev E and Design and Access Statement.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 2 Application for the approval of the reserved matters must be made before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act, 1990.

- 3 The development to which this permission relates must be begun not later than two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act, 1990.

- 4 Details of landscaping shall be approved by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality, the flow of traffic and conditions of general safety on the adjacent highway or the enjoyment of neighbouring occupiers of their properties.

- 5 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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 6 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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 7 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 in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 8 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 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 in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 10 Before the development hereby permitted is occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 11 The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 12 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 in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 13 The dwelling(s) shall achieve a Code Level 4 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 4 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 Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 14 All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £5,656 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from

this charge. Your planning application has therefore been assessed at this time as liable for a £21,816 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing 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 provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: cil@barnet.gov.uk.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011 3.4 and 3.5

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

Development Management Policies (Adoption version) 2012 DM01, DM02, DM04, DM08, DM17.

Supplementary Planning Document (2013) Residential Design Guidance and

Sustainable Design and Construction

Relevant Planning History:

Application: Planning
Validated: 15/02/2013
Status: DEC
Summary: REF
Description: Demolition of existing house and erection of a two-storey building comprising 5x self-contained flats. Associated amenity space and refuse store. (Outline application - landscaping reserved)

Number: F/00556/13
Type: APO
Date: 03/04/2013
Case Officer: Jo Dowling

Application: Planning
Validated: 11/10/2012
Status: APD
Summary: DIS
Description: Demolition of existing house and erection of a two-storey building comprising 5x self-contained flats. Associated amenity space and refuse store. (Outline application - landscaping reserved)

Number: F/03792/12
Type: APO
Date: 19/08/2013
Case Officer: Jo Dowling

Consultations and Views Expressed:

Neighbours Consulted: 73 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Changing the property from a single family dwelling to flats will cause problems on this busy road which is used as a cut through.
- No parking is proposed and up to 10 cars could be trying to park on the road. In the evening there are not enough parking spaces.
- Disruption from demolition and construction.
- There are a number of disabled residents.
- Out of character.
- Contrary to Policies DM01(h) and DM01(i).

A petition of 95 signatures has been received objecting to the proposal on the following grounds:

- Overdevelopment of the site.
- Loss of a single family dwelling unit detrimental to the prevailing character of this locality and would be harmful to the amenity of the area.
- It would exacerbate existing parking problems on the street.
- The street is used by children to reach schools and nearby colleges, the additional traffic will cause a hazard to these users.
- There are regular incidence's of road rage in the street due to the narrowness of the road.
- Increase in noise and disturbance.

The Finchley Society has made the following comments:

- Two flats at 51sqm and two flats at 53sqm are against the LBB minimum of 50sqm and indicates overcrowding.
- Flats will be unpleasant to live in.

- No parking means that the residents cars will be on the road.

Internal /Other Consultations:

Traffic and Transport - No objection

Date of Site Notice: 19 September 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

39 Churchfield Avenue is a two storey, double fronted end of terraced property located on the north side of Churchfield Avenue close to the junction with Woodhouse Road. The property has a single storey side extension that forms a garage for the property. The property is in a poor state of repair with the front and rear garden overgrown and the garage beginning to decay. The property is currently a 3 bed, single family dwelling unit.

Churchfield Avenue is characterised by Edwardian terraced properties which are predominantly family homes. Due to the short front garden depths, with the exception of no. 45 which has a return frontage, there is no off street parking in the road. A Controlled Parking Zone operates in the area.

Due to its proximity to North Finchley town centre the site has a PTAL rating of 3.

Proposal:

The application is an outline application for the demolition of the existing property and replacement with a two storey building comprising 5 self contained flats. Associated amenity space and refuse store.

The only matter reserved for consideration is landscaping.

The proposed building would extend across the full width of the plot and would be set 0.2m off the boundary with No.41. The proposed building would line through with the front elevation of No.37 and project rearward 9m. A two storey central projecting element is proposed on the rear elevation. This would be set 2.3m off the boundary with No.37 and 2.6m off the boundary with No.41. Dormer windows are proposed in the rear roofslope and rooflights in the front roofslope. A ridged roof with gable end is proposed.

5, one bedroom flats are proposed of the following sizes:

Unit	Floorspace
A	51sqm
B	51sqm
C	53sqm
D	53sqm
E	59sqm

A rear garden would provide shared amenity space of 72sqm which would be accessed directly from the bedrooms of flats A and B and from a communal rear door for the remaining three flats.

5 individual bin stores would be located adjacent to the entrance from the street.

No off street parking is proposed, 5 cycle parking spaces are proposed in the rear garden.

Planning Considerations:

The main consideration in determining this application is the difference between the current scheme; the previous refusal and the direction given by the Inspectors decision letter.

Two similar applications (our ref: F/03792/12 and F/00556/13) were refused planning consent for the following reasons:

- The proposed development by reason of the number and type of units proposed would represent an overdevelopment of the site and result in the loss of a family dwelling unit detrimental to the prevailing character of the locality, harmful to the amenity of the area and contrary to policies DM01, DM02 and DM08 of the Adopted Development Management Policies 2012 and Draft Supplementary Planning Document Sustainable Design and Construction and Residential Design Guidance.
- The proposal would result in an intensification of the use and noise generating activities at the site such as residents entering and exiting the site and parking on the surrounding road network that would result in an increase in noise and activities that would be out of character with the surrounding area to the detriment of the amenity of occupiers of the adjoining residential properties contrary to Policies DM01 and DM04 of the adopted Local Plan.
- 1. The proposal would provide substandard accommodation which would be detrimental to the amenity of future residents and fails to meet the requirements of the adopted Local Plan contrary to Policy DM02.

The applicant appealed F/03792/12 and the Inspector dismissed the appeal.

The Inspector highlighted three areas for consideration:

2. The character and appearance of the area, having regard to the loss of a family size dwelling and the type and number of units proposed;
 3. the living conditions of neighbouring residents having regard to the use of the building and associated activities, and
- whether or not acceptable living conditions would be provided for the intended future occupiers of the proposed flats having regard to their size and outlook.

Dealing with each of these in turn:

Character and Appearance

The Inspector concluded that although the proposal would result in the loss of a

single family dwelling unit given the character of the area and the presence of other converted properties within the street the proposal would not prejudice the objectives of Policy DM08 of the Local Plan. They also concluded that the proposed flats and bin storage area would not be harmful to the character and appearance of the area as the proposed new building has been designed to reflect other properties within the street and that the street was characterised by small front gardens where bins were stored. As a result they felt that there would be no conflict with the objectives of Policy DM01 of the Local Plan which requires proposals to preserve or enhance the local character. Moreover, the proposal would not undermine the core principles of the NPPF. They concluded that the building would sit comfortably within the streetscene, so avoiding harm to the character or appearance of the area.

The current scheme is the same as was previously submitted and as a result given the conclusions reached by the Inspector it is not considered that the application could be refused on the basis that it would be out of character with the surrounding area.

The proposal is considered to be in accordance with the NPPF and policy DM01 of the adopted Local Plan.

Living conditions for existing residents

The Inspector concluded that the use of the flats and future vehicle movements associated with them would not be harmful to the living conditions of neighbouring residents and therefore found no conflict with Policies DM01 and DM04 of the adopted Local Plan. As the layout and number of units would remain the same as that considered at appeal the proposal is not considered to adversely impact on the amenity of adjoining residents for the reasons outlined by the Inspector to such a level as to warrant a refusal.

Living conditions for future occupiers

Although the appeal scheme was for the same number of units, the proposed units were smaller and fell below the minimum floorspaces standards required by the London Plan. The current scheme amends the layout of the flats so that they all have a GIA of over 50sqm and are thus considered to comply with the requirements of Policy 3.5 of the London Plan.

The Inspector also raised concerns about the layout of the top floor flat (flat E) as although it did comply with the London Plan space standards it was laid out in such a way that the main living accommodation was located at the front of the property and would have been served by three rooflights. As a result the Inspector considered that the outlook for future occupiers of this unit was unacceptable. The layout of the top floor flat has been redesigned so that the living accommodation would be at the rear of the property and would have the benefit of two dormer windows which would provide both outlook and light to the living room and kitchen.

The proposals are therefore considered to provide suitable living conditions for future residents and would be in accordance with Policy 3.5 of the London Plan and Policy DM02 of the adopted Local Plan. Furthermore, the proposal would be in accordance with the core principles of the framework relating to a good standard of amenity

being provided for future occupiers of the land.

Community Infrastructure Levy and other contributions

The proposal will result in the provision of more than 100sqm of additional floorspace and as a result the applicant will be required to pay both the Mayoral and Barnet CIL. The former has a rate of £35 per sqm whilst the local rate is £135 per sqm. It is estimated that the contributions will be approximately £5,656 for mayoral CIL and £21,816 for Barnet CIL.

Policy DM10 of the local Plan states that all new sites providing 10 or more units or covering an area of 0.4 hectares would be required to provide an element of affordable housing. as the site is less than 0.4 hectares and only 4 units are proposed this policy is not considered relevant and affordable housing is not required.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of these have been considered in the report. However, the following specific responses can be made:

- The proposal is for demolition of the existing house and construction of 5, one bedroom flats. No off street parking is proposed. The proposal is not in accordance with the parking standards set out in the Local Plan. Any vehicles associated with the occupancy of the flats would have to be parked on-street. Churchfield Avenue is located within a Controlled Parking Zone (CPZ). However, the Councils Traffic and Transport section consider that subject to future residents of the site being exempted from purchasing permits to park then on balance the proposal is considered to be acceptable on highways grounds. The Inspector considered this matter further at appeal and concluded that whilst flat owners may place further demands on the 'on street' parking spaces, which may inconvenience existing residents, in isolation and having regard to the existing vehicle movements along the road, the vehicle movements of the flat owners would be insufficient to unacceptably disturb neighbouring residents. They did not consider it necessary to exempt future residents from purchasing permits to park. On this basis it is not considered that the impact on on-street parking would form a sustainable reason for refusal.
- If Members are minded to approve the application a condition controlling the hours of working is recommended in order to protect the amenity of existing residents from the noise and disturbance during construction.

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 flats are not considered to be harmful to the character and appearance of the area. The proposed flats would not adversely impact the amenity

of existing residents or future residents of the proposed units. The proposal is therefore considered to be in accordance with Policy 3.5 of the London Plan and Policies CS1, DM01 and DM02 of the adopted Local Plan. Accordingly, subject to a number of conditions approval is recommended.

SITE LOCATION PLAN: 39 Churchfield Avenue, London, N12 0NS

REFERENCE: F/01636/14



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LOCATION: 79 Friern Park, London, N12 9UA

REFERENCE: F/01104/14

Received: 26 February 2014

Accepted: 25 March 2014

WARD(S): Woodhouse

Expiry: 20 May 2014

Final Revisions:

APPLICANT: Henry Charles Investments Ltd

PROPOSAL: Conversion of existing single family dwelling into two self-contained flats. Two-storey rear extension. Formation of new basement. Creation of one additional off street parking to front elevation. (amended description)

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

2001410-PL01D - existing and proposed plans, elevations
Site Location Plan

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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 surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 5 Before the development hereby permitted is occupied, details of the sub-division of the amenity area(s) as shown on the plans approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 6 The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 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 in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 8 All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to

comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £2,643.75 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £10,197.32 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 If the proposal is carried out it will be necessary for the existing crossovers

to be amended and for new crossovers to be constructed by the highways Authority. Any new crossovers or amendments to existing crossovers will be subject to detailed survey assessment as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense. The applicant should submit a vehicle crossover application to London Borough of Barnet, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP. Any street furniture including lamp columns affected by the proposed crossover would be relocated at the applicant's expense. Relocation of Lamp column works may not just relate to the lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street lighting coverage is maintained along Friern Park.

The applicant is advised that the proposed vehicular crossover would involve alterations to the existing on-street parking bays. Alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.

The applicant is advised that following the outcome of the detailed crossover inspection the position of the proposed crossovers (and parking layout) may need to be amended

- 4 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 (2012):

The determination of planning applications is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning

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

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

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

The Mayor's London Plan: July 2011

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.

Core Strategy DPD (Adopted) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). 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.

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

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM04, DM08, DM17

Other Material Considerations:

- Residential Design Guidance (April 2013)
- Sustainable Design and Construction (April 2013)
- Planning Obligations SPD (April 2013)

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 Sustainable Design SPD provides detailed guidance and sets out how sustainable development will be delivered in Barnet. Section 2 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Chapter 15 of the Council's Guide 'Residential Design' seeks to revise and upgrade Design Guidance Note 7 which deals with Residential Conversions. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design conversions which would receive favourable consideration by the Local Planning Authority and sets out how the council considers applications for the conversion of single family homes into two or more self-contained units.

Included advice specifies that when conversions seek new exterior alterations, such as replacement windows, doors or porches, these should reflect the prevailing local character and enhance, not disrupt, the streetscape. Conversions in appropriate locations should not have any detrimental effect; they should not raise privacy issues, parking problems or have adverse effects on residential amenity. The council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

The Planning Obligations SPD sets the requirements for different scales of development and obtaining Planning Obligations for open spaces, transport, community facilities and environmental requirements. It has been adopted alongside the Barnet's CIL Charging Schedule in May 2013, which replaces the previous obligations towards Education, Libraries and Health, and is a flat rate charge for all development as specified in the CIL Charging Schedule.

Relevant Planning History:

Nil

Consultations and Views Expressed:

Neighbours Consulted: 103 Replies: 9
Neighbours Wishing To Speak: 5

The following matters were raised in the submissions:

- Scale and appearance of the proposal and its impact to the surrounding area
- Concern building basement will affect the structural integrity of the buildings adjoining and concern about who may be liable for compensation if damage occurs.
- Concern basement will have insufficient floor to ceiling heights
- Light and ventilation in the proposed basement will be inadequate
- Rear projection will increase overlooking to immediate neighbours
- Reduced privacy to adjoining neighbours gardens
- Concern relating to the internal layout of the flats
- Parking, traffic and congestion

- Loss of on street parking
- Waste disposal
- Character of area
- Shortage of four bedroom houses in Finchley
- Mass and scale, concern about overdevelopment
- Noise and disturbance
- Impact to trees
- Surface water and drainage
- Alternative development location
- Loss of light
- Pollution from works

Date of Site Notice: 24 April 2014

Consultation with Highways

The proposed parking provision is considered to be acceptable for the proposed conversion at this location. Please note the following comments:

If the proposal is implemented it will be necessary to amend the existing crossover in order to provide access to the additional car parking spaces. The applicant should submit an application to the Highways Authority for widening of the existing crossover. Any costs for necessary works on the public highways will be borne by the applicant. The proposed crossover will affect an existing on street parking bay and will therefore be subject to statutory consultation as part of the crossover assessment.

The proposed crossover is in close proximity to a lamp Column and may require Lamp Column re-location. These works may not just relate to the lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street lighting coverage is maintained along Friern Park.

An informative has been included addressing the above matter.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a two storey terraced dwellinghouse. The property is the centre building in the terrace and is located on the northern side Friern Park in the ward of Woodhouse.

The site is not within a conservation area and it is not a listed building.

Proposal:

Initially the proposal included:

Conversion of existing single family dwelling into three (3) self-contained flats, including two storey rear extension and the formation of new basement and the creation of one additional off street parking to front elevation.

However, concerns were raised regarding the proposal and amended plans were

submitted. The scheme was reduced to include only two (2) self-contained flats. The scheme still includes works to the basement, two storey rear extension and parking are still included.

The amended plans are the subject of this report. Measurements:

- The basement extension is proposed to measure approximately 5 metres wide and 4.2 metres deep and includes a lightwell at the rear.
- The two storey rear extension is proposed to measure approximately 4.2 metres deep and 6.5 metres wide.
- Flat A includes 3 bedrooms (5 person) and has a total internal area of 135sqm.
- Flat B includes 2 bedrooms (3 person) and has a total internal area of 77sqm.

Planning Considerations:

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

- Whether the principle of residential units is appropriate for the area;
- Whether the proposal will provide suitable accommodation for future occupiers;
- Whether harm would be caused to 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.

Principle of self-contained units

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.

There are a significant proportion of converted residential properties in the locality. Therefore the proposed self-contained flat is not considered to detract from the mixed character of the area, which accommodates both converted properties, purpose built flats and single family dwelling houses.

Living conditions of future occupiers

Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

This policy also explains that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'. The extensions to provide for the new self-contained flats are designed to allow for adequate daylight to the proposed unit. The proposal is consistent with the Council's Sustainable Design and Construction SPD (2013) in relation to gross internal area, layout, privacy and access to daylight and the external manifestation of the building respects the constraints of the site and does not detract from the residential amenity of character of the area

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

In line with Table 2.1 within the Sustainable Design and Construction SPD (and the London Plan Standards), the proposed flats meet the required Gross Internal Area standard in accordance with policy within Council's Development Management Policies, the external manifestation of the building respects the constraints of the site.

The proposed habitable room windows in the building are in line with Table 2.4 of the Council's Sustainable Design and Construction SPD which advocates that there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms and 10.5 metres to neighbouring gardens.

In accordance with the Table 2.4 of the Council's Sustainable Design and Construction SPD, all habitable rooms proposed will have a reasonable outlook and be sufficiently large enough for light and ventilation to serve the varying room sizes. It is considered that the habitable rooms will provide a suitable level of amenity for future residents in accordance with Policy DM02 of Council's Development Management Policies.

The proposal accords with the outdoor amenity space Table 2.3 within the Sustainable Design and Construction SPD. The development includes two areas of outdoor amenity space for the new flats. The space connected with Flat A is approximately 45sqm and space connected to Flat B is approximately 31.2sqm.

In terms of meeting the requirements for waste from the site, the development includes a refuse area at the front of the building, and a planning condition has been included require an appropriate supply of and accessibility to refuse bins at the site.

Noise Transmission

Noise can be a significant nuisance in urban areas. 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 is due to its relationship both horizontally and vertically to neighbouring residential properties. The applicant should achieve the required sound insulation levels and this will be enforced by an appropriate condition attached to the decision. This issue will also be addressed at the building regulations stage.

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

Parking

DM17 states that parking should be provided in accordance with the London Plan standards, except in the case of residential development, where a maximum of 1.5-1 space per unit for development consisting of two bedroom flats may be acceptable. The development site indicates space for two off street parking spaces. This is considered to be acceptable level of parking for the units.

Whether harm would be caused to the living conditions of neighbouring residents

The proposal would not result in a loss of privacy, loss of outlook or loss of light for neighbouring properties. The new two storey rear extension aligns with the rear building line of the adjoining buildings at 77 and 81 Friern Park. There are no side windows proposed in the development and all new windows proposed at the rear of the building will overlook the outdoor amenity space at No. 79 Friern Park.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

The proposed extensions are considered to be subordinate to the original building and the conversion into self-contained units is considered to be acceptable in principle, given the range of dwelling types in the nearby area. It is considered that the extensions respect the overall character of the street and align with council's policy DM01 within the Development Management Policies 2012.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sqm. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £36.04 per sqm on all forms of development in Barnet except for education and health developments which are exempt from this charge.

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Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters have been addressed in the main body of the report.

4. EQUALITIES AND DIVERSITY ISSUES

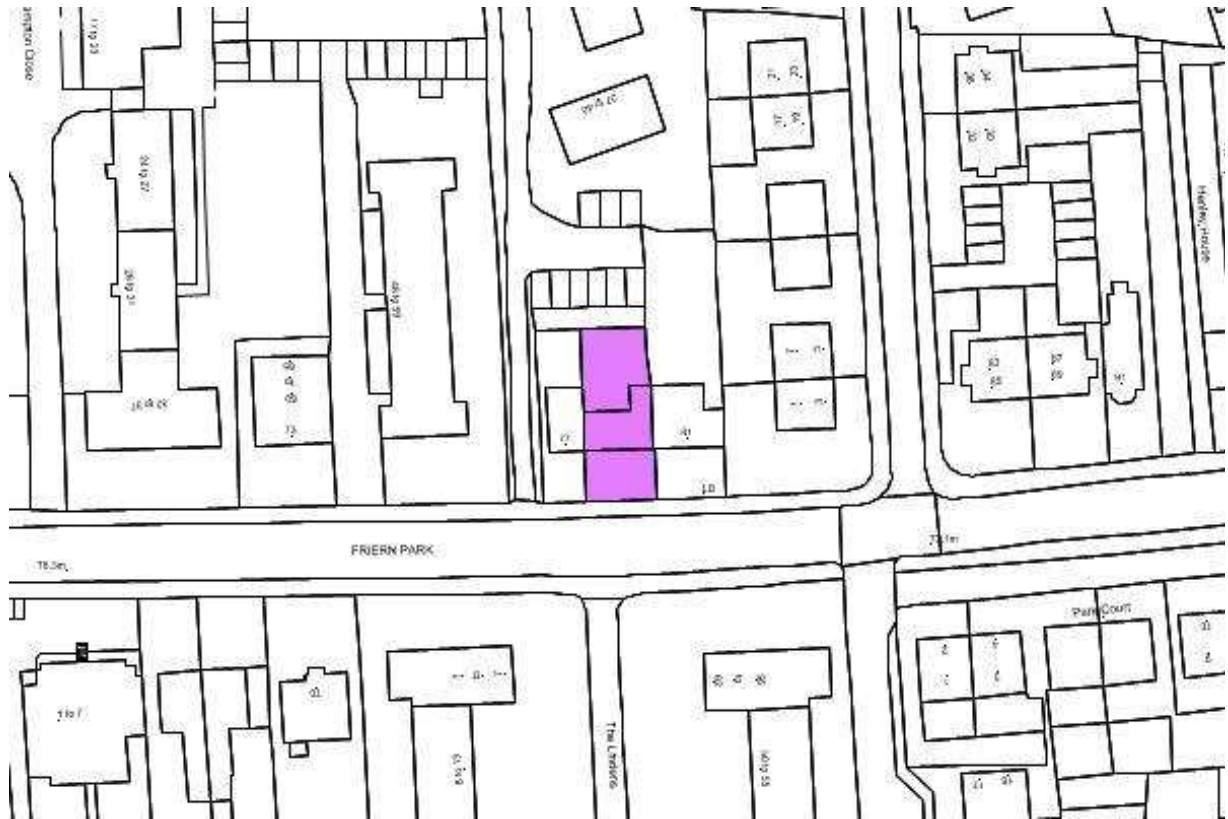
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

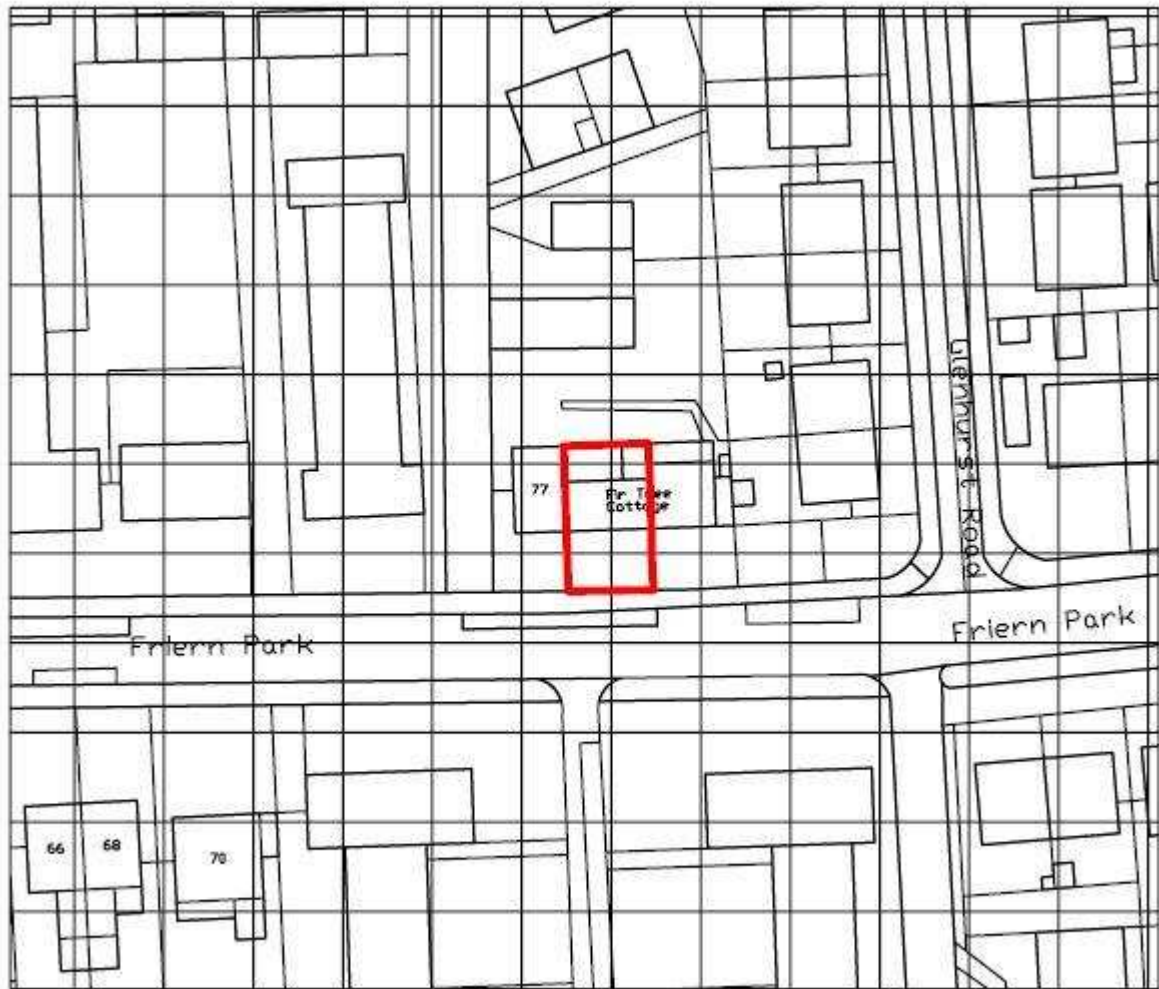
5. CONCLUSION

The proposal is in accordance with the guidance and policies contained in the Barnet Local Plan and so is recommended for **APPROVAL**.

SITE LOCATION PLAN: 79 Friern Park, London, N12 9UA

REFERENCE: F/01104/14





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