

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

THURSDAY 5TH FEBRUARY, 2015

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF CHIPPING BARNET AREA PLANNING COMMITTEE (Quorum 3)

Chairman: Wendy Prentice
Vice Chairman: Stephen Sowerby

Councillors

Alison Cornelius	Kathy Levine	Tim Roberts
Tim Roberts	Barry Rawlings	

Substitute Members

Philip Cohen	David Longstaff	Caroline Stock
Andreas Ioannidis	Reema Patel	Amy Trevethan
	Brian Salinger	

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

Andrew Nathan – Head of Governance

Governance Services contact: Faith Mwende 020 8359 4917 Email:
faith.mwende@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	MINUTES OF LAST MEETING	1 - 6
2.	ABSENCE OF MEMBERS (IF ANY)	
3.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
4.	REPORT OF THE MONITORING OFFICER (IF ANY)	
5.	MEMBERS' ITEMS (IF ANY)	
	Reports of the Assistant Director of Development Management and Building Control	
	Brunswick Park Ward	
6.	ALLEYWAY/SERVICE ROAD REAR OF 2-18 GRANGE AVENUE/ 29-51 BURLINGTON RISE/ 53-67 BURLINGTON RISE BARNET EN4 8NL - 14/07920/FUL	7 - 12
	High Barnet Ward	
7.	12 HYDE CLOSE BARNET EN5 5TJ - 14/07079/S73	13 - 20
8.	LAND ADJOINING, SANDLEWOOD CLOSE, ROWLEY LANE, BARNET, HERTS, EN5 3HS - B/02955/14	21 - 30
9.	WHITEGATES, 100 STATION ROAD, BARNET, HERTS, EN5 1QB - B/04866/14	31 - 44
	Coppetts Ward	
10.	48 THE RIDGEWAY, LONDON, N11 3LJ - B/05938/14	45 - 52
11.	ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT	

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Decisions of the Chipping Barnet Area Planning Committee

8 January 2015

Members Present:-

AGENDA ITEM 1

Councillor Wendy Prentice (Chairman)
Councillor Stephen Sowerby (Vice-Chairman)

Councillor Alison Cornelius
Councillor Kathy Levine
Councillor Barry Rawlings

Councillor Tim Roberts
Councillor Laurie Williams

1. MINUTES OF LAST MEETING

RESOLVED - That the minutes of the meeting held on 21 October 2014 be approved as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

There were none.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

Member	Agenda Item	Interest declared
Councillor Prentice, Councillor Sowerby, Councillor Cornelius and Councillor Rawlings	11 (43 Oakleigh Park South, London, N20 9JR)	Non-pecuniary interest as one of the objectors is known to the Councillors.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There were none.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none.

6. MEMBERS' ITEMS (IF ANY)

There were none.

7. 1B CHURCH PASSAGE, BARNET, HERTS, EN5 4QS - B/04678/14

The Committee having heard oral representations from Mr Robin Bishop:

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reason:

The proposed shopfront, by reason of its design, appearance and materials used would detract from the character and appearance of the building and would fail to preserve or enhance the character and appearance of the conservation area, contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), and the Wood Street Conservation Area Character Appraisal.

The following Informatives are to be added:

- 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. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) 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 applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

- 2 The plans accompanying this application are: Site Location Plan (date received 06-Oct-2014); Drawing no. 01- Dec 2014; Drawing no. 02- Dec 2014; Drawing no. 03- Dec 2014; Drawing no. 04- Dec 2014; Drawing no. 05 - Dec 2014 (date received 07-Nov-2014)

Votes were recorded as follows:

In favour: 0
Against: 5
Abstentions: 2

8. **3 ARKLEY LANE, BARNET, HERTS, EN5 3JR - B/02290/14**

The Committee;

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions and informative set out in the report, the addendum and the verbal conditions provided by the officer. The following additional Informative is also to be added:

Any and all works carried out in pursuance of this planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

Votes were recorded as follows:

In favour: 7

Against: 0
Abstentions: 0

9. 11 WILTON ROAD, LONDON, N10 1LX - B/03761/14

The Committee having heard oral representations from Ms Enrica Passafonti:

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reasons:

The proposed side/rear extension, by reason of its height, depth and mass, would appear overbearing and result in a sense of enclosure when viewed from the ground floor flat at No. 9 Wilton Road, to the detriment of the amenities of the occupants of this neighbouring property. The proposal is contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted April 2013).

The following Informatives are to be added:

- 1 The plans accompanying this application are: 0425/BR01H, 0425/BR02F.
- 2 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) 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 applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage proactively with the LPA to discuss possible solutions to the reasons for refusal

Votes were recorded as follows:

In favour: 0
Against: 7
Abstentions: 0

10. 17 WOODSIDE AVENUE, LONDON, N12 8AN - B/03756/14

The Committee;

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions and informative set out in the report, the addendum and the additional verbal conditions presented by the officer, and the following:

Condition 1 is to be amended to include the following additional information:

Arboricultural Impact Assessment Report re 17 Woodside Avenue, N12 prepared by Adam Hollis of Landmark Trees ref HUB/17WDA/AIA/01a dated 09/07/14; "Root Investigation at 17 Woodside Avenue, N12, by Ruskin Trees and Landscapes: Emails from Simon Watkins dated 08/01/15 @ 1600hrs enclosing forwarded emails from Adam Hollis "17 Woodside Avenue – Findings"; Email from Simon Watkins dated 08/01/15 @ 16:30hrs referring to tree canopy including diagram

The following additional conditions are to be added:

- 1) a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.
- b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 2) a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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 CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

The following Informatives are to be added:

- 1) Trees at and adjacent to the site are included in Tree Preservation Order(s). If any treatment to protected tree(s) is proposed an application would be required in accordance with the Tree Preservation legislation. Any such works should be kept to the minimum necessary.
- 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.

- 3) Street trees in front of the site stand on the public highway land maintained by the Council. The grant of planning consent confers no rights for any work to be undertaken to the trees and you are advised to consult the Council's Greenspaces and Streets section (020 8359 4600 or parcs@barnet.gov.uk) prior to taking any further action.
- 4) Any and all works carried out in pursuance of this planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution

Votes were recorded as follows:

In favour: 7

Against: 0

Abstentions: 0

11. 43 OAKLEIGH PARK SOUTH, LONDON, N20 9JR - B/05020/14

The Committee having heard oral representations from Maria Carmen Bilbao and Ms Kate Matthews and a response from the applicant's representative;

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reasons:

The outbuilding, by reason of its character, appearance and use would appear as a separate residential property, and would be out of keeping in the street scene and have a detrimental impact on the character and appearance of the locality, the locally listed building and a detrimental impact on the amenities of the neighbouring property. The proposal is contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted April 2013).

The following Informatives are to be included:

- 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. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) 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 applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning

applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

2) The plans accompanying this application are: Drawing No NA.01 Rev A.

Votes were recorded as follows:

In favour: 0
Against: 5
Abstentions: 2

12. LAND OFF HIGH ROAD/CHANDOS AVENUE, LONDON N20 AND BRETHEREN MEETING HALL & WELL GROVE SCHOOL, WELL GROVE, LONDON, N20 - B/05370/14

The Committee;

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions and informative set out in the report, the addendum and the verbal conditions provided by the officer.

Votes were recorded as follows:

In favour: 7
Against: 0
Abstentions: 0

13. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 8.20 pm

Location **Alleyway/Service Road Rear Of 2-18 Grange Avenue/ 29-51
Burlington Rise/ 53-67 Burlington Rise Barnet EN4 8NL**
AGENDA ITEM 6

Reference: **14/07920/FUL** Received: 12.12.2014
Accepted: 17th December 2014

Ward: Brunswick Park Expiry 11th February 2015

Applicant: Residents' Committee

Proposal: Installation of 3no. single opener security gates at three locations on the alleyway between Burlington Rise (29-67) and Grange Avenue (2-18). One gate to the rear of 51 and 53 Burlington Rise, one to the rear of 67 Burlington Rise and 18 Grange Avenue, and one to the rear of 29 Burlington Rise and 2 Grange Avenue

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan BRG/EN4/COVOALLEY, Drawing CF/GB/AG/003 Rev A, CF/GB/AG/004 Rev A, CF/GB/AG/005 Rev 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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 gates hereby approved shall be finished in black in accordance with the details on the submitted application form.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

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

to ensure that the proposed development is in accordance with the Development Plan.

- 2 The applicant is reminded that the relevant consents will be required to be obtained from any land owner and any persons who have a right of way over the access way prior to the works taking place.
- 3 The applicant is reminded that any gate operation equipment must be located within the site boundaries and must not encroach onto the public highway.
- 4 The applicant is advised to contact London Fire Brigade and London Ambulance Service to discuss their access requirements prior to the installation of the gates.
- 5 The applicant is advised that proposed gates should not open outwards toward the access road, to ensure they allow vehicles to wait for gates to open within the private access road.
- 6 The Waste and Cleansing Department must be consulted regarding any impact on refuse collection arrangements.

Officer's Assessment

1. Site Description

The application relates to the construction of gates to enclose a vehicular access route to the rear of the rear gardens of properties which front Grange Avenue and Burlington Rise.

2. Site History

None relevant to the current scheme. However, entrance gates to alleys have been approved in other locations in this part of the borough, including at the following locations:

- Across the rear service road between East Walk and Ferney Road, with gates located to the rear of Nos. 7/8 East Walk & 6/8 Ferney Road, 25/26 East Walk & 42/44 Ferney Road, 27/28 East Walk & 46/48 Ferney Road, and 65 East Walk/31 Uplands Road (Application reference B/02489/12).
- To the rear access roads servicing Lincoln Avenue, Mandeville Road and Hampden Way (N14) in 2007 (Application reference N15846/07).
- Three iron security gates for garage access roads and access roads fronting: Mandeville Road, Underne Avenue and Hampden Way. (Application reference N15285/06).
- Four iron security gates for private service alleyways accessing Hampden Way and Whitehouse Way. (Application reference B/01707/11).

3. Proposal

This application proposes the construction of three sets of entrance gates on the alleyway between Burlington Rise (29-67) and Grange Avenue (2-18), as follows:

- One gate to the rear of 51 and 53 Burlington Rise
- One to the rear of 67 Burlington Rise and 18 Grange Avenue
- One to the rear of 29 Burlington Rise and 2 Grange Avenue

The proposed entrance gates would measure 2.1 metres in height. They would be constructed of metal railings and would be set back from the highway to allow vehicles to wait clear of the highway. They would be powder coated in black.

4. Public Consultation

Consultation letters were sent to 53 neighbouring properties. A site notice was also displayed.

11 responses have been received, comprising 9 letters of objection and 2 letters of support.

The objections received can be summarised as follows:

- Gates will result in restricted access and create unsafe conditions.
- Access for commercial vehicles would be impeded.
- Opening width of 2.5 metres will prevent us from having full and unrestricted access to gardens.
- Opening will impede access to emergency vehicles.
- Gates are inappropriate for the area, which has a lower crime rate than suggested in the Design and Access Statement.
- The gates will not stop burglaries
- Fly tipping and anti-social behaviour are rare.
- Resident's should be responsible for their own security arrangements.
- Long term maintenance has not been addressed.
- Access will be compromised

The letters of support received can be summarised as follows:

- Gates will prevent many incidents including burglaries, theft and vandalism, and would prevent fly tipping.

Traffic and Development

The proposal is for the installation of gates on the entrances of private access roads accessed from Burlington Rise and Grange Avenue. The location of the gates will be on private land. The gates are set back a minimum of 7 metres from the public highway allowing for a vehicle entering the site to wait 'off' the public highway and the operation of the gates will not affect the public highway. The proposal is considered acceptable on highways grounds as the location of the gates and their operation is not expected to have a detrimental effect on the public highway.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's 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. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS9.
- Relevant Development Management Policies: DM01, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- 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.

5.3 Assessment of proposals

The Council's Design Guidance Note No.9 - Walls, Fences and Gates deals with boundary treatment or means of enclosure around properties. Whilst not directly applicable to the application, the note does state that 'in considering the design and siting of fencing a balance has to be struck between privacy, safety and security on the one hand and aesthetic considerations on the other. The need for security does not outstrip other relevant considerations such as the visual impact and effects on local amenity'. This proposal is considered to strike a balance between the security requirements of the residents and the streetscene of the area. The introduction of the gates is not considered to detract from the quality and character of the locality. The proposed gates would be set back from the main roads, and would not appear clearly visible unless approached head-on along the access road. Given their setback, the proposed gates would not appear as prominent features within the street scene, and would not adversely affect the character or appearance of the area or the wider locality.

The proposed gates would be set back from the highway to enable a vehicle to pull clear of the highway before opening the gates.

5.4 Response to Public Consultation

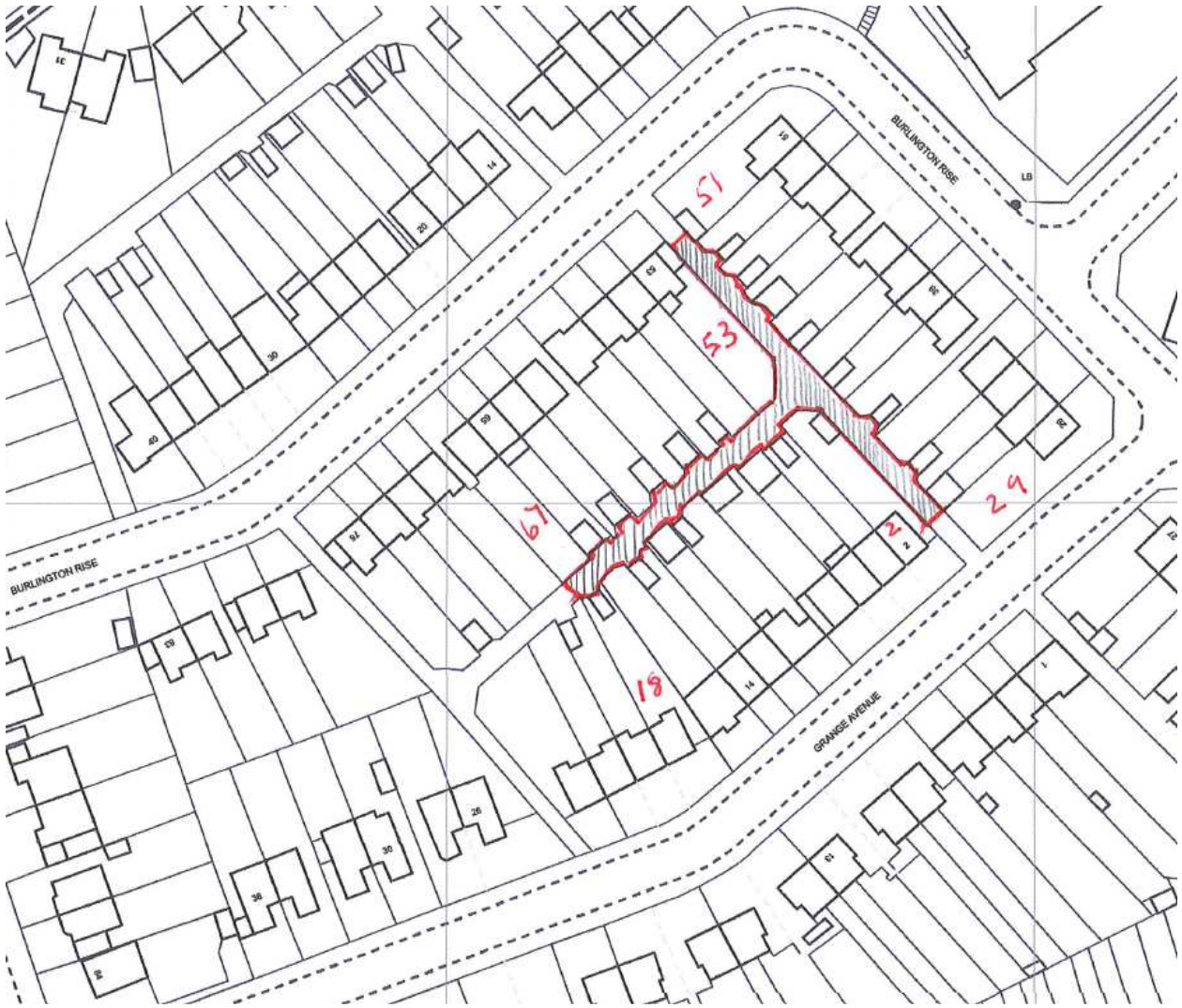
Matters of rights of access, and security, are not material planning considerations. The Traffic and Development Team have raised no objections to this proposal.

6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



Location 12 Hyde Close Barnet EN5 5TJ

Reference: 14/07079/S73

Received: 04.11.2014 AGENDA ITEM 7

Accepted: 14th November 2014

Ward: High Barnet

Expiry 9th January 2015

Applicant: Mr

Proposal: Variation of condition 4 (Hours of Use/Operation) pursuant to planning permission B/01842/14, dated 15/07/2014, for "partial change of use of the existing ground floor (Use Class C2) to day care centre (Use Class D1)"
Variation to include a change in the restricted hours of use/operation to allow the centre to open from 8am -8pm weekdays and 9am - 5pm on weekends

Recommendation: Approve subject to conditions

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

13007su1.02 - site location plan, dated March 2014, prepared by Kyle Smart Associates

13007su1.02 - existing ground floor plan, dated March 2014, prepared by Kyle Smart Associates

13007 WD2.02 - proposed ground floor plan, dated March 2014, prepared by Kyle Smart Associates

Planning Statement, submitted for 14/07079/S73 prepared by Kyle Smart Associates

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 15/07/2014.

Reason:

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

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

Reason:

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

- 4 The use hereby permitted shall not be open to clients before 8am or after 7pm on weekdays and before 9am or after 5pm on weekends.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

- 5 The number of staff working at any one time at the proposed day care centre shall not exceed six.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 This Notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

For more information about making a Building Regulations application, please contact the Barnet Council Building Control team by email: building.control@barnet.gov.uk, telephone: 0208 359 4500, or see our website at www.barnet.gov.uk/building-control.

Officer's Assessment

1. Site Description

The application site is located in the western corner of Hyde Close in the ward of High Barnet. The development that is proposed relates to Unit C in 12 Hyde Close.

The application site currently consists of a detached block providing accommodation for people with physical and learning disabilities. The building houses Sense services. Sense is a national charity that supports and campaigns for children and adults who are deafblind. Sense works with children, young people, adults and older people with a progressive sight and hearing loss, offering a range of housing educational and leisure opportunities.

Adjoining the site, is the Anne Wall Centre, which shares a common driveway and access from Hyde Close. The Anne Wall Centre was opened in 1994 and is purpose built for deafblind people. The centre works with adults of all ages and individuals who have sensory impairments with additional learning and other associated disabilities. (Note: Whilst adjacent to the site, the Anne Wall Centre does not form part of this application).

The site is not listed, and is not within a conservation area.

The area surrounding the site is characterised as residential.

2. Site History

Reference: B/05026/14

Address: 12 Hyde Close, Barnet, EN5 5TJ

Decision: Withdrawn

Decision Date: 31 October 2014

Description: Removal of condition 4(Opening hours) pursuant to planning permission B/01842/14 dated 15/7/14.

Reference: B/01842/14

Address: 12 Hyde Close, Barnet, EN5 5TJ

Decision: Approved subject to conditions

Decision Date: 15 July 2014

Description: Partial change of use of the existing ground floor (Use Class C2) to day care centre (Use Class D1).

Reference: N02773N/04

Address: 12 Hyde Close, Barnet, EN5 5TJ

Decision: Approved subject to conditions

Decision Date: 10 March 2004

Description: Insertion of new windows to front and side elevations including new glazed panel to front entrance.

3. Proposal

The development includes the variation to Condition 4 (Hours of use / operation) pursuant to Planning Permission B/01842/14 dated 15/07/2014 for the "Partial change of use of the existing ground floor (Use Class C2) to day care centre (Use Class D1)".

The variation includes a change in the restricted house of use / operation to extend the Centre's operational hours from the current Monday to Friday 9am to 5:30 pm to Monday to Friday 8am to 8pm and Saturday and Sunday 9am to 5 pm.

4. Public Consultation

A site notice was posted on 4 December 2014.

Consultation letters were sent to 67 neighbouring properties.
7 responses have been received, comprising 7 letters of objection.

The objections received can be summarised as follows:

- Concern is that the extended opening hours will have a direct impact on traffic, noise levels and parking issues.
- Concern that if the centre has longer hours, they will offer their facilities to outside agencies who have no connection with the area and in turn, have no regard for those who live here.
- Concern regarding access. We already have problems associated with the drop off and collection of day centre users by ambulances and taxis. There is inadequate parking on the site to cater for this and frequently these vehicles park illegally all down Hyde Close in resident's bays.
- Concern regarding the use of residents parking bays in the street
- Concern regarding the increased noise from car engines
- Concern that if the application is approved then there is potential for all sorts of functions to be held at this venue. Concern that the site has a dance hall, restaurant and commercial kitchen, and this would allow all sorts of events to be held.

Internal Consultation

LBB Highways Comments:

The proposal is to extend the Centre's operational hours from the current Monday to Friday 9am to 5:30 pm to Monday to Friday 8am to 8pm and Saturday and Sunday 9am to 5 pm. A maximum of 6 members of staff and 6 users are expected to be on site at one time.

There are four unallocated visitor parking spaces available at 12 Hyde Close. Outside normal working hours (9-5pm) Family Centre users will have priority over these spaces. If Family Centre users drive, outside of normal working hours they will be given priority to use the visitor parking bays at 12 Hyde Close. Staff parking has been removed from the site to allow maximum parking for centre users and Staff use public transport, walk and use car sharing.

The site is located on a Controlled Parking Zone (CPZ) which restricts parking Monday to Saturday between 8:00 am and 6:30 PM.

The proposed variation of operating hours on weekdays to allow opening until 8:00 pm would extend the operating hours beyond the controlled parking times. However this is not expected to result in levels of additional on street parking demand, such as to warrant refusal.

The proposed operation times on Saturdays 9am to 5 pm are within the controlled hours of the CPZ.

It is considered that the proposed extension of the Centre's operation hours will not result in a detrimental impact on the public highways and the proposal is considered acceptable on highways grounds.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's 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. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- 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.

5.3 Assessment of proposals

By way of context and background, the site is adjacent to the Ann Wall Centre, which is a purpose-built centre for deafblind people and runs services to assist with raising the quality of life of people with this disability.

Sense offers a specialist service for deafblind and multi-sensory impaired people, as well as those who have a single-sensory impairment with additional needs. The programs that Sense offer are aimed to encourage people to be as independent as possible.

A Children's Centre was previously located in the Anne Wall Centre. A new family centre which runs play activities for deafblind preschool children, provides assessment for children and young adults, as well as gives support for their families, operates out of Unit C within 12 Hyde Close, and received planning permission for "partial change of use of the existing ground floor (Use Class C2) to day care centre (Use Class D1)" pursuant to B/01842/14 in 15/07/2014. A restriction on the centre's hours of operation, (between 9am and after 5.30pm weekdays), was included in the consent.

The family centre seeks to support services for children outside of school hours, providing play and social opportunities to meet with other children with similar communication needs. The Centre seeks to run some evening and weekend events for children and families, as some families often work, it is often difficult to access the facilities during normal working hours.

The hours are therefore proposed to be:

- * 8am – 8am Monday to Friday
- * 9am – 5pm Weekends

The types of activities provided are related activities which can include music. Flat C is located in a part of the site that is away from nearby residential dwellings, and noise generating activities such as music will be contained within the flat.

The site is located within a Controlled Parking Zone (CPZ) which restricts parking on nearby residential streets from Monday to Saturday between 8:00 am and 6:30 PM.

It is advised that the busiest group will have up to 6 families attending (i.e. a deafblind child and a parent) and there are also up to 6 staff that may be in on the same day, therefore giving a maximum capacity of 18 people. However, it is advised that a more realistic day to day figure would be approximately 8 people (being a mix of staff, children and families).

Staff who work on the site (Monday to Friday) are not permitted to park on the site and the car park has allocated visitor parking and turning circle. It is advised that currently staff who work in the centre travel to work in the following ways: 3 staff members drive and park outside the CPZ and walk to the centre; 1 staff member uses public transport (bus); 1 staff member walks from home; 1 staff member cycles, and occasionally the drivers will use the pay by phone parking that is located nearby.

The extended hours will result in an increase in the patronage to the centre, but it is considered that on balance, and due to the centres proximity to public transport modes, and the limitation of staff not parking on site, the modest number of additional deafblind children and families attending the centre will not demonstrably impact the amenity of nearby residential neighbours in terms of parking, noise and general disturbance.

5.4 Response to Public Consultation

The planning matters of consideration have been addressed in the above appraisal. Should the site propose a use that is contrary to a 'day care centre (Class D1)', the site would be subject to a separate planning application, where the future use would be assessed.

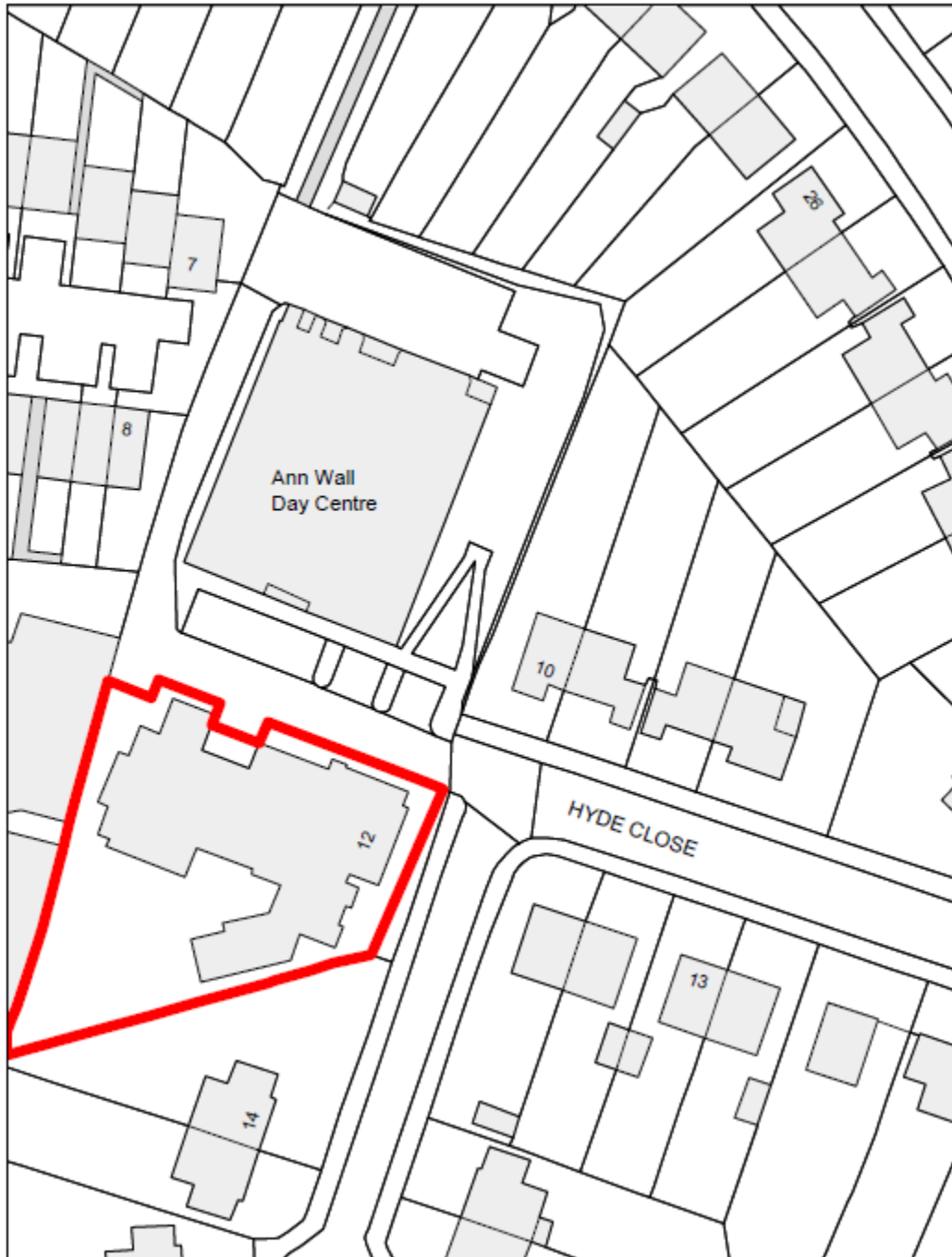
6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

8. Site Plan



Location	Land Adjoining, Sandeewood Close, Rowley Lane, Barnet, Herts, EN5 3HS	AGENDA ITEM 8
Reference:	B/02955/14	Received: 30.05.2014 Accepted: 30th May 2014
Ward:	High Barnet	Expiry 25th July 2014
Applicant:	Mr Savva	
Proposal:	Erection of 6 flats in 2 blocks with parking to front	

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 369409/20 (received 18 September 2014), Drawing Nos. 369409/21B and 22C (received 4 November 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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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 CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 5 a) No development or site works shall take place on site 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.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

- 6 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

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), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 7 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

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

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

8 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed on the north west side of the balconies to the first floor flat of the building adjacent to Sandalwood Close shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed 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), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

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 pm 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 Development Management Policies DPD (adopted September 2012).

10 a) The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (November 2010) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits.

b) No dwelling shall be first 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 Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

11 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 369409/20 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.

- 12 Before the building hereby permitted is first occupied the proposed windows at first floor level and above in the north west elevation of the building adjacent to Sandalwood Close 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 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 £29050 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 £112050 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.

- 3 The applicant is advised that 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 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 street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 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 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 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

Officer's Assessment

1. Site Description

The application site contains a parcel of land adjacent to four detached two storey dwellings at Sandalwood Close. It is located in the Green Belt, to the north of Barnet Road.

2. Site History

B/00440/13: Erection of 2no. two storey blocks including rooms in roof space and basement parking to create 6no. self-contained flats. Hard and soft landscaping. Refused April 2013. Appeal allowed.

B/00230/12: Erection of two storey building comprising of 4no 3 bedroom self-contained units and 2no 2 bedroom self-contained units (totalling 6no self-contained units); including rooms in roofspace and underground parking for 12no cars. Appeal Dismissed May 2012.

B/04576/10: Erection of 2 No. two storey detached houses with basement and rooms in roofspace. Approved January 2011.

B/00816/10: Erection of 2 No. two storey detached houses with basement and rooms in roofspace. Decision: Refused April 2010.

B/02358/09: Erection of 2 No. two storey (plus rooms in roofspace) detached houses. Refused September 2009.

B/04576/08: Erection of 2, two storey (plus rooms in roofspace) detached houses with detached double garages. Withdrawn

N03065E/04: Demolition of existing dwellings and erection of five replacement dwellings including erection of enclosed swimming pool. Approved 2004.

N03065C/03: Relocate and rebuilding of existing five dwellings. (Outline). Approved 2003.

3. Proposal

This application proposes the construction of two blocks of flats, with each block containing 3 units (ie a total of 6 proposed units). Parking would be provided to the front of the building for 10 vehicles.

4. Public Consultation

Consultation letters were sent to 10 neighbouring properties. 7 letters of objection have been received, raising the following points:

- Proposal would result in a loss of light to neighbouring properties.
- Proposal would overlook neighbouring properties.
- The building would not be appropriate in this area which is characterised by fields and is a quiet place to live.
- Proposal would adversely affect nature and trees.
- Parking spaces would adversely affect the Green Belt.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's 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. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5 and CS7
- Relevant Development Management Policies: DM01, DM02, DM15 and DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Residential Design Guidance SPD (adopted April 2013)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the openness of the Green Belt
- 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.

5.3 Assessment of proposals

As noted above, this application has been submitted further to the approval of planning permission B/00440/13 (which was refused by the Local Planning Authority but allowed at appeal). The current application differs from the approved planning permission as follows:

- A basement car park is no longer proposed. The access ramp has been removed from the scheme. Parking is now proposed entirely forward of the front elevation of the building.
- The internal layout of the building has been changed such that the entrance is now from the passage way between the two buildings, rather than from the elevation fronting Rowley Lane.
- Fenestration alterations have been made to all elevations, with repositioned doors and windows.

The Development Plan and site circumstances have not changed since the previous application was granted. As such, it is necessary to assess whether the proposed changes since the previous approval are acceptable and comply with the Development Plan, or whether the proposed changes introduce any new concerns.

Impact on the Green Belt

In respect of the impact on the Green Belt, the size and massing of the proposed building remains as per the previous approval. The previous scheme was considered to be appropriate development in the Green Belt given previous comments by the Appeal Inspector that the planning permission granted in 2004 (which included a detached house on the site) had been implemented and remained extant. The amount of floor space proposed is reduced as a result of the omission of the basement car park. The hardstanding forward of the property is only slightly larger than that previously approved, and capacity for additional soft landscaping has been introduced. As a result, it is not considered that this proposal would result in any adverse impact on the openness of the Green Belt.

Impact on the character of the area

The massing of the proposed building remains similar to that previously approved, with only minor changes to fenestration. The design and appearance of the proposed buildings remains similar to that previously approved such that it is not considered that the proposal would be detrimental to the character or appearance of the locality.

Impact on the amenities of neighbours

As the siting and scale of the proposal remains identical to that previously approved, it is not considered that the proposal would be detrimental to the amenities of the occupants of any neighbouring property.

5.4 Response to Public Consultation

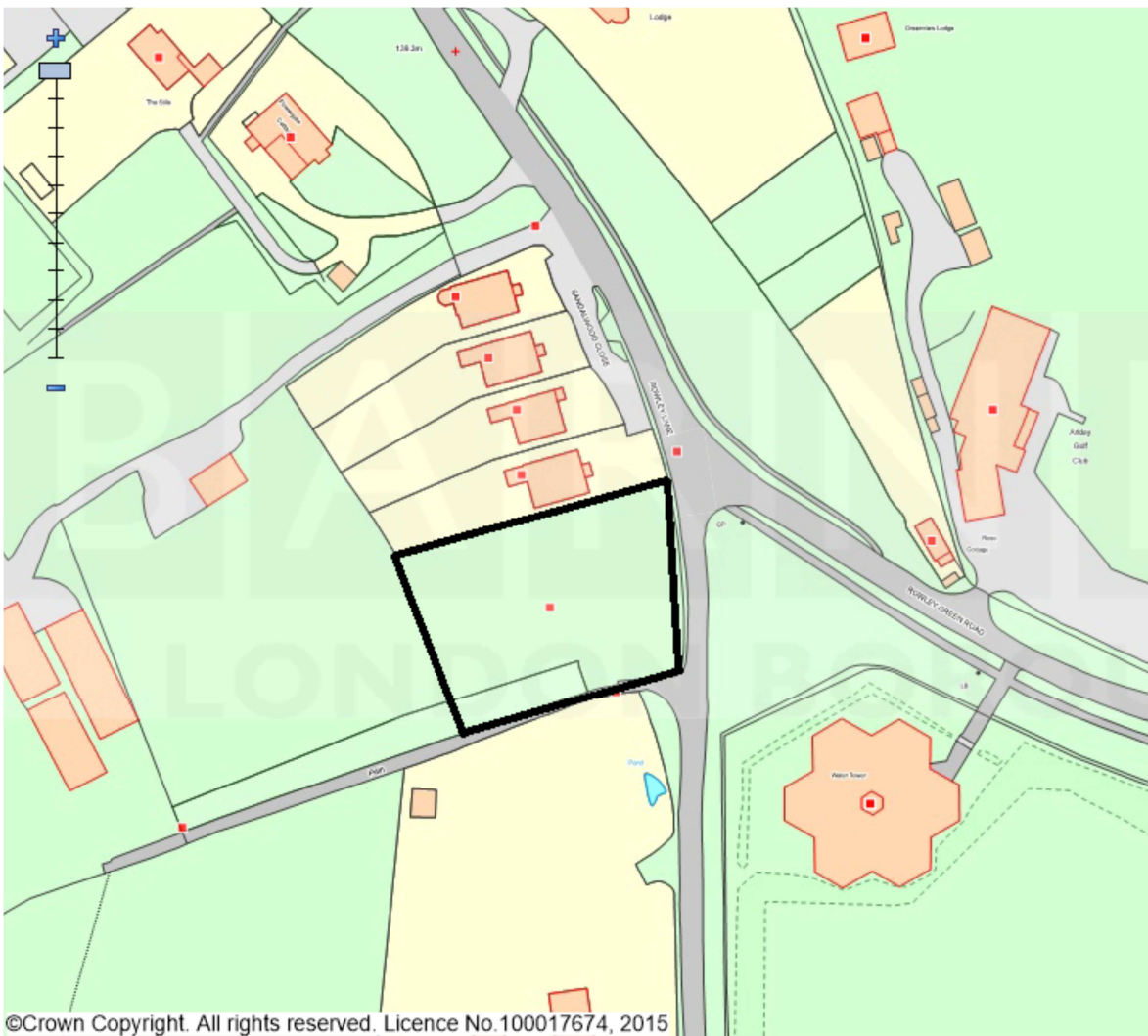
The objections are noted, however given the similarities between the current scheme and the previously approved scheme, it is not considered that the amendments result in a scheme that would not comply with the requirements of the Development Plan.

6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



Location **Whitegates, 100 Station Road, Barnet, Herts, EN5 1QB**

Reference: **B/04866/14** Received: 04.09.2014 **AGENDA ITEM 9**
Accepted: 10th September 2014

Ward: High Barnet Expiry 5th November 2014

Applicant: Mr

Proposal: Creation of an additional third floor to provide 2 self-contained flats.
Alterations to parking layout at the rear of the site.

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; SE1134_01; SE1134_02; SE1134_03; SE1134_04; SE1134_05A; SE1134_06; SE1134_07; SE1134_08A.

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 Prior to the first 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 Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 5 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report shall 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 content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

- 6 The property shall be used as self-contained units as shown in 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 a) The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (November 2010) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits.

b) No dwelling shall be first 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 Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

- 8 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall 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 content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

- 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 pm 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 Development Management Policies DPD (adopted September 2012).

- 10 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. DE1134_05A 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.

- 11 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 or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing 98 or 102 Station Road

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

- 12 Before the development hereby permitted commences, details of the materials to be used for the balconies including plans at 1:20 showing the details of the balconies and balustrades. 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.

14 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until 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) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. 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 at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

15 a) No site works or works in connection with the development hereby approved shall be commenced until details of the no-dig construction technique for the construction of the hereby approved new hardstanding and driveway have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the approved details.

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

16 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 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 £4900 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 £189000 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.

3 The plans and particulars submitted in accordance with Conditions 14 and 15; above shall include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees

are to be retained and the crown spread of each retained tree and which trees are to be removed;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), root protection area (as defined in BS5837:2012 Trees in Relation to design, demolition and construction-Recommendations), the approximate height, and an assessment of the general structural and physiological condition, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed pruning of any retained tree, and of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012.

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this connection 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Officer's Assessment

1. Site Description

The application site is an existing block of flats on Station Road, this is a classified road. The existing building has a flat roof and is set lower than the two neighbouring buildings.

2. Site History

None relevant.

3. Proposal

The application relates to the creation of an additional storey by way of a flat roof top extension to provide 2 additional 2 bedroom self contained flats. The proposal will also incorporate balconies to provide amenity space for the new residential occupiers. The extension will be 11.5m at its deepest and 15.8m wide. The proposal will have a flat roof with a height of 2.5m. The balustrade to provide the external amenity area will be 1.6m high to prevent overlooking. The parking to the rear of the site will be re-orientated to provide two additional parking spaces in a revised layout.

4. Public Consultation

Consultation letters were sent to 153 neighbouring properties.

14 responses have been received, comprising 14 letters of objection, 0 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Impact on neighbouring amenities.

noise and disturbance.

loss of privacy and overlooking.

loss of light.

increased dirt and disturbance during works.

- Impact on character and appearance

property itself is in need of maintenance and the maintenance money is not being used to improve the property.

the block is ugly and not in keeping with surrounding area, better to demolish existing block and start again.

- Effect on traffic, access and parking

Property is on an a busy A road and already congested.

Cars often double park on Station Road.

Parking to the rear is heavily used and hard to manoeuvre cars to allow for the spaces to be used.

- Developers did not notify leaseholder of the application.

- Protected trees may be effected if scaffolding required.

Further consultation was carried out following amendments to alter the layout of the existing car park. One further objection was received following this re-consultation. The summary of this objection is listed below:

Impact on traffic and potential for on street parking to be used by development.
Potential loss of trees.
No tree information submitted with application.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's 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. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main considerations are:

- o The principle of the proposed development
- o The impact on the character and appearance of the application site and surrounding area
- o The impact on the amenity of future and neighbouring residents
- o The impact on highway safety and whether the proposal would provide a sufficient parking allocation
- o Other material planning considerations

The principle of the proposed development

The principle of the creation of an additional storey is considered to be acceptable. The two neighbouring blocks are each higher than the application site and as such it is not considered that the additional height would be out of character within its context. The property is already in use as flats and it is not considered that two additional units would represent an overdevelopment of the site or increase the intensity to an unacceptable degree.

The impact on the character and appearance of the application site and surrounding area

The 2012 National Planning Policy Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused.

The proposed extension is considered to be acceptable. The extension has been set in from the main building lines to reduce the visual impact the proposal will have. By virtue of the size, design and siting of the extension it is considered to be acceptable in terms of the character and appearance of the host property and surrounding area. The proposal has been amended since its initial submission to reduce the balustrading to the roof to limit its visual impact. The balustrade has been set back from the front building line.

The impact on the amenity of future and neighbouring residents

Policy DM01 of the Development Management Policies 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.

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy". In addition to this, section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

The proposed extension is not considered to result in harm to neighbouring occupiers

The proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed flats would have access to sufficient amenity space with terrace areas on the rooftop. Details of the balustrading for this is to be secured by way of condition. It should also be noted that there is a communal garden at the rear of the site and as such future occupiers would be able to access this area. The parking at the rear of the site will be re-orientated to allow an additional 2 parking spaces to be provided. Sufficient amenity space will still be provided with despite the changes to the parking layout.

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree. The property is located on a busy main road and as such the additional units are not considered to result in appreciable increase in noise and disturbance by way of comings and goings which is out of character within its context.

Details of noise from ventilation and extraction equipment for kitchens and bathrooms will be secured by way of condition.

By virtue of its scale, siting and design it is considered that the development would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties to an extent that would warrant the refusal of the application on these grounds. It is acknowledged that there are side windows in the neighbouring properties, however, these appear to be obscure glazed. Furthermore, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

Highways and parking

The parking to the rear will be re-orientated to allow for an additional 2 parking spaces to be provided at the rear of the site. It is considered that this will enable satisfactory manoeuvring space for vehicles.

Trees and landscaping

It is noted that there are TPO trees on the site including to the front of the site, side boundary with no.98 Station Road and the rear boundary with Leicester Road as such conditions have been imposed on the application to ensure that the proposed development does not result in harm to the protected trees and ensure that works can be carried out without resulting in harm to the protected trees during construction. Full arboricultural details will be required pre-commencement of any works being carried out.

5.4 Response to Public Consultation

The proposal is not considered to result in demonstrable harm to neighbouring residents. It should be noted the windows in the neighbouring property appear to be obscure glazed.

To the rear a distance in excess of 21m is maintained between facing windows and as such complies with council policy in regards to overlooking distances.

The current condition of the existing building can not be controlled by way of planning, however, a condition seeking details of the materials to be used in the development has been imposed to ensure the development is of high quality and respect its context.

The agent had signed Certificate B within the application form confirming notice had been served on the freeholder of the property. Further clarification was then sought from the Local Planning Authority that no further notifications were required. The agent has confirmed in writing that all the necessary notifications have been sent to the anyone with an interest in the land. If, this is found to be inaccurate information this would invalidate any planning application. The Local Planning Authority have consulted the existing occupiers of the flats of the application and as such the residents are aware of the application.

Conditions have been imposed for a tree method statment, protective fencing and a no dig technique to be used for the development to ensure the proposed development does not result in harm to trees at and adjacent to the site.

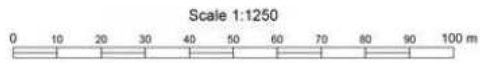
6. Equality and Diversity Issues

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

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

Site Map



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Location **48 The Ridgeway, London, N11 3LJ**

Reference: **B/05938/14** Received: 30.10.2014 **AGENDA ITEM 10**

Accepted: 30th October 2014

Ward: Coppetts Expiry 25th December 2014

Applicant: Mr Majeবাদia

Proposal: Two storey side extension with pitched roof to replace existing side garage and lean to building. A single storey rear extension and new windows and doors

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 14/839/P01C, P02, P04A, P05A, P06B, P07B, Sur01, 02, 04, 05, 06, 07 _ Loc01.

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 building hereby permitted is first occupied the proposed window(s) in the flank elevation facing No. 50 The Ridgeway 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

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

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

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

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

Informative(s):

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

Officer's Assessment

1. Site Description

The application site contains a two storey semi-detached dwellinghouse, located on the southern side of The Ridgeway. The road slopes down towards Bethune Avenue, with No. 50 The Ridgeway at a lower level than No. 48. No 46 The Ridgeway, the adjoining semi-detached property, is at the same level as No. 48. The properties also slope towards the rear, with raised rear patio areas. Neither neighbouring property has been extended to the rear. Various properties along The Ridgeway have been extended to the side elevations at two storey level.

2. Site History

None

3. Proposal

This application proposes a two storey side extension and a single storey rear extension with associated steps to the rear. The two storey side extension would have a width of 2.7 metres, a depth of 12.5 metres, at ground floor level adjoining the proposed single storey rear extension. At first floor level it would have a depth of 9.1 metres and a width of 2.7 metres. The two storey side extension would have a height of 6.5 metres to the eaves level and a maximum height of 10.4 metres to the top of the ridge and would be set back from the main front main elevation wall by 0.3 metres. It would be set away from the common boundary with No. 50 The Ridgeway by 1 metre and would incorporate a ramp access to the rear garden of 5 metres in depth, adjoining the common boundary with No. 50 The Ridgeway. The single storey rear extension would have a width of 9.5 metres, a depth of 3 metres. When viewed from the rear, it would have a height of 3.5 metres to the eaves level and a maximum height of 4.7 metres to the top of the crown roof. The eaves level height would be 2.8 metres higher than the existing patio and the maximum height would be 4 metres higher than the existing patio. The rear extension would also contain a rear access with steps leading down into the garden. The rear access would have a raised terrace of 1.5 metres in depth at a height of 0.75 metres and would be set away from the boundary with No. 46 The Ridgeway by approximately 0.8 metres.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties.
4 responses have been received, comprising 3 letters of objection.

The objections received can be summarised as follows:

- The rear extension would result in loss of privacy.
- Comments regarding stamp duty.
- The scheme would result in overdevelopment.
- It would result in loss of light.
- Access to the garden is not shown.
- The skylight will cause light pollution.
- Concerns regarding support structures.
- Loss of outlook.
- The patio would result in loss of privacy.
- Concerns regarding the height of the proposed rear steps.

On 3 December 2014, Cllr Brian Salinger called in the application for the following reasons:

- The plans do not reflect the fall in land.
- The scheme would adversely impact on the neighbours.

- No other extensions along The Ridgeway are full width.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's 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. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

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.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

- 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. The SPD 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.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. 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.
- In respect of amenity, states that extensions 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.

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- 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.

5.3 Assessment of proposals

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 depth of single storey rear extensions normally considered for semi-detached properties is 3.5 metres.

Given that the extension, when measured from the top of the existing patio, would only be 2.8 metres in height to the eaves level and a maximum height of 4 metres to the top of the hipped and pitched roof. It is not considered that the extension would result in an overbearing impact or loss of light to any neighbouring occupier. In addition, the depth of the extension being 3 metres in depth would comply with the Council's Residential Design Guidance. Moreover, the height of the extension when measured from the top of the existing patio area would be within Permitted Development legislation.

Given that the raised steps to the rear of a maximum height of 0.75 metres at a depth of 1.5 metres and set away from the common boundary with No. 46 The Ridgeway by approximately 0.8 metres and with the common boundary with No. 50 The Ridgeway by 5.1 metres, it is not considered that the proposed access steps to the rear garden would result in overlooking or loss of privacy over and above what is currently experienced on site.

The two storey side extension would be slightly set back from the front main elevation wall of the dwellinghouse, however given that it is set down from the main roof, less than half the width of the dwellinghouse, retains a gap of 1 metre to the boundary and that there are a number of two storey side extension along The Ridgeway that have extended in the same way, it is considered that it would not significantly effect the character and appearance of the street scene or the host dwelling.

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

5.4 Response to Public Consultation

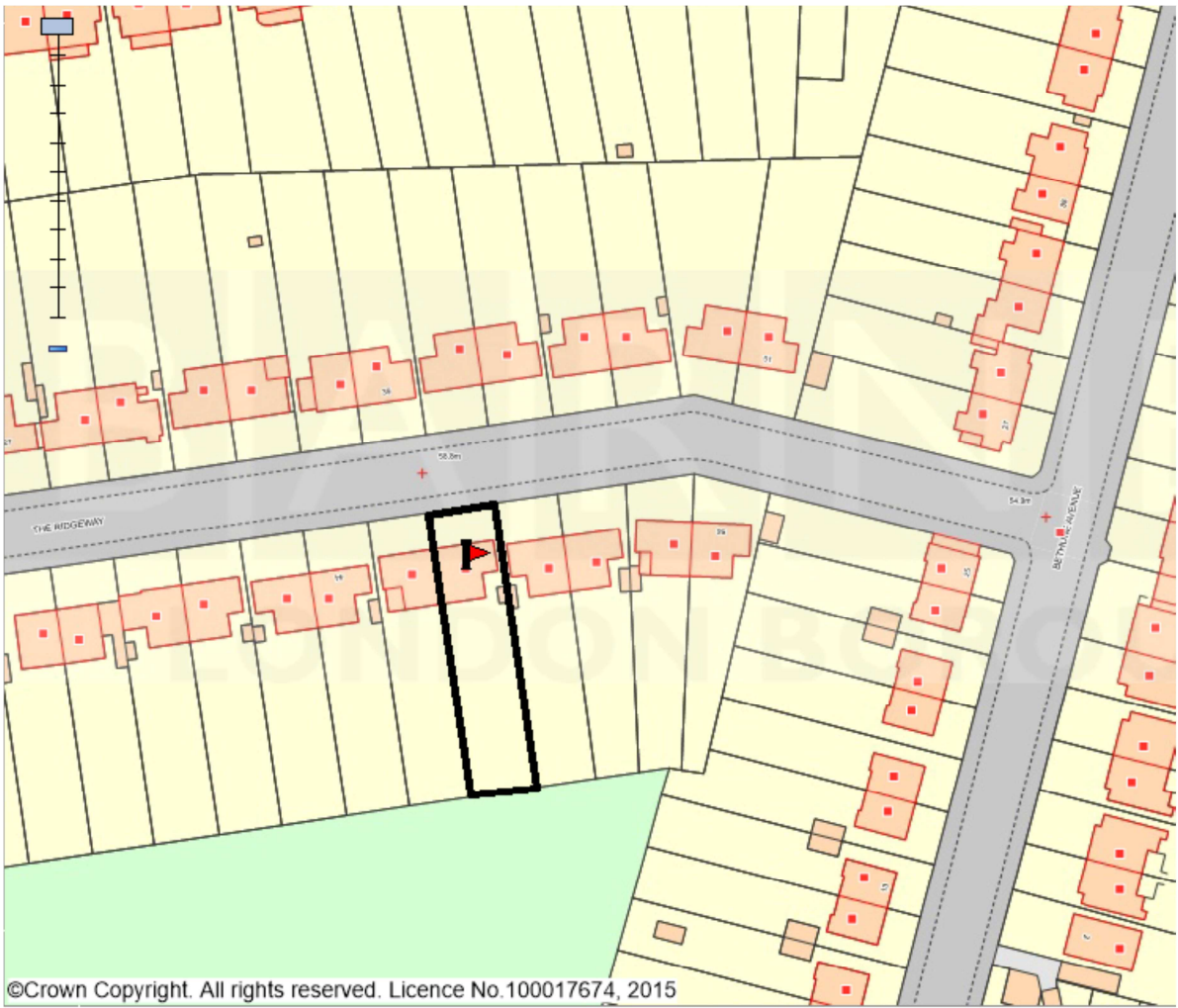
- Objections mainly addressed in appraisal above.
- The plans have been amended and re-consulted on, to show the access and the changes in level to the rear garden.
- The concerns regarding structural support issues is a building control matter.
- Comments regarding stamp duty are not a material planning consideration.
- The proposal is considered to comply with the Council's Residential Design Guidance and is not considered to result in the overdevelopment of the site.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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